



**United States  
Environmental Protection Agency  
FISCAL YEAR 2025**

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

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# United States Environmental Protection Agency

## FY 2025 Budget Overview

### EPA's Mission

The United States Environmental Protection Agency (EPA) has a clear and vital mission: to protect human health and the environment. While the Agency, along with tribal, state, and local partners, has made great progress in advancing this mission, much work remains to guarantee that all people living in the United States share more fully in the benefits of clean air, clean water, clean land, and chemical safety. Persistent challenges like climate change and environmental injustice have made it clear that protecting our communities has never been more urgent. The FY 2025 President's Budget puts forth the Agency's plans to confront these challenges and advance the priorities described in the [FY 2022 – 2026 EPA Strategic Plan](#), deepening EPA's commitment to protecting human health and the environment for all people, with an emphasis on historically overburdened and underserved communities.

The FY 2025 President's Budget for the EPA totals \$10.994 billion, representing a \$858 million or eight and a half percent increase from the FY 2024 Annualized Continuing Resolution (ACR) level. Note that at the time of budget development the Agency was operating under a continuing resolution and so funding requests are compared against the ACR. The Budget supports 17,145 full-time equivalents (FTE), an increase of 2,023 FTE above the 2024 ACR level, to continue rebuilding the Agency's core capacity to carry out its vital mission. These resources will advance EPA's efforts to clean up air, land, and water pollution, tackle the climate crisis, advance environmental justice, return contaminated land to productive use, regulate chemicals in commerce, and position the Agency with the workforce required to address emerging and ongoing challenges. The Budget includes robust funding to address the climate crisis by reducing greenhouse gas (GHG) emissions, building resilience in the face of climate impacts, and engaging with the global community, and tribal, state, and local partners to respond to this shared challenge. The Agency will continue to prioritize environmental justice in its activities by investing across all programs in support of environmental justice and ensuring compliance with civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from EPA.

The FY 2025 Budget for the EPA will continue to build on the historic progress and investments made by this Administration, including the Infrastructure Investment and Jobs Act (IIJA),<sup>1</sup> also known as the Bipartisan Infrastructure Law (BIL), and the Inflation Reduction Act (IRA).<sup>2</sup> The Budget will fund the Agency's core operating accounts and balance annual appropriations with the significant supplemental resources to ensure that EPA, tribes, and states have the support needed to effectively implement these new or significantly expanded programs.

The FY 2025 Budget is rooted in the four foundational principles of the *FY 2022 – 2026 EPA Strategic Plan: Follow the Science, Follow the Law, Be Transparent, and Advance Justice and*

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<sup>1</sup> For more information, please visit: <https://www.epa.gov/infrastructure>

<sup>2</sup> For more information, please visit: <https://www.epa.gov/inflation-reduction-act>

*Equity*. These principles form the basis of the Agency’s mission and will guide its operations and decision making now and into the future. The *Strategic Plan* focuses on achieving the Agency’s and Administration’s environmental priorities to instill scientific integrity in decision making, tackle the climate crisis, and embed environmental justice across agency programs.

## **FY 2025 Funding Priorities**

### **Tackle the Climate Crisis**

The FY 2025 Budget prioritizes tackling climate change with the urgency that science demands. EPA’s Climate Change Indicators website presents compelling and clear evidence of changes to our climate reflected in rising temperatures, ocean acidity, sea level rise, river flooding, droughts, heat waves, and wildfires.<sup>3</sup> Recent natural disasters, like the devastating wildfire in Maui, Hawaii, the hazardous smoke and air pollution stemming from summer wildfires, and the catastrophic flooding in the West, reinforce the significance of the EPA’s role in addressing and mitigating the effects of climate change nationally and in our local communities. Resources in the Budget support efforts to mitigate and adapt to the impacts of the climate crisis while spurring economic progress and creating good-paying jobs. Both climate change mitigation and adaptation are essential components of the Agency’s strategy to reduce the threats and impacts of climate change. The Budget empowers EPA to work with partners to address the climate crisis by reducing GHG emissions, building resilience in the face of climate impacts, and engaging with the global community to respond to this shared challenge.

In FY 2025, EPA will drive reductions in emissions that significantly contribute to climate change through regulation of GHGs, climate partnership programs, and support to tribal, state, and local governments. The Agency will accomplish this through the transformative investments in the IRA, IJJA, and our annual appropriation. In FY 2025 and beyond, EPA will ensure its programs, policies, regulations, enforcement and compliance assurance activities, and internal business operations consider current and future impacts of climate change.

The Budget includes an increase of \$77.5 million and 40.6 FTE above the FY 2024 ACR, for a total of \$187.3 million and 256.7 FTE, for the Climate Protection Program to tackle the climate crisis at home and abroad through an integrated approach of regulations, partnerships, and technical assistance. The increase would enable EPA to take strong action on CO<sub>2</sub> and methane, as well as high-global warming potential climate pollutants, such as hydrofluorocarbons (HFCs), restore the capacity of EPA’s climate partnership programs, and strengthen EPA’s capacity to apply its modeling tools and expertise across a wide range of high priority work areas including supporting U.S. participation in the Paris Agreement and the Climate-Macro Interagency Technical Working Group. Resources also are requested for EPA to continue to implement regulations in FY 2025 to enhance reporting of GHG emissions from U.S. industrial sectors, including methane emissions from the oil and natural gas sector.

Also included in this increase is \$5 million for EPA to provide administrative support to implement a historic \$27 billion Greenhouse Gas Reduction Fund, enacted through the IRA. EPA recently released funding opportunities for three grant competitions: the \$14 billion National Clean

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<sup>3</sup> For more information, please visit: <https://www.epa.gov/climate-indicators>

Investment Fund, the \$6 billion Clean Communities Investment Accelerator, and the \$7 billion Solar for All competition.<sup>4</sup> With enhanced administrative support provided by the additional funding request, EPA will be able to more effectively and efficiently administer competitive grants to mobilize financing and leverage private capital for clean energy and climate projects that reduce GHG emissions with an emphasis on projects that benefit low-income and disadvantaged communities.

The Agency is requesting an additional \$68.5 million and 46.8 FTE for a total of \$185.9 million and 370.3 FTE for the Federal Vehicle and Fuels Standards and Certification Program. This includes the development of analytical methods, regulations, and analyses, to support climate protection by controlling GHG emissions from light-, medium-, and heavy-duty vehicles. In FY 2025, EPA will begin implementing a final rulemaking under the Clean Air Act to establish new GHG emissions standards for heavy-duty engines and vehicles beginning with Model Year (MY) 2027. EPA will invest significant resources to address a myriad of new technical challenges to support two sets of long-term rulemakings, which will include added light-duty vehicle and heavy-duty vehicle testing and modeling capabilities at the National Vehicle and Fuel Emissions Laboratory (NVFEL). EPA also will begin implementing the multi-pollutant emissions standards, including for GHG emissions, for light- and medium-duty vehicles beginning with MY 2027 and extending through and including at least MY 2030.

In support of Executive Order 14037: *Strengthening American Leadership in Clean Cars and Trucks*,<sup>5</sup> EPA's longer-term rulemaking to set emission standards will save consumers money, cut pollution, boost public health, advance environmental justice, and tackle the climate crisis. The FY 2025 Budget requests \$100 million for the Diesel Emission Reduction (DERA) grant program, which complements the significant IJA resources to fund the replacement of existing school buses with low- and zero-emission buses. More than 25 million children ride a school bus to school each day, some breathing polluted air from diesel school buses. By deploying electric and lower emission school buses, fewer children will face increased asthma risks and other associated health problems linked to diesel air pollution. As of January 15, 2024, EPA awarded nearly \$1.84 billion in grants to 642 school districts spanning 50 states, Washington, DC, and several tribes and U.S. territories.<sup>6</sup> The grants will help school districts to replace over 5,100 existing school buses with low- and zero-emission vehicles that will improve air quality for children and their families in and around schools and communities.

Acting domestically to reduce GHG emissions is an important step to tackle the climate crisis; however, environmental protection is a shared responsibility that crosses international borders, and climate change poses a threat that no one government can solve alone. The Budget includes an additional \$18 million and 16 FTE to support tackling the climate crisis abroad. Through a collaborative approach with international counterparts, EPA will enhance capacity building programs for priority countries with increasing GHG footprints, to enable stronger legislative, regulatory, and legal enforcement. To this end, President Biden has ambitiously laid out a path, by 2030, for the United States to cut GHG emissions by at least half from 2005 levels showing our

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<sup>4</sup> For more information, please visit: <https://www.epa.gov/greenhouse-gas-reduction-fund/about-greenhouse-gas-reduction-fund>.

<sup>5</sup> Executive Order 14037: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/08/05/executive-order-on-strengthening-american-leadership-in-clean-cars-and-trucks/>.

<sup>6</sup> For total Clean School Bus Program awards, go to <https://www.epa.gov/cleanschoolbus/clean-school-bus-program-awards>.

international partners that America is doing its part to reduce global emissions. In FY 2023, EPA implemented 10 international climate engagements resulting in individual partner commitments or actions to reduce GHG emissions, adapt to climate change, or improve resilience in a manner that promotes equity, building on the work of eight engagements in FY 2022. The Agency will continue to engage both bilaterally and through multilateral institutions to improve international cooperation on climate change. These efforts help fulfill EPA's commitment to Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad*.

Tackling the climate crisis depends not only on the Agency's ability to mitigate GHG emissions but also the capacity to adapt and deliver targeted assistance to increase the Nation's resilience to climate change impacts. As part of a whole-of-government approach, EPA will directly support federal partners, tribes and indigenous communities, states, territories, local governments, environmental justice organizations, community groups, and businesses as they anticipate, prepare for, and adapt to the impacts of climate change. In FY 2022 EPA assisted 110 federally recognized tribes and 242 states, territories, local governments, and communities in taking such actions. The FY 2025 Budget includes an additional \$19.3 million and 14.5 FTE for climate adaptation efforts to increase resilience of EPA programs and strengthen the adaptive capacity of tribes, states, territories, local governments, communities, and businesses. In FY 2025, EPA will continue to implement the updated version of its Climate Adaptation Action Plan as well as the 20 Climate Adaptation Implementation Plans developed by the EPA Program and Regional Offices. The plans accelerate and focus on five priority actions the Agency will take by FY 2026 to increase human and ecosystem resilience as the climate changes and disruptive impacts increase. To support the economic revitalization of coal, oil, gas, and power plant communities (Energy Communities), the Budget requests an additional \$5 million and 3 FTE for stakeholder engagement and cross-agency coordination, including resources to increase the number of Rapid Response Teams (RRTs) from three in FY 2023 to at least 10 by the end of FY 2025.

To improve work on climate change modeling, an additional \$3 million is requested across multiple programs to support the Agency's participation in the Climate-Macro Interagency Technical Working Group and the Assessments of Federal Financial Climate Risk Interagency Working Group. Further, the Agency will continue development of open-source data and economic models, including sector-specific cost models and those that assess the macroeconomic and fiscal impacts of climate change and the risk of extreme weather events.

### **Advance Environmental Justice and Civil Rights**

The communities hardest hit by pollution and climate change are most often communities of color, indigenous, rural, and economically disadvantaged. For generations, many of these communities, which also are among the most vulnerable, have been overburdened with higher instances of polluted air, water, and land. The inequity of environmental protection is not just an environmental justice issue but also a civil rights concern. All people in the United States should realize the full protection of our environmental laws. And yet, the development, implementation, and enforcement of environmental laws, regulations, and policies has not always ensured the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income.

EPA will continue to take bold steps in FY 2025 and prioritize efforts to deliver environmental justice in communities across the United States, including implementing the President’s Justice40 Initiative and keeping up the momentum of the historic IJA and IRA environmental justice investments. Since the establishment of the pilot programs, EPA expanded the number of Justice40 covered programs to include programs funded by the IJA that match the criteria for Justice40 originally set in July 2022. EPA is focusing on these pilot and IJA-funded programs as the first phase of full Justice40 implementation at EPA. In November 2023, EPA updated the current list of agency programs covered under Justice40 to include many programs funded by the IRA.<sup>7</sup> EPA announced 79 programs that will be covered under the Justice40 initiative, including the Clean Water and Drinking Water State Revolving Funds, Brownfields Projects Program, Superfund Remedial Program, and the Clean School Bus Program.<sup>8</sup> EPA is currently exploring ways to ensure the delivery of benefits to disadvantaged and underserved communities to achieve the 40 percent goal within existing legal authorizations. EPA also is developing and refining methodologies to track and report the benefits going toward these communities. Advancing the Administration’s environmental justice priorities is a foundational component of the Agency’s FY 2025 Budget. EPA’s Budget recognizes the importance of embedding environmental justice principles in all agency programs and implementing Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad*, and Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.

In FY 2025, the Office of Environmental Justice and External Civil Rights (OEJECR) will continue to lead the agencywide effort to maximize the benefits of the Agency’s programs and activities to underserved communities. By September 30, 2025, EPA intends to apply cumulative impacts analysis and practice across agency programs, finalize and deploy external civil rights guidance, and apply at least 10 indicators to drive disparity reductions in environmental and public health conditions, to meet the FY 2024-2025 Agency Priority Goal to *Implement guidance, tools, and metrics for EPA and its tribal, state, local, and community partners to advance environmental justice and external civil rights compliance*.

In order to make investments that benefit historically underserved communities, EPA has worked to broaden the reach of its opportunities and fund nontraditional stakeholders. In partnership with the U.S. Department of Energy, EPA has opened 17 Thriving Communities Technical Assistance Centers (TCTACs) at universities and environmental justice organizations to help small, minority-owned businesses and not-for-profit and nongovernmental organizations be competitive in applying for federal dollars and successful in implementing projects and reporting results.<sup>9</sup> Three of the 17 TCTACs are dedicated to assist tribes, with the goal of strengthening EPA’s partnership with tribal nations to deliver much-needed infrastructure investments to tribal communities.

The FY 2025 Budget will continue to enhance the Agency’s ability to develop, manage, and award new competitive grants to reduce the historically disproportionate health impacts of pollution in communities with environmental justice concerns. \$323.6 million and 264.6 FTE, an increase of over \$216 million and 41 FTE above the FY 2024 ACR level, is requested for the Environmental

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<sup>7</sup> For more information, please visit: [https://www.whitehouse.gov/wp-content/uploads/2023/11/Justice40-Initiative-Covered-Programs-List\\_v2.0\\_11.23\\_FINAL.pdf](https://www.whitehouse.gov/wp-content/uploads/2023/11/Justice40-Initiative-Covered-Programs-List_v2.0_11.23_FINAL.pdf)

<sup>8</sup> For more information, please visit: <https://www.epa.gov/environmentaljustice/justice40-epa>

<sup>9</sup> For more information, please visit <https://www.epa.gov/environmentaljustice/environmental-justice-thriving-communities-technical-assistance-centers>

Justice Program to expand support for community-based organizations, indigenous organizations, tribes, states, local governments, and territorial governments in pursuit of identifying and addressing environmental justice issues through multi-partner collaborations. Included in this funding is a \$36.5 million increase to scale up capacity-building grants to more communities, governmental partners, and academic institutions. EPA also proposes to invest \$69.7 million and 39.3 FTE to continue building out the TCTACs established in FY 2023, ensuring that the network provides coverage across the United States.

The Budget also proposes a new \$25 million categorical grant program to develop Direct Implementation Tribal Cooperative Agreements, with the goal of \$13 million of this funding being used to assist tribes in becoming more resilient to climate impacts. This unique funding vehicle would fund tribes to carry out agreed upon federal implementation activities to assist EPA in implementing federal environmental programs in Indian Country. Once established, this Program is expected to at least double the number of tribes receiving EPA assistance for direct implementation activities while providing needed multi-media environmental protections. Further, with a total FY 2025 investment of \$35.1 million and 166.9 FTE, which more than doubles the amount in the FY 2024 ACR, EPA will strengthen efforts to support nationwide core work in the Tribal Capacity Building Program. This investment expects to reduce disparities in compliance rates between Indian Country and the national average, disseminate best practices for community engagement by tribal governments, reduce the ratio of grants per project officer for tribal grants, strengthen partnerships with tribes with “more time per tribe” for technical assistance, and improve efficiency and use of the EPA grant performance management system. In addition, EPA will fully implement the revised EPA Tribal Consultation Policy and Implementation Guidance to improve consultation practices in conformance with the executive order on tribal consultation and train EPA staff.

To fully implement its external civil rights mission for the most overburdened and vulnerable communities where protection of civil rights may be at risk, EPA must embed civil rights obligations into its programmatic actions. All applicants for and recipients of EPA financial assistance, including state and local governments as well as private entities, have an affirmative obligation to comply with federal civil rights laws, both as a prerequisite to obtaining EPA financial assistance and in administering their programs and activities. EPA has set the goal that all state recipients of EPA financial assistance have foundational civil rights programs in place by the end of FY 2026. In FY 2023, 58 percent of required civil rights procedural safeguard elements had been implemented by state permitting agencies that are recipients of EPA financial assistance, up from 33 percent in FY 2022. EPA enforcement of these anti-discrimination provisions is a vital part of the Agency’s goal to advance equity and environmental justice. Consistent enforcement of federal civil rights laws for recipients of federal funds will prevent decisions that can create or exacerbate significant inequities in human health protection and environmental pollution for overburdened and underserved communities. In FY 2025, the Budget includes a total of \$32.2 million and 145.6 FTE, an increase of \$19.4 million and 79.2 FTE above the FY 2024 ACR level, to build civil rights capacity across the Agency and to reduce the backlog of civil rights cases such as claims of discrimination in communities and pre-award and post-award compliance activities. In the long term, the vigorous enforcement of civil rights laws will address historical and systemic barriers that contribute to the environmental injustice affecting vulnerable communities.

## **Enforce Environmental Laws and Ensure Compliance**

Ensuring compliance and enforcement of the Nation's environmental laws is foundational to achieving EPA's mission. The Agency regulates more than 1.2 million facilities subject to a variety of environmental statutes, as well as a wide range of products, from automobiles to pesticides. In FY 2025, EPA's Budget proposes nearly \$769 million and 3,429 FTE to strengthen compliance with the Nation's environmental laws and hold violators accountable to ensure protection of human health and the environment. These levels represent an increase of over 200 FTE over the FY 2024 ACR for the Office of Enforcement and Compliance (OECA).

In FY 2025 the Agency will invest \$67.3 million and 128.3 FTE to address the most serious environmental violations through the development and implementation of National Enforcement and Compliance Initiatives (NECIs), including to mitigate climate change, address exposure to per- and polyfluoroalkyl substances (PFAS) contamination, protect communities from coal combustion residuals, address hazardous air pollution, provide for clean and safe drinking water, and reduce the risk of deadly chemical accidents.<sup>10</sup> In FY 2023, the Agency issued 203 drinking water orders to public water systems, of which eight were emergency orders. EPA also will leverage funding from the IRA that is targeted for improving enforcement technology and inspection software (such as the Integrated Compliance Information System, ICIS) and technical assistance to the regulated community. The Agency will increase the percentage of inspections impacting overburdened communities and provide greater public access to compliance data to help a community better understand and manage risks. In addition, EPA will advance its efforts to address climate change mitigation and adaptation issues through targeted inspections, compliance monitoring, and technical assistance directed to sources with the most potential for noncompliant emissions of GHGs that contribute to climate change.

The Budget includes \$171.7 million and 544.6 FTE for the Compliance Monitoring Program, an increase of \$57.3 million and 65.7 FTE above the FY 2024 ACR level, to support enforcement and compliance assurance efforts with a focus on incorporating environmental justice considerations into programmatic work. To complement the resources from IRA that are targeted for improving enforcement technology, inspection software, and other related purposes, EPA will leverage additional resources to expand software solutions for field inspectors to improve the effectiveness and efficiency of compliance inspections conducted by EPA and authorized states. Smart Tools software allows EPA to use its compliance monitoring resources more efficiently and to make inspection reports more quickly available to regulated entities and to the public in affected communities. In FY 2025, EPA will provide robust targeted oversight and support to tribal, state, and local programs, including an increase of \$2 million to support the Agency's Compliance Advisor Program, which reduces noncompliance at small public water systems (PWSs) and small wastewater treatment facilities (WWTFs) by providing hands-on technical assistance. As a result, the percentage of Clean Water Act National Pollutant Discharge Elimination System (NPDES) permittees in significant noncompliance with their permit limits decreased to 9.3 percent in FY 2023, down from more than 20 percent in FY 2018. In 2023, Compliance Advisors assisted and trained 195 small PWSs and 61 small WWTFs nationwide, with 84 percent in communities with potential environmental justice concerns. The Agency will prioritize work with states to develop methods that successfully leverage advances in both monitoring and information technology to

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<sup>10</sup> For more information, please visit: <https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives>.



increase the availability of information about environmental conditions in disadvantaged communities.

EPA's Civil Enforcement Program is designed to protect human health and the environment by ensuring compliance with the Nation's environmental laws. The Budget requests nearly \$260 million and 1,096.7 FTE for civil enforcement efforts, an increase of \$50.5 million and 98.6 FTE above the FY 2024 ACR level. These resources will allow the Agency to focus its enforcement efforts on the most serious environmental violations through the NECIs that seek to improve air quality, provide for clean and safe water, and ensure chemical safety. The increase also will allow the Interagency HFC Task Force to expand its work on ensuring compliance with the AIM Act. Together, these resources will enable EPA to incorporate environmental justice and climate change considerations into all phases of case development without displacing other important enforcement and compliance assurance work. To protect public health and ensure that private, public, and federal facilities are held to the same standard, EPA will rebuild and train headquarters and regional inspectors. EPA will pursue enforcement actions at public, private, and federal facilities where significant violations are discovered to protect the health of surrounding communities. In FY 2023, EPA reduced, treated, or eliminated 1.21 billion pounds of pollutants and waste through concluded enforcement actions. Finally, this increase in resources will provide additional support to the drinking water NECI as EPA works to become the lead federal agency for responding to drinking water emergencies. These resources will help EPA build capacity to address multiple water emergencies and provide regional staffing of field support and oversight during drinking water emergencies.

Overburdened and underserved communities are more often victims of environmental crime. In FY 2025, EPA, in partnership with the Department of Justice will continue to prioritize criminal enforcement resources for investigations which involve vulnerable communities or those that have historically been overburdened by pollution. The Criminal Enforcement Program Initiative focuses on the prioritization of investigative resources to overburdened communities and vulnerable populations, while maintaining case initiation standards and reducing the impact of pollution. The Budget includes \$76.7 million and 299.4 FTE, an increase of \$6 million and 30.1 FTE to support the Criminal Enforcement Program by targeting investigations on the most egregious environmental cases.

In FY 2025, EPA will continue to advance efforts to protect fenceline communities at risk to environmental health hazards from nearby oil and chemical facilities and underground storage tank releases. Fenceline communities are often low-income and/or communities of color facing disproportionate risks from environmental health hazards, particularly in light of severe weather events caused by a changing climate. The Agency set a goal of conducting 55 percent of annual EPA inspections at facilities that affect communities with potential environmental justice concerns by FY 2026. EPA exceeded that goal in FY 2023 with 61 percent of inspections conducted at those facilities and will continue to prioritize this in FY 2025. The Budget invests additional resources to advance protection of these communities by increasing inspections and compliance assistance to ensure nearby facilities are adhering to regulations designed to protect vulnerable populations. This investment also will be used to create and expand programs to improve environmental protections and increase monitoring capability in fenceline communities.

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

Providing clean and healthy air for all communities is a central tenet of EPA’s mission. Long-term exposure to elevated levels of certain air pollutants has been associated with increased risk of cancer, premature death, and damage to the immune, neurological, reproductive, cardiovascular, and respiratory systems. Short-term exposure can exacerbate asthma and lead to other adverse health effects and economic costs.<sup>11</sup> Relying on the latest science, EPA will continue work to reduce emissions of the six National Ambient Air Quality Standards (NAAQS) pollutants—particulate matter (PM), ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide, and lead. In FY 2025, EPA will leverage approaches including regulatory tools, innovative market-based techniques, public and private-sector partnerships, community-based approaches, voluntary programs that promote environmental stewardship, and programs that encourage adoption of cost-effective technologies and practices. The Budget includes nearly \$1.312 billion and 2,231 FTE to advance EPA efforts in protecting human health and the environment from the harmful effects of air pollution.

In FY 2025, EPA will make critical resource investments in air regulatory development and implementation work, particularly to support NAAQS review and implementation activities. The President directed EPA to review the 2020 PM NAAQS and the 2020 Ozone NAAQS in accordance with Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*.<sup>12</sup> The Federal Support for Air Quality Management Program includes \$269.4 million and 1,079.7 FTE, an increase of \$110.4 million and 200.4 FTE over the FY 2024 ACR level, to develop and implement climate and clean air regulations and programs, including supporting NAAQS review and implementation work. Critical to successful NAAQS implementation are activities such as timely issuance of rules and guidance documents, ongoing outreach to states and other entities, development of NAAQS implementation and permitting-related tools, and taking timely action on State Implementation Plans (SIPs) and reducing the SIP backlog. In the FY 2023 ozone season, NO<sub>x</sub> emissions from electric power generation sources were 293,519 tons, down from 389,170 tons in FY 2019.

Further, the Budget includes \$47.9 million and 165.3 FTE for the Federal Stationary Source Regulations Program, an increase of \$17.5 million and 40.8 FTE from the FY 2024 ACR level, to finalize the review of standards for power plants, as well as rules to limit GHG emissions from new and existing sources in the power sector and new and existing facilities in the oil and gas sector. The Budget requests nearly \$47.8 million and 71.4 FTE for the Reducing Risks from Indoor Air Program to expand technical assistance to community-based asthma programs, reducing asthma disparities, particularly in vulnerable communities, and provide technical support to high-risk, low-income communities to reduce lung cancer risk.

The Agency also will seek to address the air quality challenges presented by wildfires. Climate change has already led to a marked increase in wildfire season length, wildfire frequency, and burned area.<sup>13</sup> The Budget includes \$7 million for Wildfire Smoke Preparedness, and EPA will

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<sup>11</sup> For more information, please visit <https://www.epa.gov/air-research/research-health-effects-air-pollution>.

<sup>12</sup> Executive Order 13990: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

<sup>13</sup> For more information on climate impacts, risk and adaptation in the United States visit: <https://nca2018.globalchange.gov/>.

continue to work with the U.S. Forest Service and other federal, state, and community agencies and organizations to identify ways to improve public notification and reduce the public health risk from air pollution resulting from wildfires.

The Agency is also committed to protect both the climate system and the stratospheric ozone layer, which shields all life on Earth from harmful solar ultraviolet (UV) radiation. The Budget includes an increase of \$65.3 million and 24 FTE, for the Stratospheric Ozone: Domestic Programs to continue implementing the American Innovation in Manufacturing (AIM) Act to continue phasing out the production and import of HFCs, building on the successful work with manufacturers and phase-out methodologies that have led to progress restoring the ozone layer.<sup>14</sup> By September 30, 2025, EPA expects that annual U.S. consumption of HFCs will be 40 percent below the baseline of 302.5 million metric tons of carbon dioxide equivalent (MMTCO<sub>2</sub>e) consistent with the HFC phasedown schedule implemented in the AIM Act and codified in the implementing regulations and meeting the FY 2024-2025 Agency Priority Goal to *Phase down the production and consumption of hydrofluorocarbons (HFCs)*.

***Increasing Support for Air Grants to EPA Partners*** The Agency also requests \$423.3 million in financial support through Categorical Grant Programs to EPA’s tribal, state, and local partners, an increase of \$157.9 million over the FY 2024 ACR level, to further their efforts in implementing air quality management programs. These programs are critical to provide sustained financial support for the Agency’s state and tribal partners to support implementation of environmental laws across the country and assure tangible progress for historically overburdened and underserved communities. Funding for state and tribal support has been largely flat since 2018, while the need and expectations from EPA partners has only increased. In FY 2025, EPA’s request includes \$400.2 million for the State and Local Air Quality Management Program to provide grants to states that will support on-the-ground efforts to address GHG emissions and continuing core work (e.g., state, and local air quality monitoring networks, air permitting programs, emission inventories, air quality forecasts, air quality training, visibility improvements, and air toxic monitoring efforts). EPA also includes \$23.1 million for the Categorical Grant: Tribal Air Quality Management Program. Funding will assist tribes to develop and implement air pollution control programs for Indian Country to prevent and address air quality concerns, including mitigating and adapting to the effects of climate change. EPA will work with tribes to assess environmental and public health conditions in Indian Country by developing emission inventories and, where appropriate, expanding the siting and operating of air quality monitors.

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

The United States has made great progress over the past 50 years protecting and restoring water resources through legislation such as the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). In FY 2023, approximately 93 percent of the population served by community water systems (CWSs) (including 84 percent of the population in Indian Country served by CWSs) received drinking water that met all applicable health-based drinking water standards. While progress is being made to ensure clean and safe water for all, it is clear that the Nation still faces significant barriers and challenges achieving this goal, including access to safe and clean water,

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<sup>14</sup> For more information, please visit: <https://www.epa.gov/climate-hfcs-reduction/hfc-allowances#:~:text=The%20AIM%20Act%20directs%20the,allowance%20allocation%20and%20trading%20program.>

aging infrastructure, replacement of lead pipes, cybersecurity threats to water systems, climate change, and management of public health risks of emerging contaminants.

In FY 2023, EPA finalized the seventh Drinking Water Infrastructure Needs Survey and Assessment (DWINSA). This survey identifies a 20-year capital investment need of \$625 billion for public water systems that are eligible to receive funding from state Drinking Water State Revolving Fund (DWSRF) Programs and estimated there is a total of 9.2 million lead service lines across the country.<sup>15</sup> The survey also informs the DWSRF allocation formula as required under the Safe Drinking Water Act (SDWA). Beginning in FY 2024, early framework activities for the eighth DWINSA will begin. Today, up to 10 million homes in America and more than 400,000 schools and childcare centers rely on drinking water distribution lines that contain lead—a clear and present danger to the health of children. Replacing these lead pipes and adapting America’s water infrastructure to be more resilient to climate change is critical to keeping communities healthy and safe, consistent with the Biden-Harris Lead Pipe and Paint Action Plan.<sup>16</sup> In FY 2023, EPA awarded over \$50 million in Small Underserved Disadvantaged Communities Grants to aid compliance with drinking water rules, \$30 million for the Reducing Lead in Drinking Water Grants in disadvantaged communities and schools, and \$58 million for the Lead Testing and Remediation in Schools and Childcare Program.

As the climate warms, more extreme rainfall and flooding events could damage or overwhelm water systems, leaving entire communities without safe water supplies for days or weeks. EPA’s water infrastructure financing programs will advance the Agency’s ongoing commitment to infrastructure repair and replacement and also build climate resilience into the water sector. At the same time, these investments will create hundreds of thousands of good-paying jobs across the country and leverage non-federal resources to grow the effect of EPA investments. In FY 2023, the Agency’s water infrastructure finance programs leveraged \$11.4 billion in non-federal dollars.<sup>17</sup> The Budget builds on the \$9.23 billion in IJA funding available to State Revolving Funds (SRFs) in FY 2025. The Budget includes \$2.366 billion for EPA’s Drinking Water and Clean Water State Revolving Funds (SRF) and \$334 million for a range of grant programs authorized or modified in the American’s Water Infrastructure Act (AWIA), the Water Infrastructure Improvement for the Nation (WIIN), and the Drinking Water and Wastewater Infrastructure Act (DWWIA). Included in these resources is nearly \$101 million for two grants dedicated to Reducing Lead in Drinking Water and Lead Testing in Schools. This investment, along with other programs at EPA that can be used for lead projects, builds on the historic \$15 billion in direct funding for lead pipe replacement through the Bipartisan Infrastructure Law and underscores the President’s commitment to ensuring access to safe drinking water and creating good-paying jobs in the process. This funding also represents a \$111.8 million increase for DWWIA programs over the FY 2024 ACR level and focuses on programs that support priorities for the Administration, including lead reduction in drinking water, environmental justice, and drought resilience.

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<sup>15</sup> For more information, please visit <https://www.epa.gov/dwsrf/epas-7th-drinking-water-infrastructure-needs-survey-and-assessment>.

<sup>16</sup> For more information, please visit <https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/16/fact-sheet-the-biden-harris-lead-pipe-and-paint-action-plan>.

<sup>17</sup> Jobs created estimates are based on the *U.S. Water Alliance: The Value of Water Campaign: The Economic Benefits of Investing in Water Infrastructure*.

In FY 2025, EPA will continue implementing the WIIN, AWIA, and DWWIA programs to address water infrastructure challenges throughout the Nation. AWIA strengthened many existing programs within EPA, including programs authorized by the WIIN Act, while creating new programs to tackle significant public health and environmental concerns. DWWIA, as authorized under IJA, builds on the foundation of AWIA and WIIN to strengthen the federal government's ability to upgrade the Nation's drinking water and wastewater infrastructure. These investments will enable the Agency to increase water infrastructure resilience and sustainability, provide assistance for underserved communities, and reduce lead in drinking water. By September 30, 2025, EPA will increase the number of lead service line replacements funded to 500,000, to meet the FY 2024-2025 Agency Priority Goal to *Reduce harmful lead exposure in drinking water through the replacement of lead service lines in communities*.

In FY 2025, the Budget requests \$151 million and 554.5 FTE, an increase of \$24.2 million and 15.1 FTE, to support Drinking Water Programs to better protect communities, especially overburdened and underserved communities. This includes efforts to finalize and implement the Lead and Copper Rule Improvements (LCRI) regulation, which aims to strengthen the Lead and Copper Rule Revisions (LCRR) issued in 2021 to replace lead service lines more proactively and more equitably protect public health.<sup>18</sup> In June 2023, EPA released the *Developing and Maintaining a Service Line Inventory: Small Entity Compliance Guide*<sup>19</sup> that complements the *Guidance for Developing and Maintaining a Service Line Inventory*<sup>20</sup> released in August 2022. These guidances will help water systems comply with the LCRR requirement to submit an initial inventory of service line materials to their state or primacy agency by October 16, 2024.

Resources will support the Agency's efforts to reduce public health and environmental threats from PFAS by finalizing the new drinking water standards in FY 2024. An additional \$42.8 million and 22 FTE above the FY 2024 ACR level is requested to advance EPA's PFAS Strategic Roadmap,<sup>21</sup> which will allow EPA to accelerate its efforts to develop various methods and tools to support, tribes, states, and localities in managing PFAS risks, particularly in small and underserved communities. EPA will continue its efforts in FY 2025 to develop analytical methods, drinking water health advisories, toxicity values, effluent limitation guidelines, as well as risk communication and other tools to support tribes, states, and localities in managing PFAS risks in their communities.

In FY 2025 the Agency includes an additional \$30 million and 30 FTE to respond to the increasing number of water incidents across the Nation. These resources will enable EPA to expand its capacity to respond to drinking water and wastewater emergencies where water quality poses a risk to public health, and to ensure the community has access to safe and clean water in a timely or effective manner. Additionally, these resources are necessary for EPA to develop capabilities in the event the President designates EPA as the Lead Federal Agency (LFA) for a water

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<sup>18</sup> For more information, please visit: <https://www.epa.gov/ground-water-and-drinking-water/proposed-lead-and-copper-rule-improvements>.

<sup>19</sup> For more information, please visit: [https://www.epa.gov/system/files/documents/2023-06/Final%20Small%20System%20Entity%20Inventory%20Guide\\_508.pdf](https://www.epa.gov/system/files/documents/2023-06/Final%20Small%20System%20Entity%20Inventory%20Guide_508.pdf)

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

<sup>21</sup> The PFAS Strategic Roadmap may be found at: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

emergency. As the LFA, the Agency may be expected to perform multiple complex and time critical duties to provide safe and clean water in the event of an emergency.

The Budget includes \$270.6 million and 1,056.4 FTE for the Surface Water Protection Program, an increase of \$46.1 million and 46.1 FTE over the FY 2024 ACR level, to carry out work to protect, improve, and restore the quality of our Nation's coastal waters, rivers, lakes, wetlands, and streams. Another critical aspect of ensuring clean water is ongoing support for the capitalization of state programs to build and repair water infrastructure, including through EPA's two state revolving funds.

***Clean Water and Drinking Water State Revolving Loan Programs*** The Budget includes \$1.239 billion for the Clean Water State Revolving Fund (CWSRF) Program to capitalize state revolving loan funds in all 50 states and Puerto Rico to finance infrastructure improvements for public wastewater systems and projects to improve water quality. It represents the largest source of federal funds for states to provide loans and other forms of assistance for water quality projects including construction of wastewater treatment facilities, water and energy efficiency projects, and green infrastructure projects. In addition to capitalizing the CWSRF Program, a portion of the Budget will provide direct grants to communities in tribal nations and territories. The sanitation infrastructure in these communities often trails the rest of the country causing significant public health concerns. The Agency has helped reduce the number of community water systems in Indian Country still in noncompliance with health-based standards from 110 in March of 2021, to 54 at the end of FY 2023.

EPA's DWSRF is designed to assist public water systems in financing the costs of drinking water infrastructure improvements needed to comply with SDWA requirements, protect public health, and support tribal, state, and local efforts to protect drinking water. The Budget includes \$1.126 billion for the DWSRF to help finance critical infrastructure improvements to public water systems. States have considerable flexibility to tailor their DWSRF Programs to their unique circumstances and needs and to consider how best to achieve the maximum public health protection and infrastructure development that benefits all people living in the United States.

Infrastructure within the water sector goes beyond repair and replacement to include the safety and reliability of the information technology systems used to monitor clean and safe water. In FY 2025, EPA requests \$25 million for a grant program to advance cybersecurity infrastructure capacity and protections within the water sector against cyberattacks and cyberthreats. Cybersecurity represents a substantial concern for the water sector, given the prevalence of state-sponsored and other malevolent attacks on the sector as well as the sector's inherent vulnerability and limited technical capacity to address cyber issues.

***Water Infrastructure Finance and Innovation Act (WIFIA)*** The WIFIA Program, created in 2014, is a critical tool to increase water infrastructure investments by leveraging public and private sources of funds to maximize the reach of federal funds. As of December 2023, EPA had issued 120 WIFIA loans to communities across the country totaling over \$19 billion in credit assistance to help finance more than \$43 billion for water infrastructure projects. In FY 2025, EPA will continue to use the SRF and WIFIA investments to improve the reliability, accessibility, and

resilience of the Nation's water infrastructure. The Budget supports WIFIA with a total funding of \$80 million.

***Geographic Programs*** Beyond water infrastructure, the Agency recognizes the important role federal assistance provides to protect water bodies of special ecological and economic importance to our Nation. Through EPA's Geographic Water Programs, the Agency assists tribes, state, and multi-state partners to accelerate and manage the restoration of the ecological health of these water bodies. In total, the Budget includes \$681.8 million for EPA's Geographic Water Programs, slightly above the FY 2024 ACR level, to advance work on projects that target the most significant environmental problems in these important water bodies and watersheds. Since FY 2022, 27,632 square miles of watershed with surface water met standards that previously did not meet standards. In FY 2025, EPA will continue to provide resources to accelerate ecological restoration and sustainable management for the Chesapeake Bay, Columbia River, Gulf of Mexico, the Great Lakes, Lake Champlain, Lake Pontchartrain, Long Island Sound, Northwest Forest Watershed, Puget Sound, San Francisco Bay, South Florida, and Southeast New England. Funding will help monitor and restore these ecological treasures and enable sustainable use for years to come. These important geographic efforts also will benefit from the \$343 million provided by the IJJA to create synergies for EPA's Geographic Programs in FY 2025.

***Categorical Grants*** The Agency requests \$509.5 million, an increase of \$65.2 million above the FY 2024 ACR level, in financial support through Categorical Grant Programs to EPA's tribal, state, and local partners to support their efforts in implementing key provisions of the Clean Water Act. Within this amount, \$288.7 million is provided to the Section 106 Grants Program, an increase of \$51.7 million from the FY 2024 level, which funds state, interstate, and tribal water pollution control programs to support actions to identify and take actions to assess and mitigate PFAS in the environment, and is a critical funding source to establish, expand, and implement water quality programs to protect and restore water resources (e.g., rivers, streams, lakes, wetlands, and groundwater). Also included is \$189 million for the Section 319 Grants Program, an increase of \$7 million, which will continue to focus on implementing watershed projects and maintaining current Nonpoint Source Management Programs to restore impaired waterbodies to meet water quality standards and protect unimpaired waters. This includes a \$7.3 million increase for the Wetlands Program Development Categorical Grant for a total of \$22 million which will be targeted towards helping states implement programs to protect wetlands that have lost federal protection following the Sackett Supreme Court decision.

In addition, EPA requests \$132.6 million for the Public Water System Supervision (PWSS) Program, an increase of \$11.1 million, which helps support state drinking water programs and technical assistance providers in achieving and maintaining compliance at drinking water systems, amplifying best practices, strengthening state capacity, and certifying drinking water operators. EPA's efforts under this program will help deliver clean drinking water, improve public health, and support environmental justice for overburdened and underserved communities, including rural and tribal communities.

## **Safeguard and Revitalize Communities**

Preventing and cleaning up environmental damage that harms communities and poses a risk to public health and safety continues to be a top priority for the Administration. Cleaning up contaminated lands so that they can be redeveloped and returned to productive use is a challenge faced by many communities. Cleaning up America's most contaminated land and reducing exposure to toxic substances are critical components of the Agency's strategy to address human health impacts, particularly in underserved communities where many of these sites are located. Approximately 22 percent of Americans live within three miles of a Superfund site. Recent research shows Superfund cleanup actions lowered the risk of elevated blood lead levels by roughly 13 to 26 percent for children living within 1.2 miles of a Superfund National Priorities List (NPL) site where lead is a contaminant of concern.<sup>22</sup> In FY 2023, the Agency completed 49 Superfund cleanup projects that addressed lead as a contaminant. Remediating contaminated land and restoring it to productive use is not only an environmental imperative but presents an economic opportunity as well. A peer reviewed study found that residential property values within three miles of Superfund sites increased between 18.7 and 24.4 percent when sites were cleaned up and removed from the NPL.<sup>23</sup>

The FY 2025 Budget enables the Agency to continue efforts to clean up hazardous waste sites in communities across the Nation, including those where vulnerable populations, such as children, the elderly, and economically disadvantaged individuals, reside. These hazardous sites also are vulnerable to the effects of climate change, making remediation even more urgent. Federal data in a recent Government Accountability Office (GAO) report suggests that approximately 60 percent of Superfund sites overseen by EPA are in areas that are vulnerable to wildfires and different types of flooding—natural hazards that climate change will exacerbate.<sup>24</sup> The Agency is working to clean up these sites considering climate change implications to protect at-risk populations.

The Budget includes approximately \$661 million for the Superfund Program to continue cleaning up some of the Nation's most contaminated land and respond to environmental emergencies and natural disasters, in addition to the Superfund tax receipts available to EPA in 2025. The Superfund tax receipts will allow the Agency to continue critical Superfund pre-construction work such as site characterization, construction design, and community outreach/engagement, as well as critical remedial actions to clean up sites as described above, which supports the Administration's Justice40 Initiative. Additionally, this funding will allow the Superfund Emergency Response and Removal Program to address situations that require emergency response and removal actions such as chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances including from abandoned and uncontrolled hazardous waste sites. In August 2023, EPA issued approximately \$159.8 million in realized tax collections from the prior year to advance priority work across the Agency's Superfund programs. Some of the major program investments include \$30 million for emergency work in East Palestine, \$42.7 million to focus on additional lead soil removal and ensure protection at established levels, and

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<sup>22</sup> Details can be found at <https://www.epa.gov/environmental-economics/research-environmental-economics-ncee-working-paper-series>.

<sup>23</sup> Shanti Gamper-Rabindran and Christopher Timmons. 2013. "Does cleanup of hazardous waste sites raise housing values? Evidence of spatially localized benefits," *Journal of Environmental Economics and Management* 65(3): 345-360, <http://dx.doi.org/10.1016/j.jeem.2012.12.001>.

<sup>24</sup> For more information, please visit <https://www.gao.gov/products/gao-20-73>.



more than \$20.6 million to expand capacity to complete additional Superfund removals arising from State referrals and lead. In addition, more than \$26.1 million has been invested in the Superfund Enforcement and Superfund Federal Facilities Enforcement programs to continue the Agency’s “enforcement first” approach at private sites before turning to a Fund-lead cleanup, and to address current needs and emerging challenges regarding Superfund enforcement work at federal facilities, such as per- and polyfluorinated substances (PFAS) contamination at and near many federal facility National Priorities List (NPL) sites.

Investing in brownfields cleanup and redevelopment can revitalize main streets, neighborhoods, and rural communities, increase residential property values, and create good-paying jobs. The Budget provides \$207.5 million for EPA’s Brownfields programs, an increase of \$34.1 million from the FY 2024 ACR level, to provide technical assistance and grants to communities so they can safely clean up and reuse contaminated properties, as well as \$20 million for the new Alaska Contaminated Lands Program. Approximately 143 million people live within three miles of a brownfields site that receives EPA funding.<sup>25</sup> In FY 2023, grants from the Program helped clean up 169 brownfields, complete 1,894 site assessments, make 736 sites ready for anticipated use, and leverage 17,441 jobs and \$3.76 billion.

In FY 2025, the Agency will continue to invest in domestic recycling and solid waste infrastructure further contributing to a circular economy, one where reuse and recycling is the norm. According to the U.S. EPA Recycling Economic Information Report, the U.S. recycling industry supports 680,000 jobs and provides \$5.5 billion annually in tax revenues. In addition to these human resources and financial returns, the materials themselves hold great value, as recent data indicate that materials worth \$9 billion are thrown away each year. The FY 2025 Budget includes \$15.8 million and 68.4 FTE in the Resource Conservation and Recovery Act Waste Minimization and Recycling Program to better support the sustainable management of resources. This funding will advance efforts to strengthen the U.S. recycling system, address the global issue of plastic waste, engage communities, and prevent and reduce food loss and waste.

The Agency has a statutory role to ensure that contamination is quickly and effectively cleaned up resulting in the protection of human health and the environment from releases of hazardous substances. Additional resources are provided to help increase protection of fenceline communities from hazardous substance releases from facilities and underground storage tanks. In FY 2025, the Budget includes \$37.7 million in the Federal Facilities Program to enable EPA to address critical gaps in its ability to oversee federal agencies/facilities cleanup, including Department of Defense PFAS cleanup under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). In FY 2025, EPA requests an additional \$22.1 million and 1.8 FTE to modernize the Chemical Incident and Radiological Reconnaissance on Unmanned Systems (CIRRUS) program and to overhaul the aging Portable High-Throughput Integrated Identification System (PHILIS) capability, EPA’s mobile laboratory asset for on-site analysis of chemical warfare agent and contaminated environmental samples. This funding also supports the development of rapid, mobile analytical capabilities for biological agents. EPA will participate in the development of limited,

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<sup>25</sup> U.S. EPA, Office of Land and Emergency Management 2020. Data collected includes: (1) Superfund, Brownfield, and RCRA Corrective Action site information as of the end of FY 2019; (2) UST/LUST information as of late-2018 to mid-2019 depending on the state; and (3) 2015-2018 American Community Survey (ACS) Census data.

scenario-specific exercises and regional drills designed to assess national emergency response management capabilities, including response to biological incidents.

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

The FY 2025 Budget provides additional resources to build agency capacity to successfully carry out the significant responsibilities under amendments to the Toxic Substances Control Act (TSCA) to ensure the safety of chemicals in or entering commerce and addressing unreasonable risks to human health or the environment. Chemicals and toxic substances are ubiquitous in our everyday lives and are often released into the environment from their manufacture, processing, use, or disposal. EPA's work in managing chemical safety and toxic substances is particularly important to vulnerable populations, including low-income, minority, and indigenous populations, as well as children, who may be disproportionately affected by, and particularly at risk from, exposure to chemicals.

The FY 2025 Budget includes \$131.9 million and 534.8 FTE for the TSCA Program, an increase of \$49 million and 174 FTE above the FY 2024 ACR level. The increase in funding will advance implementation of the law's requirements, address ongoing staff shortages as noted in a recent GAO report,<sup>26</sup> and continue making progress in the manner envisioned by Congress. In FY 2025, EPA expects to conduct risk assessments and make affirmative determinations on risks for more than 500 new chemical notice and exemption submissions. The Agency will continue to emphasize quality of work, adherence to statutory intent and timelines applicable to pre-market review of new chemicals, chemical risk evaluation and management, data development and information collection, and review of Confidential Business Information (CBI) claims.

The Agency also has significant responsibility under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to screen new pesticides before they reach the market and ensure that pesticides already in commerce are safe. In addition, EPA is responsible for complying with the Endangered Species Act (ESA) and ensuring that federally endangered and threatened species are not harmed as a result of the use of pesticides. Endangered species risk assessments involve consideration of risks for approximately 1,200 active ingredients in more than 17,000 pesticide products to the more than 1,700 listed endangered species and 800 designated critical habitats in the United States. Given the complexity of evaluating potential effects to diverse listed species under ESA, EPA has been subject to numerous litigation challenges for registration and registration review actions. To continue making progress toward meeting ESA mandates in FY 2025, the Budget includes an additional \$29.2 million and 22.5 FTE for a total of \$80.2 million and 282.1 FTE for the Pesticides: Protect the Environment Program. The Agency's Budget also includes \$29.2 million and 69.2 FTE for the Pollution Prevention Program to support businesses, tribes, states, and other partners to promote and facilitate the adoption of approaches to improve multimedia environmental conditions and address climate impacts through reductions in pollutants and other hazardous materials. These practices focus on reducing the amount of any hazardous substance, pollutant, or contaminant entering a waste stream or released into the environment prior to recycling of discarded material, treatment, or disposal, as well as conserving the use of natural

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<sup>26</sup>For more information, please visit: [EPA Chemical Reviews: Workforce Planning Gaps Contributed to Missed Deadlines | U.S. GAO](#).

resources. The FY 2025 Budget requests \$7.8 million and 9 FTE for a new grant program to help small businesses transitioning to TSCA compliant practices to mitigate economic impacts.

As part of the President's commitment to tackling PFAS pollution across various agency programs, the Budget includes approximately \$170 million, an increase of nearly \$66 million above the FY 2024 level, for EPA to continue working toward commitments made in the 2021 PFAS Strategic Roadmap, including: increasing our knowledge of PFAS impacts to human health and ecological effects; restricting use to prevent PFAS from entering the air, land, and water; and remediating PFAS that have been released into the environment.

### **Support for State and Tribal Partners**

The FY 2025 Budget advances EPA's commitment to working alongside our tribal, state, and local partners to ensure a safe and healthy environment across the entire Nation. In FY 2025 EPA proposes more than \$4.528 billion in State and Tribal Assistance Grant (STAG) funding to support partners in tackling multi-faceted environmental issues, such as cleaning up land, air, and water, providing technical assistance, and infrastructure investments. Included in the STAG funding is \$2.366 billion for EPA's State Revolving Funds (SRF), which enable the states to provide low-cost loans and grants to municipalities for infrastructure construction.

The FY 2025 Budget continues to request the resources needed to increase federal support for our tribal, state, and local partners. The budget includes \$1.465 billion for categorical grants, to directly support tribal, state, and local partners. This represents an increase of \$304.5 million above the FY 2024 ACR level to support our co-implementing partners in managing rising costs and advancing progress across core environmental programs. Of the total request, over \$400 million will support the State and Local Air Quality Management Grants, an increase of \$151.2 million above the FY 2024 ACR level. These grants assist air pollution control agencies in developing and implementing programs for the prevention and control of air pollution and for the implementation of NAAQS set to protect public health and the environment. Additionally, a total of \$653.5 million, an increase of \$74.5 million above the FY 2024 ACR level, is requested for categorical grants that support tribal and state implementation of CWA and SDWA.

The categorical grants also provide resources to directly support tribes, tribal governments, and those living in Indian Country. In FY 2025, over \$85 million in the Tribal General Assistance Program provides tribes with a foundation to build capacity to address environmental issues on Indian lands assess environmental conditions, utilize available federal and other information, and build and administer environmental programs tailored to their unique needs. Over \$23 million will support the Tribal Air Quality Management Program to develop and implement tribal air quality management programs and to build tribal air quality management capacity. As mentioned above, the Budget also requests \$25 million to establish a new Direct Implementation Tribal Cooperative Agreements Categorical Grant. This new program will provide funding to tribes to carry out agreed upon federal implementation activities that will assist EPA in implementing federal environmental programs in Indian Country.

## **Ensure Scientific Integrity and Science-Based Decision Making**

Delivering rigorous scientific research and analyses to inform evidence-based decision making is one of EPA's cross-agency strategies. Scientific and technological information, data, and evidence-based decision making are central to the development and iterative improvement of sound policies and to the delivery of effective and equitable programs. Environmental challenges in the 21<sup>st</sup> century are increasingly complex. For example, the interplay between air quality, climate change, and emerging energy options requires new approaches and solutions. These solutions require research that transcends disciplinary lines and involve EPA regions and programs working together with tribal, state, and local partners, stakeholders, and communities.

The FY 2025 Budget includes nearly \$676 million and 1,902 FTE for EPA's Office of Research and Development (ORD), an increase of \$46.5 million and 164.4 FTE above the FY 2024 ACR level. This includes an increase of \$39.9 million and 36.7 FTE to the Air, Climate, and Energy Research Program, which will substantially advance research to assess the impacts of climate change on human health and ecosystems. EPA also requests an increase of \$13.7 million and 38.7 FTE to the Chemical Safety for Sustainability Research Program, which will be focused on modernizing the chemical toxicity and assessment process and incorporating scientific advances in new chemical evaluations under TSCA. This funding will lead to the development and translation of science to inform regulatory and policy decisions by the Agency and external partners that increase access to clean and safe air, land, and water for all communities across the Nation. The FY 2025 Budget also includes an additional \$18.3 million to fund the replacement of the 60-year-old Lake Explorer II Great Lakes research vessel, which is at the end of its life, securing the future of Great Lakes water quality and biological monitoring and research.

## **Continue to Restore EPA's Core Capacity**

Ensuring the Agency has the work force it needs to carry out its mission to protect clean air and water, tackle the climate crisis, and promote environmental justice is essential. The Budget adds 2,023 Full Time Equivalent (FTEs) relative to the estimated 2024 level, for a total of more than 17,145 FTEs, to help rebuild the Agency's core capacity. This FTE level remains below EPA's workforce for much of the 1990s and early 2000s, while today the Agency faces a growing workload and set of statutory responsibilities. Restoring staffing capacity across the Agency would enable EPA to better protect our Nation's health by helping cut air, water, and climate pollution and advancing environmental justice. EPA strives to provide modern and efficient workforce services and serve as a model for diversity, equity, inclusion, and accessibility. In FY 2025, the Agency will continue to support this goal by providing funding to enhance diverse hiring practices, expand EPA's paid internship program, and strengthen agencywide capacity to increase staff levels in key offices and programs. Effective workforce management is critical to EPA's ability to accomplish its mission. EPA's efforts in human resource functions are focused on strengthening the workforce, retaining critical expertise, and capturing institutional knowledge. EPA continues developing mechanisms to ensure that employees have the right skills to successfully achieve the Agency's core mission today and in the future.

The FY 2025 Budget provides the funding needed for critical agency infrastructure that all programs require to maintain operations and meet various mandates. In FY 2025, EPA funds new

and rising costs for mission support functions across EPA programs and regional offices, including Diversity, Equity, Inclusion and Accessibility (DEIA), data management, and agencywide implementation of OMB and DHS cybersecurity mandates. In FY 2025, EPA will continue to implement the actions identified in the Agency's DEIA Strategic Plan and Work Environment Plan. This includes working to ensure that agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable. In addition, the Budget includes resources to support and facilitate meaningful, in-person work across agency offices.

The Agency will commit an additional \$3.8 million to expand on existing paid internship program across the Agency to strengthen talent and workforce acquisition. The paid internship program focuses on expanding federal work experience opportunities for underrepresented and underserved populations which may have experienced barriers to applying or fully participating in existing opportunities. EPA's program will provide a total of approximately 180 four-month paid internship opportunities across EPA programs and regional offices. Additionally, EPA will implement a plan to convert eligible interns to permanent federal service based on performance and completing program requirements.

The FY 2025 Budget also provides robust support for implementation of the Foundations for Evidence-Based Policymaking Act of 2018. EPA has embarked on a multi-year effort to strengthen how the Agency identifies, prioritizes, and undertakes evidence-building activities and develops evidence-building capacity to inform its policies and decisions, consistent with the Evidence Act. An additional \$6.4 million and 7.2 FTE above the FY 2024 ACR is included to support implementation of the Evidence Act. The FY 2025 Budget will continue to promote program evaluation as an essential component of federal evidence building. Advancing an evaluation culture through a bottom-up approach and increasing agencywide engagement in program evaluation is a key strategy.

In FY 2025, the Agency will continue to reconfigure its workplaces with the goals of facilitating meaningful in-person work, reducing long-term rent costs, increasing EPA facility sustainability to combat the effects of climate change, and ensuring a space footprint that accommodates a growing workforce. Space reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. Each move requires initial funding to achieve long-term cost avoidance and sustainability goals. The FY 2025 Budget includes additional resources in the Buildings and Facilities account to pursue critical and backlogged repairs and improvements across EPA, initiate and complete climate resiliency and sustainability projects across EPA-owned facilities, and invest in cutting edge EPA lab facilities, including to support PFAS research.

The Budget requests an additional 4 FTE to implement Executive Order 14110, Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.<sup>27</sup> EPA will encourage the use of AI in the federal space, and do so with transparency, responsibility, safety, and ethical standards. The Agency will maintain EPA's current AI Inventory and develop a compliance plan, strategy, and

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<sup>27</sup> For more information, please visit: <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/10/30/executive-order-on-the-safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence/>.

AI governance committee. EPA forecasts that workforce demand for AI tools and training will increase and is addressing this need through the development of training and pilot programs.

### **Support for the Cancer Moonshot**

Reducing exposure to environmental contaminants that are known or suspected to cause cancer is embedded in much of EPA's programmatic work. EPA uses cancer incidence as one of the indicators in its Report on the Environment<sup>28</sup> to help answer questions relating to trends in the condition of the Nation's air, water, and land. To support the Administration's Cancer Moonshot initiative, EPA will continue its scientific research and regulatory work in FY 2025 to prevent and mitigate cancer-related exposure. The Agency will accomplish this work with a focus on addressing environmental injustice, disparity, and inequities in prevention of and exposure to environmental hazards that can cause cancer. Below are some examples of EPA's work in FY 2025 to prevent and reduce cancer-related exposure:

- *Research to Understand and Address Environmental and Toxic Exposures.* EPA conducts extensive assessments on chemical hazards related to cancer outcomes and has developed a variety of tools for evaluating health hazards posed by chemicals.<sup>29,30,31</sup> These programs provide toxicity information and toxicity values for contaminants of concern and have formed the scientific foundation for many of EPA's air and water quality standards and the Superfund Program.
- *Risk Evaluations of Toxic Substances and Pesticides.* In FY 2025, EPA will continue to conduct TSCA risk evaluations on new and existing chemicals to determine if they present an unreasonable risk to human health and the environment. The Agency has authority to order manufacturers to provide information on a chemical's carcinogenicity. In addition, the Pesticide Programs generates an annual list of cancer classifications for all pesticides.
- *Air Toxics and Radon.* EPA implements programs to improve air toxics data, characterize potential cancer risk, and issue regulations to lower emissions and reduce health risk for people across America. The FY 2025 Budget will continue to support work for air toxics and address emerging issues and likely carcinogens such as PFAS. EPA also will continue its efforts to prioritize strategies to reduce radon risk in underserved communities.
- *Drinking Water Regulations Aimed at Reducing Cancer Risks.* The National Primary Drinking Water Regulations include primary standards and treatment techniques for drinking water that remove carcinogens and prevent cancer cases. The PFAS drinking water regulation may prevent additional cancer cases since PFAS exposure is associated with increased risk of prostate, kidney, and testicular cancers. The FY 2025 Budget will continue to support efforts to finalize the PFAS Rule.

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<sup>28</sup> For more information, please visit: <https://www.epa.gov/report-environment/learn-about-roe-program>.

<sup>29</sup> For more information, please visit: <https://www.epa.gov/iris>.

<sup>30</sup> For more information, please visit: <https://www.epa.gov/pprtv/basic-information-about-provisional-peer-reviewed-toxicity-values-pprtvs#basicinfo>.

<sup>31</sup> For more information, please visit: <https://www.epa.gov/isa>.

- *Remediation at Superfund Sites to Reduce Exposure to Harmful Contaminants.* EPA’s Superfund Program<sup>32</sup> cleans up contaminated land to reduce human exposures to harmful contaminants that lead to greater risk for cancer and other health complications. In FY 2025, EPA will continue to oversee federal agencies and facilities cleanup, including Department of Defense PFAS cleanup under CERCLA.
- *Childhood Cancer Prevention.* In FY 2025, EPA will continue to help prevent childhood cancer by expanding the education provided to health care providers, parents, and communities about how to identify cancer clusters, key exposures to carcinogens, and the relationship between environmental exposures and childhood cancer or cancer due to exposures in childhood.

### **Supplemental Funding**

Resources in the FY 2025 Budget are complemented by the supplemental funding provided under the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). It’s important to note that these supplemental sources do not fund the everyday operations of the Agency and are targeted for specific purposes.

***Infrastructure Investment and Jobs Act (IIJA)*** The bipartisan IIJA makes historic investments in tackling climate change, protecting public health, creating jobs in communities across the country, and delivering a more equitable future. The IIJA appropriated to EPA approximately \$60 billion over a five-year period from FY 2022 through FY 2026. In FY 2025, \$12 billion of IIJA funding will be available to EPA for upgrading drinking water and wastewater infrastructure, replacing lead pipes, addressing emerging contaminants such as PFAS, protecting critical water bodies, cleaning up longstanding pollution at Superfund and brownfields sites, making improvements to waste management and recycling systems, decarbonizing the Nation’s school bus fleet, and advancing the Pollution Prevention Program. The IIJA also invests in strengthening the work of our tribal and state partners, helping create good-paying jobs, and increasing climate resilience throughout the country.

Since the IIJA was enacted, great strides in achieving these goals have been made.<sup>33</sup> EPA has so far provided over \$11 billion to support water infrastructure. Every state and Puerto Rico has received SRF grants, \$7.7 billion in drinking water grants, funding 350 projects, and \$3.4 billion in clean water grants, funding 155 projects. More than \$6.5 billion has been made available to find and replace lead pipes in communities across the nation. The Clean School Bus Program has awarded nearly \$2 billion, funding approximately 5,100 electric and low-emission school buses to replace dirty diesel buses, reducing greenhouse gas pollution and positioning America as a leader in developing and deploying clean vehicles. Funding also has contributed to cleaning up legacy pollution for 152 Superfund sites, while clearing the backlog of sites on the National Priority List. In FY 2023, 76 percent of Superfund funding was obligated for sites with environmental justice concerns, emphasizing the Agency’s commitment to protect the most vulnerable communities.

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<sup>32</sup> For more information, please visit: <https://www.epa.gov/superfund>.

<sup>33</sup> For more information, please visit: [https://www.epa.gov/system/files/documents/2023-11/bil\\_secondanniversaryreport\\_nov2023\\_v-5.pdf](https://www.epa.gov/system/files/documents/2023-11/bil_secondanniversaryreport_nov2023_v-5.pdf)

Through implementation of IIJA, EPA will continue to invest in infrastructure improvements across the country that reach all communities and ensure benefits for decades to come.

***Inflation Reduction Act (IRA)*** The IRA appropriated \$41.5 billion for EPA over the next decade to reduce harmful air pollution in places where people live, work, play, and go to school. Since the legislation was signed into law, EPA has moved swiftly to put these historic resources to work to reduce emissions, build a clean economy, lower energy costs for American households and businesses, create good-paying union jobs, and advance environmental justice across the country. In FY 2025 the Agency will continue to build on year one achievements, including \$30 million to expand community air monitoring in 37 states, \$25 million in clean air grants to improve air quality across the country, and three grant competitions under the \$27 billion Greenhouse Gas Reduction Fund. As of December 15, 2023, EPA has completed the review panel and initial evaluation stage for all eligible applications as part of the review and selection process for the National Clean Investment Fund and Clean Communities Investment Accelerator competitions. EPA will continue to launch numerous additional cutting-edge IRA programs to curb harmful methane emissions, reduce air pollution at ports and in surrounding communities, promote low-carbon construction materials, improve air quality at schools, and put more clean vehicles on America's roads.

### **Allocating Resources to Strategic Goals and Objectives**

In accordance with the Government Performance and Results Act of 1993 (GPRA) and the GPRA Modernization Act of 2010, the FY 2025 Budget identifies resources aligned with the strategic goals and objectives of the Agency's *FY 2022 – 2026 EPA Strategic Plan*. The Budget also allocates agencywide mission and science support resources and FTE across the goals and objectives. These resources provide support for multiple goals to achieve their objectives. This support involves the provision of foundational agencywide and cross-agency research and development, science, and essential mission assistance services by the EPA Offices of the Administrator (OA), Chief Financial Officer (OCFO), General Counsel (OGC), Inspector General (OIG), Mission Support (OMS), and Research and Development (ORD). The resource summaries by Strategic Goal and Objective within this Submission provide the total of both direct and allocated resources.



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**APPROPRIATION SUMMARY**

Budget Authority  
(Dollars in Thousands)

|   | <u>FY 2023 Final<br/>Actuals</u> | <u>FY 2024<br/>Annualized CR</u> | <u>FY 2025<br/>President's<br/>Budget</u> |
|---|----------------------------------|----------------------------------|---|
| <b>Science &amp; Technology</b>                             | \$835,028                        | \$802,276                        | \$1,009,960                               |
| <b>Environmental Programs &amp; Management</b>              | \$3,077,440                      | \$3,286,330                      | \$4,406,988                               |
| <b>Inspector General</b>                                    | \$41,521                         | \$44,030                         | \$65,257                                  |
| <b>Building and Facilities</b>                              | \$21,446                         | \$48,752                         | \$105,569                                 |
| <b>Inland Oil Spill Programs</b>                            | \$21,164                         | \$22,072                         | \$27,803                                  |
| <i>IG Transfer</i>  | \$13,244                         | \$11,800                         | \$13,979                                  |
| <i>S&amp;T Transfer</i>                                     | \$35,205                         | \$31,607                         | \$32,120                                  |
| <i>Superfund Program</i>                                    | \$1,300,324                      | \$1,239,293                      | \$615,068                                 |
| <b>Hazardous Substance Superfund</b>                        | \$1,348,774                      | \$1,282,700                      | \$661,167                                 |
| <b>Leaking Underground Storage Tanks</b>                    | \$96,317                         | \$93,205                         | \$108,870                                 |
| <b>State and Tribal Assistance Grants</b>                   | \$2,988,952                      | \$4,493,728                      | \$4,528,039                               |
| <b>Water Infrastructure Finance and<br/>Innovation Fund</b> | \$322,118                        | \$75,640                         | \$80,000                                  |
| <b><i>SUB-TOTAL, EPA</i></b>                                | <i>\$8,752,759</i>               | <i>\$10,148,733</i>              | <i>\$10,993,653</i>                       |
| <b>Cancellation of Funds</b>                                | \$0                              | -\$13,300                        | \$0                                       |
| <b><i>TOTAL, EPA</i></b>                                    | <i>\$8,752,759</i>               | <i>\$10,135,433</i>              | <i>\$10,993,653</i>                       |

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

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**APPROPRIATION SUMMARY**

Authorized Full-time Equivalents (FTE)

|   | <b>FY 2023 Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> |
|---|----------------------------------|----------------------------------|---|
| <b>Science &amp; Technology</b>                                 | 1,992.1                          | 2,022.0                          | 2,292.9                                   |
| <b>Environmental Programs &amp; Management</b>                  | 8,698.8                          | 9,592.7                          | 11,212.5                                  |
| <b>Inspector General</b>  | 202.4                            | 227.5                            | 284.5                                     |
| <b>Inland Oil Spill Programs</b>                                | 75.9                             | 85.8                             | 99.8                                      |
| <i>IG Transfer</i>  | 43.1                             | 42.5                             | 49.0                                      |
| <i>S&amp;T Transfer</i>   | 63.4                             | 63.1                             | 63.1                                      |
| <i>Superfund Program</i>  | 2,478.5                          | 2,572.4                          | 2,620.6                                   |
| <b>Hazardous Substance Superfund</b>                            | 2,585.0                          | 2,678.0                          | 2,732.7                                   |
| <b>Leaking Underground Storage Tanks</b>                        | 41.5                             | 49.4                             | 54.6                                      |
| <b>State and Tribal Assistance Grants</b>                       | 9.4                              | 7.5                              | 9.0                                       |
| <b>Hazardous Waste Electronic Manifest<br/>System Fund</b>      | 10.5                             | 15.0                             | 15.0                                      |
| <b>Water Infrastructure Finance and<br/>Innovation Fund</b>     | 35.7                             | 38.4                             | 40.0                                      |
| <b>Rereg. &amp; Exped. Proc. Rev Fund</b>                       | 136.9                            | 135.3                            | 135.3                                     |
| <b>WCF-Reimbursable</b>   | 233.0                            | 271.0                            | 271.1                                     |
| <b>Deepwater Horizon Natural Resource<br/>Damage Assessment</b> | 3.9                              | 0.0                              | 0.0                                       |
| <b>Pesticide Registration Fund</b>                              | 69.3                             | 0.0                              | 0.0                                       |
| <b>UIC Injection Well Permit BLM</b>                            | 2.0                              | 0.0                              | 0.0                                       |
| <b><i>SUB-TOTAL, EPA</i></b>                                    | <i>14,096.4</i>                  | <i>15,122.6</i>                  | <i>17,145.4</i>                           |
| <b><i>TOTAL, EPA</i></b>  | <i>14,096.4</i>                  | <i>15,122.6</i>                  | <i>17,145.4</i>                           |

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

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**Cross-Agency Strategy 1: Ensure Scientific Integrity and Science-Based Decision Making**  
*Deliver rigorous scientific research and analyses to inform evidence-based decision making.*

EPA's ability to protect human health and the environment depends on the integrity and quality of the information, data, and evidence that secure the scientific foundation for agency decision making. Identifying and implementing effective strategies, including strategies to adapt to the changing climate, advance environmental justice and equity, and protect children at all life stages, require that decisions be grounded in the best available science and evidence. EPA's Cross-Agency Strategy 1 in the *FY 2022 – 2026 EPA Strategic Plan* is strengthening scientific integrity, advancing the delivery of rigorous and independent scientific evaluation and analyses, and grounding EPA's actions in the best available science.

*Cross-Agency Strategy 1, Ensure Scientific Integrity and Science-Based Decision Making* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, increase the annual percentage of Office of Research and Development (ORD) research products meeting partner needs to 95 percent from a baseline of 93 percent in FY 2021.<sup>1</sup>
- By September 30, 2026, implement 131 actions for scientific integrity objectives that are certified by Deputy Scientific Integrity Officials in each EPA program and region.

Science touches all parts of EPA and plays an integral role in informing a range of environmental decisions. EPA program and regional offices support this strategy through a commitment to science as foundational to decision making, scientific integrity, rigorous quality assurance, appropriate peer review, the timely release of scientific information, and transparency in decision making.

As part of this commitment, the Agency is ensuring an effective scientific integrity program. Scientific integrity results from adherence to professional values and practices when conducting, communicating, supervising, developing, and implementing science. It ensures objectivity, clarity, reproducibility, and utility, and it safeguards against bias, fabrication, falsification, plagiarism, outside interference, censorship, and inadequate procedures and information security. EPA will advance and strengthen a culture of scientific integrity across the Agency by ensuring adherence to the scientific and ethical standards outlined in EPA's Scientific Integrity Policy.<sup>2</sup> In FY 2023 the Agency continued work on the final updated Scientific Integrity Policy planned for release in mid-2024, using a White House Office of Science and Technology Policy (OSTP) framework report published in January 2023. The draft policy has undergone formal consultation with tribes, engagement with and comment by EPA employee unions, and significant legal review. The Agency completed a training video on scientific integrity at EPA that will be distributed throughout the Agency with the updated Scientific Integrity Policy. Employees, contractors, and officials have access to the Scientific Integrity Official and staff and a network of Deputy Scientific

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<sup>1</sup> ORD is tracking environmental justice and climate products as annual performance goals. Please see the annual performance plan table in the President's Budget (<https://www.epa.gov/planandbudget/cj>) for more information.

<sup>2</sup> EPA's Scientific Integrity Policy (<https://www.epa.gov/scientific-integrity/epas-scientific-integrity-policy>)

Integrity Officials on whom they can rely for advice or to report allegations of a loss of scientific integrity.<sup>3</sup>

Along with the Agency's ongoing efforts to ensure scientific integrity is part of the culture, EPA's research and science programs support this Cross-Agency Strategy through the delivery of rigorous scientific research and analyses. The primary mission of the Agency's Office of Research and Development and Regional Lab Enterprise is to provide leading-edge research to meet near-term and long-term science needs of the Agency and inform EPA decisions. This research portfolio also supports the needs of tribal, state, and community partners. In FY 2023, 96 percent of research products met partner needs, exceeding the FY 2023 annual target of 94 percent and improving on the FY 2022 result of 94 percent (partner satisfaction is evaluated through an annual survey that engages key users of ORD products to assess scientific rigor, relevance, and timeliness of product delivery). Scientific research and development will support: 1) tackling the climate crisis by addressing the causes and consequences of climate change and developing more resilient communities; 2) addressing current, emerging, and long-term water resource challenges; 3) developing scientific and technical approaches to enhance the Agency's ability to evaluate chemicals and their risks; 4) accelerating the pace of cleanups at contaminated sites so they can be returned to beneficial use; 5) revitalizing and protecting the most vulnerable communities and groups; and 6) conducting environmental risk assessments to better inform policies for protecting human health, particularly for children at all life stages. The Agency's regional laboratories provide essential expertise and scientific data for a wide array of statutory areas needed to make local decisions. In FY 2025, regional laboratories will analyze scientific data to inform immediate and near-term decisions on environmental conditions, emergency response, compliance, and enforcement.

In FY 2025, the Agency will continue critical research on the highest priority issues. EPA will focus on addressing lead issues associated with Superfund sites and childhood lead exposure. The Agency also will continue to emphasize per- and polyfluoroalkyl substances (PFAS) research to increase understanding of PFAS exposures, human health and ecological effects, and technologies for reducing PFAS in the environment. In addition, the Agency will continue to advance the Administration's science-based approach to improve wildfire readiness by enhancing wildfire data and communications related to air quality and helping communities become "smoke ready."

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<sup>3</sup> The Foundations for Evidence-Based Policymaking Act of 2018 promotes a culture of evaluation and continuous learning that ensures agency decisions are made on the best available evidence including developing an Evaluations and Other Evidence-Building Activities Policy (Evaluation Policy). EPA's Evaluation Policy includes many elements that are related to EPA's Scientific Integrity Policy including principles of independence, objectivity, transparency, and rigor. Please see (<https://www.epa.gov/system/files/documents/2022-05/epa-evaluation-evidence-building-policy.pdf>) for more information.

## **Cross-Agency Strategy 2: Consider the Health of Children at All Life Stages and Other Vulnerable Populations**

*Focus on protecting and improving the health of children at all life stages and other vulnerable populations in implementing our programs.*

EPA's programs will apply and promote the use of science, policy, partnerships, communications, and action to protect children at all life stages and other vulnerable populations from adverse health effects resulting from exposure to pollution and the impacts of climate change. EPA also will take actions to protect children and other vulnerable populations in underserved communities where socioeconomic determinants of health exacerbate the harm caused by these environmental stressors.

Children's environmental health recognizes the effect of the environment on children's growth, wellness, development, and risk of disease. EPA actions will be informed by two important considerations: first, the scientific understanding of childhood as a sequence of life stages, and second, the recognition that protecting children's health is necessary to protect human health, because every adult was once a child. The effects of early life exposures may become apparent during childhood or may not arise until adulthood or in later generations.

*Cross-Agency Strategy 2, Consider the Health of Children at All Life Stages and Other Vulnerable Populations* is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, assess and consider environmental health information and data for children at all life stages for EPA actions that concern human health.

To best protect children's environmental health at all life stages and vulnerable populations, EPA will identify, assess, develop, and promote the use of science to support its policies, decisions, and actions, including regulations and voluntary programs. EPA also will ensure that agency toxicity, exposure, and risk assessments consider all relevant and available science to address the unique vulnerabilities of children and vulnerable populations, including disproportionate impacts related to race, ethnicity, income, existing health problems, or other social determinants of health.

In FY 2025, EPA's Children's Health Program will continue its core work to:

- Coordinate and advance the protection of children's environmental health across EPA by assisting with development of regulations, improving risk assessment and science policy, implementing community-level outreach and education programs, and tracking indicators of progress on children's health.
- Coordinate two plenary meetings of the Children's Health Protection Advisory Committee,<sup>4</sup> including delivery of expert responses to additional charge questions related to high priority children's environmental health issues.
- Follow up on recommendations from the National Academy of Sciences, which highlighted the latest scientific advancements and challenges to protecting children's

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<sup>4</sup> For additional information, please visit: <https://www.epa.gov/children/chpac>.

health from social, economic, cultural, and environmental factors.<sup>5</sup>

- Continue to implement the *EPA Policy on Children's Health* to ensure that EPA consistently and explicitly considers early life exposures and lifelong health in all human health decisions.<sup>6</sup>
- Support health care professionals via the Pediatric Environmental Health Specialty Units to better address risks from childhood exposures, particularly in communities with environmental justice concerns.
- Improve EPA's ability to monetize the economic benefits to children's health of environmental rules. Through a cooperative agreement between EPA and the Organization for Economic Cooperation and Development (OECD), OECD will develop willingness to pay values and assist EPA in developing non-cancer dose response curves to quantify children related health endpoints that are not currently included in EPA benefit-cost analyses. As a result, EPA will improve substantially its ability to communicate to the public the impact of its regulations.

To continue to implement Executive Order (EO) 13045: *Protection of Children from Environmental Health Risks and Safety Risks* in FY 2025 EPA also will:

- Partner with the Department of Health and Human Services to lead the cross-federal President's Task Force on Environmental Health Risks and Safety Risks to Children. The focus of this work will be on protecting children from adverse consequences of climate change and disasters, addressing disparities in asthma among children, and reducing childhood lead poisoning.<sup>7</sup>
- Take actions to protect children in underserved communities who suffer disproportionately from the effects of pollution exposures exacerbated by socio-economic determinants of health. For example, the Children's Health Program will continue to identify and communicate indicators to better reflect social determinants of health and account for disparities as part of efforts to enhance America's Children and the Environment (ACE), a set of national indicators on the environment and children's health. The Children's Health Program will also work to consider cumulative impacts in agency decision making, bridge the discussion to cumulative risk, and work to incorporate susceptibility and vulnerability at each stage of the risk assessment process.

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<sup>5</sup> For additional information, please visit: <https://nap.nationalacademies.org/catalog/25466/vibrant-and-healthy-kids-aligning-science-practice-and-policy-to>.

<sup>6</sup> For additional information, please visit: <https://www.epa.gov/children/childrens-health-policy-and-plan>.

<sup>7</sup> For additional information, please visit: <https://ptfcehs.niehs.nih.gov/>.



### **Cross-Agency Strategy 3: Advance EPA’s Organizational Excellence and Workforce Equity**

*Foster a diverse, equitable, and inclusive workforce within an effective and mission-driven workplace.*

To support its mission to protect human health and the environment, EPA will make significant progress in FY 2025 to advance organizational excellence and workforce equity. The Agency will strengthen workforce planning of mission-critical positions and support succession management for the next generation of the EPA staff and managers while emphasizing diversity, equity, inclusion, and accessibility (DEIA). EPA will modernize information technology (IT) systems, support employee-friendly work policies, and transition to a paperless work environment. EPA will continue to focus on implementing efficient and effective processes across the full range of agency efforts, using proven continuous improvement techniques and training to equip staff to solve problems and enhance our ability to accomplish our mission. Additionally, EPA will continue to safeguard against cybersecurity risks to protect agency assets and infrastructure from potentially malicious attacks. Further, EPA will be a leader in the federal government in advancing the sustainability of facilities and operations while developing resiliency to respond to the risks of climate change. EPA will continue to eliminate barriers to its procurement processes through greater diversification of the Agency’s vendor base, increasing engagement and technical assistance, and enhancing the Agency’s contracts with new vendors, including with small and underserved businesses, and targeting businesses located in Historically Underutilized Business Zones (HUBZones)<sup>8</sup>. 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.

*Cross-Agency Strategy 3, Advance EPA’s Organizational Excellence and Workforce Equity is directly supported by the following long-term performance goals in the FY 2022 – 2026 EPA Strategic Plan:*

- By September 30, 2026, EPA will be in full compliance with the five high-priority directives in Executive Order 14028 - *Improving the Nation’s Cybersecurity*.
- By September 30, 2026, award 4 percent of EPA contract spending to small businesses located in Historically Underutilized Business Zones (HUBZones) compared to the FY 2018-2020 average annual baseline of 2.2 percent.
- By September 30, 2026, initiate all priority climate resiliency projects for EPA-owned facilities within 24 months of a completed facility climate assessment and project prioritization.
- By September 30, 2026, EPA will achieve the highest Diversity, Equity, Inclusion and Accessibility (DEIA) Maturity Level of “Leading and Sustaining” as defined by the November 2021 *Government-wide Strategic Plan to Advance DEIA in the Federal Workforce* and achieve all EPA goals identified in the Agency’s Gender Equity and Equality Action Plan.
- By September 30, 2026, automate all priority internal administrative processes.

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<sup>8</sup> For additional information, please consult the Small Business Administration’s HUBZone Program webpage: <https://www.sba.gov/federal-contracting/contracting-assistance-programs/hubzone-program>.

- By September 30, 2026, automate the major EPA permitting programs.
- By September 30, 2026, improve 1,000 operational processes.

In FY 2025, EPA will continue to implement the Agency's DEIA Strategic Plan to advance progress towards ensuring equitable recruiting, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, training policies and practices, and maintaining a workforce representative of the American public that promotes a culture of inclusion and accessibility within the Agency. This will be executed by undertaking an evidence-based and data-driven approach to determine whether, and to what extent, agency practices result in inequitable employment outcomes, and whether agency actions may help to overcome systemic societal and organizational barriers. By the end of FY 2026, EPA will achieve the highest maturity level as defined by the November 2021 Government-wide Strategic Plan to Advance DEIA in the Federal Workforce.<sup>9</sup>

In FY 2025, EPA will continue to make progress towards equity goals by eliminating barriers in its procurement processes and increasing the amount of spending on small and disadvantaged businesses. EPA will continue to provide technical assistance to small business vendors on navigating federal contracting requirements and to ensure that new EPA procurements are accessible in scope and requirements for small businesses to successfully compete. This work will yield an increase in contract spending awarded to small and disadvantaged businesses, including those located in HUBZones.

In FY 2025, in line with OMB Memoranda M-23-15 - *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*, EPA will continue to implement, and update as necessary, its Work Environment Plan in a manner that emphasizes meaningful in-person work and advances organizational health and performance. EPA will continue to assess and implement any necessary investments in information technology and real property necessary to implement its Work Environment Plan. EPA also will continue to support front-line supervisor training for managing individuals and teams working in hybrid environments and effectively delivering results to customers and stakeholders. EPA will continue to support a data-driven culture which routinely uses performance measures for measuring, monitoring, and improving organizational health and organizational performance.

In FY 2025, EPA will continue to pursue IT systems and infrastructure modernization, innovation, and automation of internal administrative forms and processes to achieve a paperless work environment. To support the Agency's Cybersecurity posture, EPA will continue to accelerate cloud adoption. In addition, EPA will continue to increase adoption of Multifactor Authentication, encryption for agency systems and data, and adoption of a Zero Trust Architecture, and will meet advanced logging requirements to accomplish Executive Order (EO) 14028: *Improving the Nation's Cybersecurity*.

In FY 2025, in support of EO 14008: *Tackling the Climate Crisis at Home and Abroad*, EPA will complete climate resiliency assessments at three EPA-owned facilities. These assessments will

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<sup>9</sup> For more information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2021/11/Strategic-Plan-to-Advance-Diversity-Equity-Inclusion-and-Accessibility-in-the-Federal-Workforce-11.23.21.pdf>.

include identifying potential projects the Agency can implement to increase facility resiliency against the impacts of climate change, such as roofing stability, building envelope, and emergency power projects. Following completion of a climate assessment, EPA will initiate four high-priority projects within 24 months. Further, EPA will continue progress towards achieving carbon-pollution free energy use and net-zero emissions in line with Administration sustainability goals.

In FY 2025, the Agency will continue to modernize its financial systems to gain greater efficiencies by improving accounting systems and retiring legacy systems. OCFO is reducing duplicative and manual work by automating and modifying business processes and enhancing the ability to generate automated reports. Robotics Process Automation (BOTS) will be a part of the overall strategy to reduce manual work, decrease error, and improve efficiency. In FY 2025, EPA will continue to expand and enhance easy-to-use dashboards to manage resources and track performance. Additionally, the Agency will leverage senior staff engagement in continuous improvement through nearly 100 executive-sponsored improvement projects annually. EPA also is applying continuous improvement tools and initiatives to support Infrastructure Investment and Jobs Act implementation with an emphasis on improving processes related to hiring and grants.

In FY 2025, EPA will continue to automate the Agency's major permitting programs.<sup>10</sup> Automation of permit processes will reduce processing time on issuing permits, decrease the time between receiving monitoring data and engaging in enforcement actions, and foster transparency by allowing communities to search, track, and access permitting actions easily. Further, permit automation will enable the integration of climate change and environmental justice considerations into permit processes and ensure that they are addressed within the terms and conditions of the permit. For the regulated community, permit automation will allow for a simplified, streamlined, and transparent permitting process that will result in time and costs savings. For communities and stakeholders, permit automation can empower communities, especially communities with environmental justice concerns, to actively participate in the permit decision-making process and post-permit related compliance.

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<sup>10</sup> EPA identified a universe of 13 eligible processes. Broad statutory frameworks for the permitting programs are found in Sections 165, 173, and 502 of the Clean Air Act (42 U.S.C. §§ 7475, 7503, and 7661a); Section 402 of the Clean Water Act (33 U.S.C. § 1342); Section 3006 of the Resource Conservation and Recovery Act (42 U.S.C. § 6926), and Section 1422 and Section 1425 of the Safe Drinking Water Act (42 U.S.C. §§ 300h and 300h-4).

#### **Cross-Agency Strategy 4: Strengthen Tribal, State, and Local Partnerships and Enhance Engagement**

*Collaborate and engage effectively with Tribal Nations in keeping with the Federal Government's trust responsibilities, state and local governments, regulated entities, and the public to protect human health and the environment.*

Protecting human health and the environment is a shared responsibility of EPA and its tribal, state, and local government partners. EPA also has a historic and fundamental trust responsibility with tribal governments. Environmental outcomes are best achieved through collaborative and effective partnerships across all levels, successful oversight of federally delegated programs, and robust engagement with non-governmental organizations, national and community groups, stakeholders, and the public, built on a foundation of public trust and transparency. Through a renewed focus on fostering intergovernmental relationships, improving on-the-ground community engagement, delivering high-impact environmental education programs, and increasing public trust and transparency, EPA will forge stronger partnerships. As a result, EPA will be better positioned to advance durable solutions to its most pressing challenges and ensure the equitable protection of all communities, including those who have historically been underserved and overburdened.

*Cross-Agency Strategy 4, Strengthen Tribal, State, and Local Partnerships and Enhance Engagement* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, consider tribal treaty rights as part of all EPA tribal consultations that may affect tribal treaty rights.
- By September 30, 2026, eliminate the backlog of overdue Freedom of Information Act (FOIA) responses, compared to the FY 2021 baseline of 1,056.

Since disproportionate impacts of environmental pollution occur in tribal communities, EPA is committed to strengthening its relationship with tribes. EPA will strive to meet its federal trust responsibility and work to integrate consideration of tribal treaty and reserved rights early into decision making and regulatory processes. As of June 2023, 100 percent of tribal consultations occurring from FY 2022 onward that may have affected tribal treaty rights had considered those rights, as outlined in the long-term performance goal stated above.

The early, meaningful, and substantial involvement of EPA's co-regulator partners is critical to the development, implementation, and enforcement of the environmental programs in Indian country. With a renewed focus on climate, environmental justice, and children's health, EPA will emphasize frequent and early communication as a keystone of its partnership with tribal and state co-regulators. EPA must thoughtfully consider co-regulator concerns and existing regulatory programs to develop effective and lasting solutions to our most pressing environmental challenges.

In FY 2025, 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. In addition, EPA will implement the revised EPA Consultation Policy and new Implementation

Guidance to improve consultation practices to ensure early and meaningful engagement in conformance with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*.

In FY 2025, EPA will continue to enhance transparency, build public trust in agency actions, and support public participation by strengthening its implementation of the Freedom of Information Act (FOIA). In FY 2023 the Agency reduced the backlog of overdue FOIA requests by nearly 26 percent. EPA received more than 6,600 FOIA requests but closed more than 6,800 requests. The Agency will work to increase processing speed and to apply appropriate technologies to ensure it supports the timely searching and collection of information for purposes of responding to FOIA requests and other information needs in a cost-effective and sustainable manner. In addition, EPA procured and launched a new FOIA recordkeeping and processing software solution that replaced FOIA online at the beginning of FY 2024.

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## GOAL, APPROPRIATION SUMMARY

Budget Authority  
(Dollars in Thousands)

|   | FY 2023 Final<br>Actuals | FY 2024<br>Annualized CR | FY 2025<br>President's<br>Budget |
|---|--------------------------|--------------------------|----------------------------------|
| <b>Tackle the Climate Crisis</b>  | \$501,453                | \$597,652                | \$844,603                        |
| <b>Science &amp; Technology</b>   | \$212,814                | \$199,389                | \$284,782                        |
| <b>Environmental Programs &amp; Management</b>                                    | \$277,702                | \$264,052                | \$429,572                        |
| <b>State and Tribal Assistance Grants</b>   | \$10,937                 | \$134,211                | \$130,249                        |
| <b>Take Decisive Action to Advance<br/>Environmental Justice and Civil Rights</b> | \$390,374                | \$386,224                | \$720,750                        |
| <b>Environmental Programs &amp; Management</b>                                    | \$264,247                | \$264,742                | \$556,916                        |
| <b>Hazardous Substance Superfund</b>  | \$1,068                  | \$6,902                  | \$8,393                          |
| <b>State and Tribal Assistance Grants</b>   | \$125,060                | \$114,580                | \$155,441                        |
| <b>Enforce Environmental Laws and Ensure<br/>Compliance</b>                       | \$756,579                | \$807,220                | \$768,785                        |
| <b>Science &amp; Technology</b>   | \$21,248                 | \$23,769                 | \$27,168                         |
| <b>Environmental Programs &amp; Management</b>                                    | \$462,123                | \$512,157                | \$656,258                        |
| <b>Inland Oil Spill Programs</b>  | \$3,095                  | \$3,824                  | \$5,750                          |
| <b>Hazardous Substance Superfund</b>  | \$229,936                | \$226,754                | \$37,729                         |
| <b>Leaking Underground Storage Tanks</b>  | \$669                    | \$741                    | \$785                            |
| <b>State and Tribal Assistance Grants</b>   | \$39,508                 | \$39,976                 | \$41,096                         |
| <b>Ensure Clean and Healthy Air for All<br/>Communities</b>                       | \$755,505                | \$812,733                | \$1,312,283                      |
| <b>Science &amp; Technology</b>   | \$35,373                 | \$40,154                 | \$55,650                         |
| <b>Environmental Programs &amp; Management</b>                                    | \$320,032                | \$331,719                | \$637,018                        |
| <b>Hazardous Substance Superfund</b>  | \$2,510                  | \$2,942                  | \$4,534                          |
| <b>State and Tribal Assistance Grants</b>   | \$397,589                | \$437,918                | \$615,081                        |
| <b>Ensure Clean and Safe Water for All<br/>Communities</b>                        | \$3,977,390              | \$5,195,104              | \$5,135,849                      |
| <b>Science &amp; Technology</b>   | \$20,417                 | \$7,266                  | \$9,302                          |
| <b>Environmental Programs &amp; Management</b>                                    | \$1,155,164              | \$1,204,692              | \$1,332,238                      |
| <b>State and Tribal Assistance Grants</b>   | \$2,762,574              | \$3,901,660              | \$3,707,374                      |

|  | <b>FY 2023 Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> |
|--|----------------------------------|----------------------------------|---|
| <b>Water Infrastructure Finance and<br/>Innovation Fund</b>          | \$39,194                         | \$81,486                         | \$86,935                                  |
| <b>Deepwater Horizon Natural Resource<br/>Damage Assessment</b>      | \$26                             | \$0                              | \$0                                       |
| <b>UIC Injection Well Permit BLM</b>                                 | \$14                             | \$0                              | \$0                                       |
| <b>Safeguard and Revitalize Communities</b>                          | \$1,917,534                      | \$1,893,811                      | \$1,616,807                               |
| <b>Science &amp; Technology</b>                                      | \$72,959                         | \$69,389                         | \$123,966                                 |
| <b>Environmental Programs &amp; Management</b>                       | \$284,216                        | \$303,784                        | \$377,048                                 |
| <b>Building and Facilities</b>                                       | \$9,097                          | \$14,715                         | \$13,167                                  |
| <b>Inland Oil Spill Programs</b>                                     | \$22,386                         | \$22,774                         | \$27,257                                  |
| <b>Hazardous Substance Superfund</b>                                 | \$1,122,808                      | \$1,060,326                      | \$598,220                                 |
| <b>Leaking Underground Storage Tanks</b>                             | \$102,864                        | \$100,843                        | \$120,727                                 |
| <b>State and Tribal Assistance Grants</b>                            | \$303,204                        | \$321,980                        | \$356,422                                 |
| <b>Ensure Safety of Chemicals for People and the<br/>Environment</b> | \$453,924                        | \$455,988                        | \$594,577                                 |
| <b>Science &amp; Technology</b>                                      | \$10,639                         | \$10,261                         | \$16,845                                  |
| <b>Environmental Programs &amp; Management</b>                       | \$389,693                        | \$396,564                        | \$519,314                                 |
| <b>State and Tribal Assistance Grants</b>                            | \$52,995                         | \$49,164                         | \$58,417                                  |
| <b>Pesticide Registration Fund</b>                                   | \$597                            | \$0                              | \$0                                       |
| <b><i>Sub-Total</i></b>  | <b><i>\$8,752,759</i></b>        | <b><i>\$10,148,733</i></b>       | <b><i>\$10,993,653</i></b>                |
| <b>Cancellation of Funds</b>   | \$0                              | -\$13,300                        | \$0                                       |
| <b>TOTAL, EPA</b>  | <b>\$8,752,759</b>               | <b>\$10,135,433</b>              | <b>\$10,993,653</b>                       |



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

|   | <b>FY 2023 Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> |
|---|----------------------------------|----------------------------------|---|
| <b>Tackle the Climate Crisis</b>  | 1,137.9                          | 1,230.3                          | 1,457.9                                   |
| <b>Science &amp; Technology</b>   | 469.4                            | 466.6                            | 541.0                                     |
| <b>Environmental Programs &amp; Management</b>                                    | 660.2                            | 677.9                            | 848.0                                     |
| <b>State and Tribal Assistance Grants</b>   | 8.4                              | 85.8                             | 68.9                                      |
| <b>Take Decisive Action to Advance<br/>Environmental Justice and Civil Rights</b> | 706.7                            | 853.5                            | 1,168.2                                   |
| <b>Environmental Programs &amp; Management</b>                                    | 596.3                            | 744.9                            | 1,044.8                                   |
| <b>Hazardous Substance Superfund</b>  | 4.8                              | 8.0                              | 10.4                                      |
| <b>State and Tribal Assistance Grants</b>   | 105.4                            | 100.4                            | 112.7                                     |
| <b>WCF-Reimbursable</b>   | 0.2                              | 0.2                              | 0.2                                       |
| <b>Enforce Environmental Laws and Ensure<br/>Compliance</b>                       | 2,945.9                          | 3,190.4                          | 3,428.9                                   |
| <b>Science &amp; Technology</b>   | 77.0                             | 78.3                             | 87.4                                      |
| <b>Environmental Programs &amp; Management</b>                                    | 1,945.9                          | 2,130.7                          | 2,402.6                                   |
| <b>Inland Oil Spill Programs</b>  | 11.3                             | 15.1                             | 15.8                                      |
| <b>Hazardous Substance Superfund</b>  | 883.2                            | 939.3                            | 898.6                                     |
| <b>Leaking Underground Storage Tanks</b>  | 3.0                              | 3.4                              | 3.5                                       |
| <b>State and Tribal Assistance Grants</b>   | 24.2                             | 23.5                             | 21.1                                      |
| <b>Rereg. &amp; Exped. Proc. Rev Fund</b>   | 1.3                              | 0.0                              | 0.0                                       |
| <b>Ensure Clean and Healthy Air for All<br/>Communities</b>                       | 1,673.6                          | 1,764.2                          | 2,231.0                                   |
| <b>Science &amp; Technology</b>   | 80.7                             | 84.1                             | 99.0                                      |
| <b>Environmental Programs &amp; Management</b>                                    | 1,355.5                          | 1,438.8                          | 1,867.6                                   |
| <b>Hazardous Substance Superfund</b>  | 12.0                             | 12.2                             | 16.0                                      |
| <b>State and Tribal Assistance Grants</b>   | 225.5                            | 229.2                            | 248.4                                     |
| <b>Ensure Clean and Safe Water for All<br/>Communities</b>                        | 2,766.3                          | 3,085.0                          | 3,254.8                                   |
| <b>Science &amp; Technology</b>   | 30.8                             | 24.5                             | 29.1                                      |
| <b>Environmental Programs &amp; Management</b>                                    | 2,064.0                          | 2,243.1                          | 2,399.5                                   |

|  | <b>FY 2023 Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> |
|--|----------------------------------|----------------------------------|---|
| <b>State and Tribal Assistance Grants</b>                            | 619.5                            | 761.7                            | 766.8                                     |
| <b>Water Infrastructure Finance and<br/>Innovation Fund</b>          | 45.8                             | 55.8                             | 59.5                                      |
| <b>Deepwater Horizon Natural Resource<br/>Damage Assessment</b>      | 4.0                              | 0.0                              | 0.0                                       |
| <b>UIC Injection Well Permit BLM</b>                                 | 2.1                              | 0.0                              | 0.0                                       |
| <b>Safeguard and Revitalize Communities</b>                          | 3,224.2                          | 3,316.9                          | 3,631.2                                   |
| <b>Science &amp; Technology</b>                                      | 156.8                            | 153.0                            | 236.1                                     |
| <b>Environmental Programs &amp; Management</b>                       | 1,014.4                          | 1,087.4                          | 1,298.6                                   |
| <b>Building and Facilities</b>                                       | 10.9                             | 17.8                             | 13.8                                      |
| <b>Inland Oil Spill Programs</b>                                     | 83.7                             | 91.6                             | 105.3                                     |
| <b>Hazardous Substance Superfund</b>                                 | 1,714.6                          | 1,709.3                          | 1,698.3                                   |
| <b>Leaking Underground Storage Tanks</b>                             | 66.4                             | 72.4                             | 83.4                                      |
| <b>State and Tribal Assistance Grants</b>                            | 154.5                            | 157.2                            | 169.4                                     |
| <b>Hazardous Waste Electronic Manifest<br/>System Fund</b>           | 10.5                             | 15.0                             | 13.0                                      |
| <b>WCF-Reimbursable</b>  | 12.3                             | 13.3                             | 13.3                                      |
| <b>Ensure Safety of Chemicals for People and the<br/>Environment</b> | 1,641.8                          | 1,682.2                          | 1,973.3                                   |
| <b>Science &amp; Technology</b>                                      | 27.7                             | 28.4                             | 31.8                                      |
| <b>Environmental Programs &amp; Management</b>                       | 1,364.8                          | 1,483.7                          | 1,771.7                                   |
| <b>State and Tribal Assistance Grants</b>                            | 41.2                             | 34.7                             | 34.6                                      |
| <b>Rereg. &amp; Exped. Proc. Rev Fund</b>                            | 135.2                            | 135.3                            | 135.3                                     |
| <b>Pesticide Registration Fund</b>                                   | 72.9                             | 0.0                              | 0.0                                       |
| <b><i>Sub-Total</i></b>  | <b><i>14,096.4</i></b>           | <b><i>15,122.6</i></b>           | <b><i>17,145.4</i></b>                    |
| <b>TOTAL, EPA</b>  | <b>14,096.4</b>                  | <b>15,122.6</b>                  | <b>17,145.4</b>                           |

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

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|--------------------------------------|--------------------------------------|---|--|
| <b>Tackle the Climate Crisis</b>                               | <b>\$501,453</b>                     | <b>\$597,652</b>                     | <b>\$844,603</b>                          | <b>\$246,951</b>   |
| Reduce Emissions that Cause Climate Change                     | \$374,962                            | \$470,331                            | \$646,510                                 | \$176,179  |
| Accelerate Resilience and Adaptation to Climate Change Impacts | \$59,016                             | \$61,198                             | \$100,498                                 | \$39,300   |
| Advance International and Subnational Climate Efforts          | \$67,476                             | \$66,122                             | \$97,595                                  | \$31,472   |
| Total Authorized Workyears                                     | 1,137.9                              | 1,230.3                              | 1,457.9                                   | 227.6  |

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

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

### **Introduction**

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

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

In FY 2025, EPA will continue to drive reductions in emissions that significantly contribute to climate change through regulations on GHGs, climate partnership programs, and support to tribal, state, and local governments. The Agency will accomplish this through the significant investments represented by the Inflation Reduction Act (IRA), the bipartisan Infrastructure Investment and Jobs Act (IIJA), and its base appropriation, which funds the core operating accounts and ongoing environmental programs of the Agency. In FY 2025 and beyond, EPA will ensure its programs, policies, rulemaking processes, enforcement and compliance assurance activities, and internal business operations consider current and future impacts of climate change. EPA will consult and partner with tribes, states, territories, local governments and communities, businesses, and other federal agencies to strengthen adaptive capacity. By engaging with organizations representing overburdened and underserved communities, EPA will ensure its GHG mitigation and adaptation activities address environmental justice and equity concerns for all communities. Furthermore, EPA will continue to engage both bilaterally and through multilateral institutions to improve international cooperation on climate change. The FY 2025 Budget includes \$844.6 million and 1,457.9 FTE for *Goal 1: Tackle the Climate Crisis*.

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

The FY 2025 Budget includes \$646.5 million and 969.6 FTE for Objective 1.1, which is \$176.2 million and 132.7 FTE above the FY 2024 Annualized continuing resolution (ACR). This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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

Objective 1.1 is also directly supported by the following FY 2024-2025 Agency Priority Goal: Phase down the production and consumption of hydrofluorocarbons (HFCs). By September 30, 2025, annual U.S. consumption of HFCs will be 40 percent below the baseline of 302.5 MMT<sub>CO<sub>2</sub>e</sub> consistent with the HFC phasedown schedule in the American Innovation and Manufacturing (AIM) Act and codified in the implementing regulations.

In FY 2025, EPA will drive significant reductions in the emissions that cause climate change through regulation of GHGs; climate partnership programs such as ENERGY STAR; support for tribal, state, and local governments; and expansion of the GHG Emissions Reporting Program and Sinks Inventory. EPA regulations will cut GHG pollutants, including carbon dioxide (CO<sub>2</sub>), methane, and HFCs. Furthermore, in FY 2022, EPA finalized federal GHG emissions standards for passenger cars and light trucks for Model Years (MY) 2023 through 2026. EPA will collaborate closely with stakeholders to promote energy efficiency, renewable energy, and decarbonization of the Nation’s electric grid. By continuing the transition away from reliance on high-emitting fossil fuels, EPA programs will cut GHG emissions from cars, trucks, homes, and businesses.

In FY 2025, EPA plans to implement new source performance standards and emission guidelines applicable to power plants and to new and existing facilities in the oil and gas sector that EPA will have finalized under Section 111. As part of this effort, EPA also will provide support for implementation of the final new source performance standards and support to states in the development of state plans to meet requirements of oil and natural gas emission guidelines and power plant emission guidelines. The Agency also will implement regulations in FY 2025 to require enhanced reporting of emissions from U.S. industrial sectors, including methane emissions from the oil and natural gas sector.

Under the AIM Act, EPA will continue to work with industry to phase down the production and import of HFCs, which are commonly used in refrigerators, air conditioners, and in many other applications. The AIM Act directs EPA to take steps to sharply reduce production and consumption of these harmful GHG pollutants by using an allowance allocation and trading program. This

phasedown will decrease the production and import of HFCs in the United States by 85 percent over the next 15 years. A global HFC phasedown is expected to avoid up to 0.5°C of global warming by 2100. The FY 2025 Budget includes \$65.3 million and 24 FTE to implement provisions in the AIM Act to phase down the use of HFCs, to support U.S. entry to the Kigali amendment to the Montreal Protocol, and to restore staff capacity around efforts to tackle the climate crisis. This investment includes resources to implement innovative IT solutions, such as database integration across EPA and Customs and Border Patrol to help ensure that the phasedown is not undermined by illegal imports.<sup>1</sup>

In FY 2025, EPA will begin implementing the multi-pollutant emissions standards, including for GHG emissions, for light- and medium-duty vehicles beginning with Model Year (MY) 2027 and extending through and including at least MY 2030. In FY 2025, EPA also will begin implementing a final rulemaking under the Clean Air Act (CAA) to establish new GHG emissions standards for heavy-duty engines and vehicles beginning with MY 2027. EPA will invest significant resources to address a myriad of new technical challenges to support these two sets of long-term rulemakings, which will include added light-duty vehicle and heavy-duty vehicle testing and modeling capabilities at the National Vehicle and Fuel Emissions Laboratory (NVFEL). Key to this technical work is to understand the cost, feasibility, and infrastructure impacts of electrifying the broad range of products in the light-duty vehicle and heavy-duty vehicle sectors. This will include vehicle demonstration projects focused on zero-emission technologies whose use are rapidly growing in the light- and heavy-duty sectors and will be important in meeting future multi-pollutant emissions standards. Additional funding is also requested for the maintenance, repair and replacement of aging test equipment and infrastructure at the NVFEL.

In FY 2025, EPA will continue to work with other federal agencies to promote more sustainable and resilient communities. This includes identifying and pursuing opportunities to reduce barriers to deploying EV charging infrastructure and working with tribes, states, and communities to ensure the equitable distribution and thoughtful community integration of charging infrastructure, including for electric buses and delivery and rideshare vehicles.

Through voluntary partnership programs, EPA will work to incentivize energy efficiency and further decarbonize the transportation, power generation, industrial, and building sectors. Some examples of these programs include ENERGY STAR, Green Power Partnership, Natural Gas STAR, AgSTAR, GreenChill, and SmartWay. In FY 2025, EPA will continue to implement these climate partnership programs to improve delivery of energy efficiency, clean energy, and heat mitigation solutions to historically underserved and overburdened communities. EPA also will continue domestic programs and international collaboration to reduce exposures to harmful emissions from cookstoves.

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

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

In FY 2025, EPA will work to complete the annual Inventory of U.S. Greenhouse Emissions and Sinks,<sup>2</sup> and to improve inventory methodologies in areas such as oil and gas, land-use, and waste, consistent with the Intergovernmental Panel on Climate Change (IPCC) guidelines. EPA also will meet upcoming Paris reporting requirements and create a new GHG emission calculator, linked to Portfolio Manager, to develop building GHG inventories that fully comply with accounting protocols and local mandates.

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

The FY 2025 Budget includes \$100.5 million and 242.0 FTE for Objective 1.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, implement all priority actions in EPA’s Climate Adaptation Action Plan and the 20 National Program and Regional Climate Adaptation Implementation Plans to account for the impacts of the changing climate on human health and the environment.<sup>3</sup>
- By September 30, 2026, assist at least 400 federally recognized tribes to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.
- By September 30, 2026, assist at least 550 states, territories, local governments, and communities, especially communities that are underserved and disproportionately at risk from climate change, to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.

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

In FY 2025, EPA will continue to encourage climate-resilient investments across the Nation through federal financial assistance agreements. EPA will lead by example and prioritize climate resiliency investments across EPA-owned facilities. EPA will conduct climate resiliency assessments at EPA-owned facilities, prioritize investments, and initiate work on priority projects. As a result of FY 2022 assessments, EPA initiated two high priority projects in FY 2023: a feasibility study to improve the resilience of the causeway in Gulf Breeze, FL, and a solar array feasibility study at the research facility in Narragansett, RI. In FY 2025, EPA plans to conduct

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<sup>2</sup> <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>.

<sup>3</sup> These plans are available at: <https://www.epa.gov/climate-adaptation/climate-adaptation-plan>.

climate assessments at the Andrew W. Breidenbach Environmental Research Center in Cincinnati, OH, and the National Vehicle and Fuel Emissions Laboratory in Ann Arbor, MI. In line with federal sustainability goals, EPA will continue to pursue aggressive energy, water, and building infrastructure improvements to advance the Agency's use of carbon-pollution free electricity.

The FY 2025 Budget includes an additional \$19.3 million and 14.5 FTE above the FY 2024 ACR level to advance the Climate Adaptation Program. In FY 2025, EPA will continue to implement the updated version of its 2021 Climate Adaptation Action Plan as well as the 20 Climate Adaptation Implementation Plans developed by the Program and Regional Offices in FY 2022 and most recently updated in FY 2023. Each program and regional office will implement the priority actions identified in their Implementation Plans to address the five agency-wide priorities from the 2021 EPA Climate Adaptation Action Plan. These strategies are informed by the best available science and deliver co-benefits for mitigation of GHG and other pollution, public health, economic growth and job creation, national security, and environmental justice—all of which will be central to building a more resilient future. These actions will integrate climate adaptation planning into Agency programs, policies, rulemaking processes, enforcement and compliance assurance activities, financial mechanisms, and operations to ensure they are effective even as the climate changes. In FY 2022, EPA assisted 110 federally recognized tribes and 242 states, territories, local governments, and communities to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change. In FY 2023, EPA also completed 177 priority actions in its Climate Adaptation Action Plan and Program and Regional Implementation Plans, exceeding the annual target of 100. Also included in the FY 2025 Budget is an additional \$5 million and 3 FTE to support EPA's interagency work by increasing the number of Rapid Response Teams (RRTs) to help energy communities facing economic challenges from the energy transition.

In FY 2025, as part of the Climate Adaptation Program, EPA will continue to provide targeted assistance to tribes and indigenous peoples, states, territories, local governments, communities, and businesses to bolster these groups' climate resilience efforts. The Agency will focus resources on communities with environmental justice concerns to develop new strategies that strengthen adaptive capacity and increase climate resilience across the Nation. The Agency will produce and deliver training, tools, technical assistance, financial incentives, and information the Agency's partners indicate they need to adapt and to increase resilience to climate change.

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

The FY 2025 Budget includes \$97.6 million and 246.3 FTE for Objective 1.3. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

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



Moving forward in addressing the climate crisis calls for international as well as domestic efforts. EPA has an important role in helping countries respond to the climate crisis. Progress will require both significant short-term global reductions in GHG emissions and net-zero global emissions by mid-century alongside increased and equitable adaptation and resiliency to climate change impacts. As of September 2023, EPA implemented 18 international climate engagements, resulting in individual partner commitments or actions as outlined in the long-term performance goal stated above. EPA's responsibilities for protection of human health and the environment require EPA to have a critical role internationally in providing technical expertise, guidance, and capacity building to help countries set and meet ambitious GHG reductions, improving adaptive capacity, and strengthening climate governance. Specifically, EPA international work will further the environmental governance of priority partner countries so that they can implement and enforce effective climate mitigation activities and incorporate environmental justice climate principles. Without basic governance infrastructure, it is difficult for many countries to make progress on their Nationally Determined Contributions under the Paris Agreement, opening the Agreement to criticism about lack of developing country action on climate. EPA will enhance capacity-building governance programs for priority countries with increasing GHG footprints and increase their capacity to implement partnerships as well as legislative, regulatory, and legal enforcement. These programs will work to improve adaptive capacity and mitigation strategies of pollution burdened, vulnerable and indigenous communities.

These efforts support Executive Order (EO) 14008: *Tackling the Climate Crisis at Home and Abroad*,<sup>4</sup> which directs federal agencies to develop plans for integrating climate considerations into their international work, as appropriate and consistent with applicable law. Objective 1.3 fulfills EO 14008 by dedicating EPA expertise to help countries build capacity so they can set and meet ambitious GHG reduction commitments under the Paris Agreement, while also building resilience to current and future climate impacts. EPA's long-term aim is to implement at least 40 international climate engagements by 2026 that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, or improve resilience in a manner that promotes equity.

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<sup>4</sup> Executive Order 14008: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|   | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|--------------------------------------|--------------------------------------|---|--|
| <b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>                 | <b>\$390,374</b>                     | <b>\$386,224</b>                     | <b>\$720,750</b>                          | <b>\$334,526</b>   |
| Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels | \$157,950                            | \$152,262                            | \$218,651                                 | \$66,389   |
| Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities    | \$182,574                            | \$182,242                            | \$423,456                                 | \$241,215  |
| Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns        | \$49,851                             | \$51,720                             | \$78,642                                  | \$26,922   |
| Total Authorized Workyears  | 706.7                                | 853.5                                | 1,168.2                                   | 314.6  |

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

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

### **Introduction**

EPA places environmental justice (EJ), equity, and civil rights at the center of its mission and is embedding them across the Nation’s environmental protection enterprise. EPA has a responsibility to protect all American communities, including those within the contiguous and non-contiguous states and all territories and protectorates of the United States. By doing so, EPA will advance the promise of clean air, clean water, and safe land to communities across the country that have not fully benefitted from the Nation’s progress. EPA is centering its work on justice, which is especially important in an era when EPA must simultaneously break the cycle of historic environmental injustices while maximizing protection for these same communities that are too often hit worst and first from the impacts of a changing climate. In the *FY 2022 – 2026 EPA Strategic Plan*, EPA added “justice and equity” to the Agency’s fundamental principles,<sup>5</sup> as originally articulated by Administrator William Ruckelshaus.

This goal aims to achieve measurable environmental, public health, and quality of life improvements in the most overburdened, vulnerable, and underserved communities while ensuring that EPA’s commitment to following the law includes the civil rights laws just as fully as the environmental laws. Achieving this goal will require transformation and mindfulness in how EPA understands and conducts its work, including how EPA prioritizes program resources, stewards its relationships with regulatory partners and recipients of EPA funds, implements statutory authorities, and engages the communities most affected by environmental and public health threats, especially as the climate changes. To achieve this goal, it is critical for EPA to proactively engage with tribes, states, and local governments to discuss and address disproportionate impacts through their implementation of EPA authorities and engage in meaningful joint planning with communities to advance community visions and priorities.

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

EPA will continue to work to increase its capacity to tackle environmental justice and civil rights issues and embed consideration of these issues in its programs, policies, and processes, all with the goal of improving outcomes in environmental and health conditions for communities with environmental justice concerns. The FY 2025 Budget includes \$720.7 million and 1,168.2 FTE to advance *Goal 2, Take Decisive Action to Advance Environmental Justice and Civil Rights*.

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<sup>5</sup> Follow the science, follow the law, and be transparent, and the additional fourth principle: advance justice and equity.

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

The FY 2025 Budget includes \$218.7 million and 354.0 FTE for Objective 2.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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

EPA has the responsibility to make transformative progress on environmental justice and civil rights at the tribal, state, and local levels through a whole-of-government approach that involves communities as authentic partners. In FY 2025, EPA will continue support for community-led action at new levels by providing unprecedented investments and benefits directly to communities with environmental justice concerns as well as by integrating equity throughout all Agency support programs. EPA will ensure that all relevant programs are actively supporting community efforts to engage and influence program implementation and maximize the benefits from the investment of resources to achieve meaningful change on the ground for the most impacted communities. Supporting communities as they adapt to and mitigate the effects of climate change is also part of this commitment.

In FY 2025, EPA will continue to proactively integrate environmental justice and civil rights into policies and activities as a fundamental element of the Agency’s relationships with federal, state, and local partners to jointly achieve beneficial changes on the ground for communities. EPA will invest in oversight, guidance, and assistance for states and local governments to embed environmental justice into their programs and enhance civil rights enforcement. In FY 2023, 58 percent of the procedural safeguard elements across all of the state environmental permitting agencies had been implemented, and EPA is working to increase this number.

With the public’s engagement, and through partnerships and environmental education, EPA will work to improve initiatives at the regional levels and across EPA, including increased engagement with communities, Agency stakeholders, and across Justice40 programs, in support of Executive

Order (EO) 14008, *Tackling the Climate Crisis at Home and Abroad*.<sup>6</sup> The Budget provides an increase of \$6.2 million and 2.5 FTE above the FY 2024 ACR to expand and improve the Agency's public engagement, partnership, and outreach initiatives; and support the newly established National Environmental Youth Advisory Council and Historically Black Colleges and Universities and Minority Serving Institutions Advisory Council.<sup>7</sup>

Federal environmental law requires that federal environmental programs are in place across the U.S., including in Indian Country. Programs are implemented in two manners: by federally recognized tribes through EPA delegations, authorizations, or approvals of EPA authorities; and by EPA, which is known as EPA direct implementation. Approximately 95 percent of federal environmental programs in Indian Country are directly implemented by EPA with the remaining programs implemented by tribes. In FY 2025, EPA will continue to ensure that direct implementation activities are fully protective of communities and will advance environmental justice for federally recognized tribes in keeping with the federal trust responsibility. EPA also will continue to strengthen efforts to improve human health by reducing disparities in compliance rates between Indian Country and the national average through greater Agency support and leadership to EPA programs and regions for planning, executing, assessing, and measuring EPA direct implementation actions in Indian Country. In FY 2023, EPA programs with direct implementation authority took 25 significant actions that will result in measurable improvements in Indian Country. In addition, in FY 2025 EPA will implement the revised EPA Consultation Policy and new Implementation Guidance to improve consultation practices in conformance with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, and train EPA staff on the same practices.

In FY 2025, EPA will continue its longstanding commitment to assist tribes in building the capacity to receive delegated, authorized, or approved programs. In those instances when tribal governments assume federal program authority, EPA supports tribal governments' inclusion of environmental justice principles into their programs, community engagement, and decision-making processes, and is committed to ensuring flexibilities in Indian Environmental General Assistance Program (GAP) funding for implementing environmental justice principles in tribal environmental programs. Integration of environmental justice principles into all EPA activities with tribal governments and in Indian Country is designed to be flexible enough to accommodate EPA tribal program activities and goals, while meeting EPA environmental justice goals.

EPA's goal is to ensure that environmental programs implemented inside Indian Country are as robust and protective as those same programs implemented outside of Indian Country. To support this work, the FY25 Budget includes a new \$25.0 million grant program to focus on advancing environmental justice through direct implementation in Indian Country. With these additional resources, EPA will provide dedicated funding for a new tribal multi-disciplinary effort using Direct Implementation Tribal Cooperative Agreements (DITCAs), an authority previously established by Congress. DITCAs are a unique funding vehicle that allows EPA to fund tribes to assist EPA in implementing federal environmental programs in Indian Country. For the first time,

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<sup>6</sup> Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2001), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>7</sup> For more information, please visit: <https://www.federalregister.gov/documents/2023/09/26/2023-20878/establishment-of-historically-black-colleges-and-universities-hbcus-and-minority-serving>

the FY 2025 Budget proposes a new program specifically dedicated to leverage EPA’s authorities to expand direct implementation work and reach more tribal communities in need.

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

The FY 2025 Budget includes \$423.5 million and 561.8 FTE for Objective 2.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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

Objective 2.2 is directly supported by the following FY 2024 – 2025 Agency Priority Goal: Implement guidance, tools, and metrics for EPA and its tribal, state, local, and community partners to advance environmental justice and external civil rights compliance. By September 30, 2025, advance cumulative impacts practice across agency programs, finalize and deploy external civil rights guidance, and apply at least 10 indicators to drive disparity reductions in environmental and public health conditions.

Meeting these commitments to achieving change on the ground and accountability for such change will be the ultimate measure of the Agency’s success at advancing environmental justice, civil rights, and equity, including the implementation of EO 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>8</sup> EO 14008, *Tackling the Climate Crisis at Home and Abroad*,<sup>9</sup> EO 14091, *Further Advancing Racial Equity and Support*

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<sup>8</sup> Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (January 20, 2021), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

<sup>9</sup> Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

*for Underserved Communities Through the Federal Government*,<sup>10</sup> and EO 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All*.<sup>11</sup> These efforts include incorporating feedback from communities with environmental justice concerns while analyzing and addressing disproportionate impacts. The environmental laws that Congress passed are meant to apply to all Americans. EPA must not only strive to better support community efforts to engage with the Agency, but also advance the Agency's ability to engage in community-driven work through the regions and across all programs. EPA must implement the civil rights laws as vigorously as it implements the environmental statutes.

Most of the resources allocated for Objective 2.2 are devoted to the Environmental Justice Program with more than \$323.6 million and 264.6 FTE requested in FY 2025, an increase of \$215.6 million and 41.0 FTE above the FY 2024 ACR. The FY 2025 Budget proposes to invest \$69.7 million and 39.3 FTE to continue to enhance its engagement with communities by building out community-centered technical assistance hubs, the Thriving Community Technical Assistance Centers (TCTACs) established in FY 2023 and ensuring that the network provides coverage across the United States. The TCTACs will be instrumental in providing dedicated EPA staff, hands-on facilitation of connecting underserved communities and their partners directly with fundamental technical assistance and capacity building EPA program resources in addition to resources available through other federal partners. EPA will ensure that all community support activities provide a stream of tools, data, and methods back to the Agency to help other EPA programs analyze the EJ implications of policy decisions and program implementation, such as through National Environmental Policy Act processes or the consideration of costs and benefits in economic analyses.

In FY 2025, EPA will set ambitious goals of achieving meaningful change on the ground for communities with environmental justice concerns; identify data gaps; build tracking systems; and put in place any needed policy, guidance, or regulatory changes to achieve the goals. EPA also will ensure that Agency plans include responsibility and measurable accountability for advancing environmental justice, including the annual performance plans of key political, senior executive, and general schedule staff. EPA will utilize at least 10 indicators of disparity, as described in the FY 2024-2025 Agency Priority Goal, to drive policy change and track meaningful reductions on the ground for communities over time.

EPA will continue to establish and implement policies to ensure that actions with major significance for environmental justice and civil rights are responsive to the needs of communities, consider the results of environmental justice analyses, and reflect recommendations from the National Environmental Justice Advisory Council (NEJAC). EPA also will continue to ensure that all EPA programs develop guidance on the use of environmental justice tools such as EJScreen and the Climate and Economic Justice Screening Tool<sup>12</sup> to support screening and analysis of program outcomes.

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<sup>10</sup> Executive Order 14091: *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (February 22, 2023), found at: <https://www.federalregister.gov/documents/2023/02/22/2023-03779/further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal>.

<sup>11</sup> Executive Order 14096: *Revitalizing Our Nation's Commitment to Environmental Justice for All* (April 26, 2023), found at: <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>.

<sup>12</sup> For more information, please visit, <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

In FY 2025, EPA will continue to leverage and coordinate its investments in communities and collaborate with partners and other external stakeholders to advance comprehensive and strategic community-driven approaches. EPA will continue to implement its revised meaningful involvement policy and will continue to build on the number of collaborative partnerships centered on community priorities. Such partnerships will provide a solid foundation defined by the updated policy to ensure that all EPA program implementation efforts, with a particular focus on program deployment and policy development, will be rooted in a comprehensive approach to meaningfully engaging impacted communities. EPA will continue its efforts to implement EPA-wide policies and procedures to ensure EPA programs, activities and services are meaningfully accessible to persons with limited English proficiency and to develop an EPA wide program to ensure access for persons with disabilities to EPA programs activities and services.

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

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

The FY 2025 Budget includes \$78.6 million and 252.4 FTE for Objective 2.3. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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

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



EPA's Office of External Civil Rights Compliance (OECRC) is committed to enforcing compliance with federal civil rights laws to address historical and systemic barriers that contribute to the environmental injustice, overburdening, and vulnerability of communities. In FY 2025, EPA proposes to invest \$32.2 million and 145.6 FTE in the external civil rights program, an increase of \$17.6 million and 76.5 FTE above the FY 2024 ACR, to continue to build capacity to improve oversight and enforcement of civil rights compliance and prioritize and advance EJ concerns. The additional FTE will support activities including investigations into claims of discrimination in communities and pre-award and post-award compliance activities. It is critical that, in addition to increasing the FTE for the external civil rights work done in headquarters, there be a significant increase in FTE for the regional offices specifically targeted to external civil rights work. The regional offices provide critical support to external civil rights investigations and resolutions.

In FY 2025, EPA will take actions to address permitting decisions by EPA financial assistance recipients found to be discriminatory. Through investigations and informal resolution agreements, EPA will address discriminatory exposure to pollutants and toxins in order to advance access to clean air, water and land, and health protection. To meet the Agency's goals, EPA will increase the number of affirmative compliance reviews targeting discrimination in critical environmental health and quality of life impacts in overburdened communities. The Agency will issue policy guidance to clarify recipients' civil rights obligations and improve compliance through technical assistance deliveries. In FY 2022 and FY 2023, EPA held 235 information sharing sessions and outreach and technical assistance events with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues. In FY 2025, EPA will increase the number of meaningful engagements with overburdened communities and EJ groups on civil rights and environmental justice issues.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**Enforce Environmental Laws and Ensure Compliance**

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|   | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|--------------------------------------|--------------------------------------|---|--|
| <b>Enforce Environmental Laws and<br/>Ensure Compliance</b>         | <b>\$756,579</b>                     | <b>\$807,220</b>                     | <b>\$768,785</b>                          | <b>-\$38,435</b>   |
| Hold Environmental Violators and<br>Responsible Parties Accountable | \$529,406                            | \$562,125                            | \$443,052                                 | -\$119,073   |
| Detect Violations and Promote<br>Compliance                         | \$227,172                            | \$245,096                            | \$325,733                                 | \$80,637   |
| Total Authorized Workyears  | 2,945.9                              | 3,190.4                              | 3,428.9                                   | 238.6  |

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

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

#### **Introduction**

A robust compliance monitoring and enforcement program at EPA is essential to ensuring that communities across the country realize the environmental and human health benefits intended by environmental statutes and regulations. EPA regulates more than 1.2 million facilities subject to a variety of environmental statutes. EPA also regulates a wide range of products, from automobiles to pesticides, to protect the public. EPA strives to not only return violators to compliance but also obtain timely relief needed to address the underlying causes of the violations, to prevent reoccurrence, and, in appropriate cases, mitigate the harm to the communities impacted by noncompliance. The FY 2025 Budget includes \$768.8 million and 3428.9 FTE to strengthen compliance with the Nation's environmental laws and hold violators accountable under *Goal 3: Enforce Environmental Laws and Ensure Compliance*.

#### **FY 2025 Overview**

In FY 2025, EPA will collaborate with tribes, states, territories, and other federal agencies to focus federal enforcement resources on environmental problems where noncompliance with environmental statutes and regulations is a significant contributing factor and where federal enforcement can have a significant impact on the Nation's air, water, and land. EPA will continue to work cooperatively with tribes, states, territories, and other federal agencies to improve compliance with environmental laws.

EPA will target increased resources on the most serious environmental violations by implementing National Enforcement and Compliance Initiatives (NECIs) that seek to mitigate climate change, address exposure to per- and polyfluoroalkyl substances (PFAS) contamination, protect communities from coal combustion residuals, address hazardous air pollution, provide for clean and safe drinking water, and reduce the risk of deadly chemical accidents.<sup>13</sup> EPA also will fully incorporate Environmental Justice (EJ) considerations into every NECI as EPA strives to reduce environmental harm in vulnerable and overburdened communities. The following initiatives will be part of EPA's FY 2024 – 2027 NECIs:

- Mitigating Climate Change – focuses on reducing non-compliance with the American Innovation and Manufacturing Act (AIM Act) and the Clean Air Act (CAA) to seek to combat climate change, including the reduction of excess emissions from oil and natural gas production facilities and municipal solid waste landfills.
- Addressing Exposure to PFAS – focuses on implementing the commitments to action made in EPA's 2021 – 2024 *per- and poly-fluoroalkyl substances (PFAS) Strategic Roadmap* to address PFAS contamination that pose a threat to human health and the environment.<sup>14</sup> In 2022, EPA proposed listing PFOA and PFOS as hazardous substances under the Comprehensive Environmental

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<sup>13</sup> For additional information, please visit: <https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives>.

<sup>14</sup> For additional information, please visit: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

Response, Compensation, and Liability Act (CERCLA).<sup>15</sup> If EPA designates PFOA and PFOS as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), this NECI would focus on implementing EPA’s PFAS Strategic Roadmap and holding responsible those who significantly contribute to the release of PFAS into the environment, such as major manufacturers and users of manufactured PFAS, federal facilities that are significant sources of PFAS, and other industrial parties. If PFOA and PFOS are listed as hazardous substances, EPA does not intend to pursue entities where equitable factors do not support CERCLA responsibility, such as farmers, water utilities, airports, or local fire departments, much as EPA exercises CERCLA enforcement discretion in other areas.

- Protecting Communities from Coal Ash Contamination – focuses on compliance and enforcement at coal ash facilities that are in noncompliance with the applicable law, particularly those facilities impacting vulnerable or overburdened communities.
- Reducing Air Toxics in Overburdened Communities – focuses air enforcement resources on overburdened communities that are facing high levels of air pollution from Hazardous Air Pollutants (HAPs).
- Increasing Compliance with Drinking Water Standards – focuses on ensuring safe and clean drinking water from regulated community drinking water systems.
- Chemical Accident Risk Reduction – focuses on decreasing the likelihood of chemical accidents, thereby reducing risk to communities.

EPA’s inspection programs have faced substantial resource challenges for over a decade, leading to a loss of Agency expertise and number of inspectors, and a resulting decline in the numbers of inspections. To meet EPA’s EJ goals and its mission to protect human health and the environment, EPA must continue to rebuild and strengthen its inspection program by hiring more and training new and existing inspectors. This includes providing in-person basic inspector trainings and travel funding for the following statutes: the CAA; the Safe Drinking Water Act (SDWA); the Clean Water Act (CWA); the Resource Conservation and Recovery Act (RCRA); the Federal Insecticide, Fungicide, & Rodenticide Act; and the Toxic Substances Control Act (TSCA). Additionally, funding is needed to purchase health and safety equipment and inspection monitoring equipment. In FY 2025, the Agency is requesting an increase of \$67.3 million and 128.3 FTE above the FY 2024 Annualized Continuing Resolution (ACR) to implement the NECIs and to continue rebuilding the inspector cadre.

EPA will focus on vulnerable communities and those facing substantial burdens from environmental noncompliance. In these communities, EPA will increase inspections, prioritize enforcement cases, identify remedies with tangible benefits, and increase engagement about enforcement cases. Each of the six NECIs for the FY 2024 – 2027 cycle will target compliance monitoring in overburdened, vulnerable, and underserved communities with EJ concerns. EPA will continue to initiate enforcement actions to protect against children’s health hazards, including exposure to lead paint, the presence of lead and other contaminants in drinking water and soil, and particulate air emissions with the potential to aggravate asthma.

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<sup>15</sup> For additional information, please visit: <https://www.epa.gov/superfund/proposed-designation-perfluorooctanoic-acid-pfoa-and-perfluorooctanesulfonic-acid-pfos>

The Agency will address climate change by directing resources to ensure effective enforcement responses for those sources with noncompliant emissions of greenhouse gases (GHGs), develop remedies that are consistent with GHG mitigation and climate resilience goals, and pursue violators of the Renewable Fuel Standard. EPA requests an additional \$12.9 million and 27.5 FTE above the FY 2024 ACR to take action against the illegal importation, distribution, and use within the United States of hydrofluorocarbons (HFCs), which are chemicals with potent global warming potential, under the AIM Act.<sup>16</sup>

In FY 2025, an increase of \$5.7 million and 6.5 FTE will support efforts to investigate and identify releases of PFAS to air, land, and water. This will be accomplished by actively investigating under the authorities of RCRA, TSCA, CWA, SDWA, CERCLA and CAA the yet-unknown number of processing facilities, waste disposal facilities, and federal facilities where PFAS are suspected of contaminating various environmental media. EPA will continue to investigate releases, address imminent and substantial endangerment situations, and prevent exposure to PFAS under multiple environmental statutes. EPA relies on Superfund (SF) and Environmental Programs and Management (EPM) resources to (1) issue corporate-wide information requests and analyze responses, (2) create site profiles and information databases on specific facilities, (3) obtain site-specific data such as samples from private drinking water wells near military installations with significant PFAS contamination, and (4) use administrative and judicial authorities to require sampling and other response actions.

EPA also will continue implementing the Foundations for Evidence-Based Policymaking Act,<sup>17</sup> coordinated by EPA's Evidence Act officials. The Agency will expand its evidence-based compliance program through projects developed under EPA's compliance learning agenda, which systematically identifies the most important evidence the Agency needs to gather and generate advancement of compliance goals, and ensure the Agency uses high quality data and other information to inform policy and decision making.

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

The FY 2025 Budget includes \$443.1 million and 2,490.9 FTE for Objective 3.1. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, reduce to not more than 93 the number of open civil judicial cases more than 2.5 years old without a complaint filed.<sup>18</sup>

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<sup>16</sup> For more information on the AIM Act, please visit: <https://www.epa.gov/climate-hfcs-reduction/background-hfcs-and-aim-act>.

<sup>17</sup> Full-text of the Foundations for Evidence-Based Policymaking Act of 2018 may be found at: <https://www.congress.gov/bill/115th-congress/house-bill/4174/text>.

<sup>18</sup> For comparison, there were 129 cases more than 2.5 years old without a complaint filed as of June 30, 2018. The number of cases fluctuates and is therefore difficult to predict how many cases will “age in” in a given year. EPA reduces the number of older cases through different approaches and strategies. For example, sometimes the United States government files a complaint to make progress in resolving a case; other times, it eliminates a claim in its settlement proposal or modifies its injunctive relief or penalty demand because of litigation risk or other relevant factors such as an entities inability to pay the penalty.

### ***Civil Enforcement***

The overall goal of EPA's Civil Enforcement Program is to maximize compliance with the Nation's environmental laws and regulations to protect human health and the environment. In FY 2025, EPA requests \$259.6 million and 1,096.7 FTE, an increase of \$50.5 million and 98.6 FTE above the FY 2024 ACR, to support civil enforcement efforts. EPA will encourage regulated entities to correct violations rapidly, ensure that violators do not realize an economic benefit from noncompliance, and pursue enforcement to deter future violations and mitigate past harm. In FY 2023, EPA reduced the number of open civil judicial cases more than 2.5 years old without a complaint filed to 50, down from 129 cases in FY 2018. EPA also will continue to strengthen environmental partnerships with tribes, states, and other federal agencies. The additional resources will improve EPA's ability to incorporate EJ and climate change considerations into all phases of case development. To protect public health and ensure that private, public, and federal facilities are held to the same standard, EPA will rebuild the Civil Enforcement Program and train headquarters and regional inspectors to inspect more facilities in the large public, private, and federal facility universe. In addition, EPA will continue to improve its sampling capability to identify violations. These resources are needed given the complexity of many facilities and the inspections needed to identify the range of potential contamination. EPA will pursue enforcement actions at public, private, and federal facilities where significant violations are discovered to protect the health of surrounding communities. Lastly, EPA will provide technical and scientific support to tribes, states, and territories with authorized programs.

Also included in this increase is \$4.6 million and 20.0 FTE to expand EPA's role in water sector emergency response, which can include inspections to ensure compliance, enforcement efforts to compel corrective actions, or require entities (*e.g.*, public water systems or private facilities) to distribute bottled water, filters, or testing kits to communities being impacted. This can also include EPA acting to directly distribute and/or provide bottled water, filters and testing kits on a short-term basis. As water systems continue to be adversely impacted by climate change and aging infrastructure, this investment will allow EPA to respond to the increasing number of water incidents across the Nation, many of which affect EJ communities as evident from past incidents in Flint, Michigan; Jackson, Mississippi; Benton Harbor, Michigan; and Coachella Valley, California.

### ***Criminal Enforcement***

EPA's Criminal Enforcement Program enforces the Nation's environmental laws through targeted investigation of criminal conduct committed by individual and corporate defendants who threaten public health and the environment. EPA's Criminal Enforcement Program plays a critical role across the country supporting tribes, states, and territories that may have limited capacity to investigate and prosecute environmental crimes. In FY 2025, the Agency requests \$76.7 million and 299.4 FTE, an increase of \$6.0 million and 30.1 FTE above the FY 2024 ACR, to support the Criminal Enforcement Program in its efforts to target investigations on the most egregious environmental cases.

### ***Superfund Enforcement***

EPA uses an "enforcement first" approach before turning to taxpayer dollars to fund cleanups, by maximizing Potentially Responsible Party (PRP) involvement at Superfund sites. The Superfund Enforcement Program works to ensure that viable and liable PRPs pay to clean up sites and seeks

to recover costs if EPA expends Superfund dollars to clean up sites. This approach seeks to ensure that the Superfund Trust Fund is used at those sites that have no funding source other than government resources and have no other means of cleanup. EPA's Superfund enforcement efforts ensure that sites are cleaned up in a timely manner and result in the cleanup of more sites than would be possible using only government funds. Absent annual Superfund appropriations, EPA plans to fund its Superfund Enforcement Program using Superfund tax receipts in FY 2025. These resources will support traditional Superfund Enforcement efforts and place greater emphasis towards implementing Agency initiatives like EJ, PFAS, and lead. In addition, EPA will continue to provide expertise on key enforcement issues (e.g., financial assurance, cost recovery, insurance recovery), complete negotiations in a timely manner, provide additional training to new and experienced staff, provide greater support to regions for PRP searches and other counseling work, and provide the Department of Justice with essential funding to support cleanup efforts.

### ***Superfund Enforcement at Federal Facilities***

In FY 2025, Superfund Enforcement at federal facilities will continue to support responding to significant contamination from federal facilities. This includes an increase of approximately \$2 million and 4.3 FTE to address PFAS releases. The program conducts PFAS sampling of private drinking water wells in communities with EJ concerns near military installations with significant PFAS contamination, both to identify drinking water with significant PFAS contamination and to evaluate historic Department of Defense sampling results where no interim remedial actions to address PFAS contamination have occurred. EPA will continue to focus its enforcement resources on the highest priority sites, particularly those that may present an imminent and substantial endangerment, have human exposure not yet under control, have an impact on overburdened or vulnerable communities with EJ concerns, or have the potential for beneficial redevelopment.

EPA also will negotiate and amend, as appropriate, Federal Facility Agreements (FFAs) for federal facility sites on the National Priorities List (NPL) and continue to monitor FFAs for compliance. These actions will protect military families from harmful contamination and minimize risk to communities located near military installations. EPA will expedite cleanup and redevelopment of federal facility sites, particularly those located in communities with EJ concerns and will use dispute resolution processes and other approaches to timely resolve formal and informal cleanup disputes. EPA also will continue to seek ways to improve its engagement with other federal agencies, tribal, state, local governments, and their partners, while emphasizing protective, timely cleanups that address communities' needs. EPA will work with its federal partners to encourage greater community outreach and transparency.

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

The FY 2025 Budget includes \$325.7 million and 938.1 FTE for Objective 3.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, send 75 percent of EPA inspection reports to facilities within 70 days of inspection.<sup>19</sup>
- By September 30, 2026, conduct 55 percent of annual EPA inspections at facilities that affect communities with potential environmental justice concerns.<sup>20</sup>

### ***Compliance Monitoring***

The Compliance Monitoring Program supports both compliance with federal environmental laws as well as efforts to identify noncompliance. In FY 2025, EPA is requesting a total of \$171.7 million and 544.6 FTE to detect violations and promote compliance with environmental laws, an increase of \$57.3 million and 65.7 FTE above the FY 2024 ACR. The program and its co-regulators (federally recognized tribes, states, and territories) conduct inspections and investigations, review self-reported compliance monitoring information and other forms of offsite compliance monitoring to determine if regulated entities are complying with environmental statutes, applicable regulations, and permit conditions. A robust inspection, compliance assistance, and enforcement program is essential to advancing cleaner air, land, and water for communities across the country, including those that are vulnerable and overburdened, and for implementing Executive Order 14008 on *Tackling the Climate Crisis at Home and Abroad*.

Effectively focusing compliance monitoring, including inspections in overburdened and vulnerable communities with EJ concerns, plays a critical role in achieving the goals EPA has set forth for protecting human health and the environment. Achieving high rates of compliance with environmental laws and regulations requires the use of a wide range of compliance tools, including compliance monitoring. Through its ongoing process of selecting NECIs with input from tribes, states, and territories, EPA will focus its work on critical areas of noncompliance. In FY 2025, EPA will advance its efforts to address climate change mitigation and adaptation issues by directing inspections, compliance monitoring, and technical assistance to sources with the most potential for noncompliant emissions of greenhouse gases.

In FY 2025, EPA will continue to emphasize the importance of providing facilities with a completed inspection report in a timely manner notifying the facility of any potential compliance issues. In FY 2023, 77 percent of EPA inspection reports were sent to facilities within 70 days of inspection, exceeding the target of 75 percent. In FY 2025, EPA is requesting an increase of \$2.0 million to expand software solutions for field inspectors to improve the effectiveness and efficiency of compliance inspections conducted by EPA and authorized states. This program increase will allow EPA to advance work on the Smart Tools for Field Inspectors to develop the tool for some of the smaller programs that have more of a direct impact for EJ communities such as the TSCA lead-based paint programs. These Smart Tools allow EPA to use its compliance monitoring resources more efficiently and to make inspection reports more quickly available to regulated entities and to the public in affected communities.

In FY 2025, EPA is requesting an increase of \$2.0 million to support the Agency’s Compliance Advisor Program (previously called the Circuit Riders Program), which reduces noncompliance at small public water systems (PWSs) and small wastewater treatment facilities (WWTFs) by

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<sup>19</sup> For comparison, 46 percent of inspection reports were sent within 70 days of inspection at the end of FY 2018.

<sup>20</sup> The baseline for this measure is 27 percent based on average of FY 2017 - FY 2019.



providing hands-on technical assistance. In FY 2023, Compliance Advisors provided support to approximately 195 small PWSs and 61 WWTFs, approximately 84 percent of which are in overburdened or vulnerable communities. Hundreds more small systems and facilities across the Nation need technical support to help them achieve and stay in compliance and provide clean and safe water to the communities they serve.

In FY 2025, EPA will continue its implementation of the Evidence Act by continuing its work on the “Drinking Water Systems Out of Compliance” learning priority area of EPA’s Learning Agenda. EPA also will expand its ongoing work with tribes, states, and academic experts to develop and implement EPA’s compliance learning agenda: prioritizing the most pressing programmatic questions; conducting evidence-based studies to address these questions; and identifying effective and innovative approaches for improving compliance.

In FY 2025, EPA will continue the data system modernization effort to better support tribes, states, local governments, federal partners, and the public’s need for information related to compliance with and enforcement of environmental regulations with modernized technology. The Agency will implement EPA’s enterprise-wide digital strategy that leverages shared Information Technology (IT) services where appropriate. For example, EPA is requesting an increase of approximately \$1 million and 5.0 FTE to modernize the Agency’s enforcement and compliance assurance data systems. The Agency will continue using funds provided under the Inflation Reduction Act of 2022 that are targeted for improving enforcement information technology, inspection software, and other related purposes. Modernization will facilitate EPA’s efforts to better track and target noncompliance that impacts overburdened and vulnerable communities and will increase the availability of information about environmental conditions in those communities and elsewhere. Through the State Review Framework, EPA periodically reviews authorized state compliance monitoring and enforcement programs for CAA Stationary Sources, RCRA Hazardous Waste facilities, and the Clean Water Act National Pollutant Discharge Elimination System (NPDES) dischargers. This review is conducted using criteria agreed upon by states to evaluate performance against national compliance monitoring or enforcement program standards. When states do not achieve standards, the Agency works with them to make progress. However, EPA may take a lead implementation role when authorized states have a documented history of failure to make progress toward meeting national standards.

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

In FY 2025, EPA is requesting a total of \$25.6 million funding cooperative agreements to support tribal and state compliance and enforcement activities under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The resources will be used to rebuild programmatic capabilities between EPA and partner agencies; provide vital training programs to EPA, tribal, state, and territory partners; and help address EJ concerns in overburdened and vulnerable communities.

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

In FY 2025, EPA is requesting a total of \$6.9 million, or \$1.9 million above FY 2024 ACR levels, to increase support for compliance monitoring programs to prevent or eliminate unreasonable risks to health or the environment associated with chemical substances such as asbestos, lead-based paint, and polychlorinated biphenyls (PCBs), and to encourage states to establish their own compliance and enforcement programs for lead-based paint and asbestos.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|   | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|--------------------------------------|--------------------------------------|---|--|
| <b>Ensure Clean and Healthy Air for All Communities</b>               | <b>\$755,505</b>                     | <b>\$812,733</b>                     | <b>\$1,312,283</b>                        | <b>\$499,550</b>   |
| Improve Air Quality and Reduce Localized Pollution and Health Impacts | \$655,316                            | \$707,803                            | \$1,151,363                               | \$443,560  |
| Reduce Exposure to Radiation and Improve Indoor Air                   | \$100,189                            | \$104,929                            | \$160,919                                 | \$55,990   |
| Total Authorized Workyears  | 1,673.6                              | 1,764.2                              | 2,231.0                                   | 466.8  |

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

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

### **Introduction**

All people regardless of race, color, national origin, or income deserve to breathe clean air. Ensuring clean and healthy air is critical to protect vulnerable and sensitive populations, including children and persons adversely affected by persistent poverty or inequality. Numerous scientific studies have linked air pollution and specific pollutants to a variety of health problems and environmental impacts. Long-term exposure to elevated levels of certain air pollutants is associated with increased risk of cancer, premature mortality, and damage to the immune, neurological, reproductive, cardiovascular, and respiratory systems. The United States has successfully reduced air pollution while continuing strong economic growth. Between 1970 and 2022, the combined emissions of six key pollutants dropped by 78 percent, while the U.S. economy remained strong – growing 304 percent over the same period.<sup>21</sup> Yet poor air quality still affects millions of people across the country, affecting near- and long-term health and quality of life. EPA will continue to build on its historic progress and work to assure clean air for all Americans, with a particular focus on those in underserved and overburdened communities.

In FY 2025, EPA will work to ensure clean and healthy air for all communities by reducing emissions of ozone-forming pollutants, particulate matter, and air toxics. In the FY 2025 Budget, EPA is requesting additional resources to modernize the Nation’s air quality and radiation monitors and to make their supporting information systems more reliable and resilient in emergencies, such as wildfires and radiation events, and better able to produce near real-time data to assess and communicate exposure risks to vulnerable populations. EPA also will work to address high-risk indoor air quality pollutants in homes, schools, and workplaces. The Agency will rely on proven approaches, including innovative market-based techniques, public and private-sector partnerships, community-based approaches, and regulatory and technical assistance programs, that promote environmental stewardship, public education, and programs that encourage adoption of cost-effective technologies and practices. Recognizing that many sources of air pollutants also are sources of greenhouse gases (GHG), the Agency will look to control strategies that can reduce both air pollution and mitigate the impacts of climate change. In the FY 2025 Budget, \$1.312 billion and 2,231 FTE are allocated to Goal 4 to advance EPA efforts in protecting human health and the environment from the harmful effects of air pollution.

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

The FY 2025 Budget includes \$1.151 billion and 1,856.1 FTE for Objective 4.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, reduce ozone season emissions of nitrogen oxides (NO<sub>x</sub>) from electric power generation sources by 21 percent from the 2019 baseline of 390,354 tons.

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<sup>21</sup> For additional information, please visit: <https://gispub.epa.gov/air/trendsreport/2023/#home>

- By September 30, 2026, improve measured air quality in counties not meeting the current National Ambient Air Quality Standards (NAAQS) from the 2016 baseline by 10 percent.
- By September 30, 2026, strive to ensure all people with low socio-economic status (SES) live in areas where the air quality meets the current fine particle pollution (PM<sub>2.5</sub>) NAAQS.
- By September 30, 2026, ensure U.S. consumption of hydrochlorofluorocarbons (HCFCs) is less than 76.2 tons per year of ozone depletion potential.<sup>22</sup>

In FY 2025, EPA will continue to work collaboratively with tribal and state air agencies to maintain and improve the Nation’s air quality. EPA will focus particularly on advancing environmental justice by engaging with local communities that have been historically underserved on key activities including technical assistance, regulation development, and financial assistance. In FY 2025, \$269.4 million and 1,079.7 FTE are allocated to the Federal Support for Air Quality Management Program to implement climate and clean air regulations and programs, which is an increase of \$110.4 million and 200.4 FTE above the FY 2024 ACR. This includes resources for activities such as supporting the NAAQS review and implementation work, taking timely action on State Implementation Plans (SIPs) to reduce the SIP backlog, and environmental justice activities.

EPA will continue to review the NAAQS and make revisions, as appropriate based on the most current research findings on the health effects and changing conditions from a warming climate. The President has directed EPA to review the 2020 Particulate Matter (PM) NAAQS and the 2020 Ozone NAAQS.<sup>23</sup> EPA strengthened the PM<sub>2.5</sub> annual standard on February 7, 2024.<sup>24</sup> EPA is also under a consent decree to issue a proposed rulemaking for the secondary NAAQS for sulfur oxides, nitrogen oxides, and particulate matter by April 9, 2024, and to finalize the decision by December 10, 2024.

In FY 2025, EPA will advance the review of the 2020 Ozone NAAQS and will continue its review of the lead NAAQS. EPA anticipates reviewing the primary nitrogen oxides NAAQS under a consent decree schedule. Further, the Agency will continue its work to improve air quality in areas not in attainment with the NAAQS, including assisting tribes and states in developing Clean Air Act-compliant SIPs. EPA also will continue reviewing regional haze SIPs, working closely with states to improve visibility in the country’s national parks and wilderness areas.

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

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<sup>22</sup> The U.S. HCFC consumption baseline is 15,240 ODP-weighted metric tons effective as of January 1, 1996.

<sup>23</sup> Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (January 20, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

<sup>24</sup> For more information, please visit: <https://www.epa.gov/system/files/documents/2024-02/pm-naaqs-final-fm-pre-publication.pdf>.

In FY 2025, EPA will continue to operate nationwide and multi-state programs, such as the Acid Rain Program (ARP) and the Cross-State Air Pollution Rules (CSAPR), that address major global, national, and regional air pollutants from the power sector and other large stationary sources. EPA also will work on several regulatory actions related to criteria air pollutants, air toxics, and GHG pollution from power plants. The Power Sector Programs Progress Report provides annual updates on EPA's regulatory programs to reduce emissions in the power sector.<sup>25</sup>

As part of a forward-looking air toxics strategy, EPA will address regulatory and emerging issues and improve access to air toxics data. The Agency will continue implementing an approach that develops and shares air toxics data faster and more regularly to the public, allowing for increased transparency and the ability to see trends and risks over time. In 2025, EPA will continue reporting the most current air toxics data each year in the annual Air Trends Report and an online interactive tool, instead of the previous three- to four-year cycle for reporting air toxics data, and providing that data at an increased spatial resolution.

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

EPA also will work to address the especially challenging air quality issues created by wildfires. In FY 2025, EPA will continue to advance efforts to identify, predict, and communicate where smoke events are occurring, especially for overburdened and underserved communities impacted by wildfire issues. This includes a request of \$7 million for the Wildfire Smoke Preparedness Grants Program to fund competitive grants to tribes, states, public pre-schools, local educational agencies, and non-profit organizations to better prepare buildings for wildfire smoke.

The Agency will continue to develop and make available the necessary technical data and tools to support air quality planning and environmental justice analyses through systems, such as AirNow, the Air Quality System, and the National Emissions Inventory. In keeping with the Agency's renewed commitment to energy equity and environmental justice, EPA published the Power Plants and Neighboring Communities web application<sup>26</sup> where consumers and advocates can find information about the demographics of communities located near power plants. EPA is developing analytical tools to better understand and communicate the impact of electricity generation on low-

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<sup>25</sup> For additional information, please visit: <https://www3.epa.gov/airmarkets/progress/reports/>

<sup>26</sup> For more information, please visit: <https://www.epa.gov/power-sector/power-plants-and-neighboring-communities#mapping>

income communities and communities of color. EPA also will continue to test, evaluate, and refine draft tools for incorporating environmental justice considerations into EPA-issued permits and ensure opportunities for meaningful public involvement in the permit process. Early and meaningful dialogue between a permit applicant and a community is especially important in communities that have historically been underrepresented in the permitting process or that potentially bear a disproportionate burden of an area's pollution. Providing specific information about the pollution and related health impacts of a permit action may alleviate community's concerns about the facility or educate the public about other sources of exposure.

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

The FY 2025 Budget includes \$160.9 million and 374.9 FTE for Objective 4.2. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

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

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

To better address these human health risks from indoor air and radiation, the FY 2025 Budget includes \$5.3 million and 12.4 FTE for the Indoor Air Radon Program and \$47.8 million and 71.4 FTE for the Reduce Risks from Indoor Air Program. EPA will continue programs to reduce exposures to radon through home testing and mitigation, promote in-home asthma management, improve air quality in homes and schools, and build capacity for tribes and communities across the country to comprehensively address indoor air risks. In FY 2023, the estimated number of lung cancer deaths prevented annually by reducing radon exposure was 1,970.

In-home asthma management is a critical component of asthma care, particularly in low-income populations. EPA, in partnership with the Centers for Disease Control (CDC) and the U.S. Department of Housing and Urban Development (HUD) through the Federal Asthma Disparities Action Plan, will support state Medicaid Programs and private health plans to pay for in-home asthma interventions through reimbursement mechanisms.<sup>27</sup> In addition, EPA will reduce asthma disparities for low-income people and communities of color by supporting public health and

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<sup>27</sup> For more information, please visit: <https://www.epa.gov/asthma/coordinated-federal-action-plan-reduce-racial-and-ethnic-asthma-disparities>.

housing organizations to train community health workers to deliver in-home asthma interventions and care. In FY 2025, EPA will measure delivery of technical assistance, tools, and grants to equip community-based programs and the organizations that support them to deliver evidence-based, comprehensive asthma care.

In FY 2025, EPA will collaborate with public and private sector organizations to provide clear and verifiable protocols and specifications for promoting good indoor air quality and support adoption of these protocols and specifications into existing healthy, energy efficiency, and green building programs and initiatives to promote healthy buildings for a changing climate. EPA also will equip the housing sector with guidance to promote the adoption of these best practices with the aim of creating healthier, more energy efficient homes, including for low-income families. EPA also will equip school leaders to make science-based decisions and implement sustainable ventilation, filtration, and other indoor air quality improvements for healthy school environments. To reduce the high public health risks from exposure to indoor radon, EPA will co-lead the National Radon Action Plan, a multisector public-private coalition committed to eliminating avoidable radon-induced lung cancer in the U.S. and addressing radon as a health equity challenge. EPA will continue to provide State Indoor Radon Grant funding and technical assistance to tribes and states, with a focus on increasing access to testing and mitigation in underserved communities. This work supports the Administration's Cancer Moonshot Initiative.

EPA plays a critical role in responding to radiological emergencies, conducts essential national and regional radiological response planning and training, and develops response plans for radiological incidents or accidents. In FY 2025, EPA will continue to fill gaps in the expertise that is critical for essential preparedness work, restoring critical capacity to meet EPA's core mission. EPA requests \$535 thousand and 3.1 FTE above the FY 2024 ACR, to maintain personnel expertise, capabilities, and equipment readiness of the radiological emergency response program under the National Response Framework and the National Contingency Plan, including the Agency's Radiological Emergency Response Team. EPA also is requesting additional funding of \$1.8 million and 3.4 FTE in the FY 2025 Budget to support efforts to restore EPA's staff expertise, analysis, and capacity in the Indoor Air Radon Program in order to better lead the federal government's response to radon and to implement the Agency's own multi-pronged radon program. EPA will provide oversight of the Waste Isolation Pilot Plant, including review of the U.S. Department of Energy's plans for additional waste panels and surplus plutonium disposal, to ensure safe long-term disposal of radioactive waste and the continued cleanup of nuclear weapons program legacy sites.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|--------------------------------------|--------------------------------------|---|--|
| <b>Ensure Clean and Safe Water for All Communities</b>       | <b>\$3,977,390</b>                   | <b>\$5,195,104</b>                   | <b>\$5,135,849</b>                        | <b>-\$59,255</b>   |
| Ensure Safe Drinking Water and Reliable Water Infrastructure | \$2,491,007                          | \$3,642,922                          | \$3,435,556                               | -\$207,366   |
| Protect and Restore Waterbodies and Watersheds               | \$1,486,383                          | \$1,552,182                          | \$1,700,293                               | \$148,111  |
| Total Authorized Workyears                                   | 2,766.3                              | 3,085.0                              | 3,254.8                                   | 169.8  |



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

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

### **Introduction**

Clean and safe water is an essential resource for the protection of human health and is a foundation for supporting healthy communities and a thriving economy. EPA and its partners have made great progress over the past 50 years protecting and restoring water resources through the Clean Water Act (CWA), Safe Drinking Water Act (SDWA), and Marine Protection, Research and Sanctuaries Act (MPRSA). As of September 2023, approximately 87 percent of the public water systems (i.e., 3,042 out of 3,508) with health-based violations as of the end of FY 2017 have returned to compliance. While progress is being made to bring systems into compliance, the United States still faces significant barriers and challenges to ensuring access to clean and safe water for communities, including aging infrastructure, legacy lead pipes, cybersecurity threats, climate change, and emerging contaminants of concern. These challenges are distributed unequally, and tens of thousands of homes, primarily in tribal communities and the territories, currently lack access to basic sanitation and drinking water and experience higher pollution levels.

In FY 2025, EPA will continue to work with its federal, tribal, state, and nongovernmental partners to advance science, to provide clean and safe water for all communities, and to protect our Nation's waterbodies from degradation. The FY 2025 Budget includes \$5.136 billion and 3,254.8 FTE for *Goal 5, Ensure Clean and Safe Water for All Communities*. This investment will complement resources provided in the bipartisan Infrastructure Investment and Jobs Act of 2021 (IIJA) and expand the Agency's capacity to protect human health and the environment across the Nation.

Goal 5, Ensure Clean and Safe Water for All Communities is directly supported by the following FY 2024-2025 Agency Priority Goal:

- Reduce harmful lead exposure in drinking water through the replacement of lead service lines in communities. By September 30, 2025, increase the number of lead service line replacements funded to 500,000.<sup>28</sup>

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

The FY 2025 Budget includes \$3.436 billion and 1,351.0 FTE for Objective 5.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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<sup>28</sup> Based on available data, EPA estimates that on average 73,000 lead service lines have been funded annually. The number of lead service line replacements funded is tracked quarterly, but the two-year goal is to increase that number to 300%.

- By September 30, 2026, reduce the number of community water systems still in noncompliance with health-based standards since March 31, 2021, from 752 to 500.<sup>29</sup>
- By September 30, 2026, reduce the number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021, from 110 to 70.
- By September 30, 2026, leverage an additional \$45 billion in non-federal dollars through EPA’s water infrastructure finance programs (CWSRF, DWSRF, and WIFIA).<sup>30</sup>
- By September 30, 2026, in coordination with other federal agencies, provide access to basic sanitation for an additional 36,500 American Indian and Alaska Native homes.<sup>31</sup>
- By September 30, 2026, provide 2,203 tribal, small, rural, or underserved communities with technical, managerial, or financial assistance to improve operations of their drinking water or wastewater systems.

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

Providing safe and reliable drinking water and wastewater treatment for all communities is a top priority for EPA. Aging infrastructure, climate change, cyber threats, and contaminants such as lead and per- and polyfluoroalkyl substances (PFAS) are creating new stresses on the Nation’s water systems. In FY 2025, EPA will work to address these challenges through approximately \$2.78 billion in water infrastructure spending. This includes \$1.24 billion for the Clean Water State Revolving Fund (CWSRF) Program, \$1.126 billion for the Drinking Water State Revolving Fund (DWSRF) Program, and \$80 million for the Water Infrastructure Finance and Innovation Act (WIFIA) Program. Also included is \$334 million for grant programs authorized or modified in the America’s Water Infrastructure Act (AWIA), the Water Infrastructure Improvements for the Nation (WIIN) Act, and the Drinking Water and Wastewater Infrastructure Act (DWWIA). Among these resources, \$101 million is dedicated to two grant programs for reducing lead in drinking water and lead testing in schools. As of September 2023, EPA reduced the overall number of community water systems still in noncompliance with health-based standards since March 2021, to 466, while the number of systems still in noncompliance in Indian Country was similarly reduced to 54. Both measures have exceeded their long-term performance goals of 500 and 70 respectively, by 2026.

As of December 2023, EPA has issued 120 WIFIA loans to communities across the country totaling over \$19 billion in credit assistance to help finance more than \$43 billion for water infrastructure projects. In FY 2025, EPA will continue to use the SRF and WIFIA investments to improve the reliability, accessibility, and resilience of the Nation’s water infrastructure. These programs are critical tools for EPA to accelerate water infrastructure investments by leveraging public and private sources of funds, which will maximize the reach of federal funds. In FY 2023, these programs leveraged over \$11.4 billion of non-federal funds. EPA’s goal is to leverage an additional \$9.5 billion in FY 2025. To increase access to these funds, EPA will provide training and technical assistance to help disadvantaged communities identify needs, develop projects, apply for funding, design and implement projects, build capacity, and create training and career

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<sup>29</sup> This baseline is a subset of the 3,508 systems, including systems in Indian Country, that have been in long-term noncompliance since September 30, 2017. Technical assistance provided will focus on non-compliant water systems in underserved communities.

<sup>30</sup> EPA will ensure a focus on climate resiliency and equity by revising loan guidelines, program guidance, and providing technical assistance.

<sup>31</sup> In 2022, the Indian Health Service (IHS) started tracking this data in a different way, and EPA will no longer be able to report on this-measure. EPA is exploring an alternative measure which would also use IHS data.

pathways. In FY 2023, the Agency provided technical, managerial, or financial assistance to over 2,100 tribal, small, rural, or underserved communities, resulting in EPA exceeding the long-term performance goal of providing assistance to 2,203 communities by 2026. In addition, working collaboratively with the tribal and state partners, EPA's SRF programs will continue to make progress toward the Justice40 initiative, which aims to ensure that federal agencies deliver at least 40 percent of overall benefits of relevant federal investments to overburdened and underserved communities. To aid in that effort, the EPA is providing water technical assistance to help communities build their capacity and address compliance challenges.

In FY 2025, EPA requests \$150.9 million and 554.5 FTE to support Drinking Water Programs to better protect communities, especially overburdened and underserved communities. This includes efforts to finalize and implement the Lead and Copper Rule Improvements (LCRI)<sup>32</sup> regulation, which aims to strengthen the Lead and Copper Rule Revisions (LCRR) issued in 2021 to replace lead service lines more proactively and more equitably protect public health. In addition to publishing *Guidance for Developing and Maintaining a Service Line Inventory*<sup>33</sup> in FY 2022, EPA also released *Developing and Maintaining a Service Line Inventory: Small Entity Compliance Guide*<sup>34</sup> in June 2023. These guidance documents provide essential information to help water systems comply with the LCRR requirement to prepare and maintain an inventory of service line materials by October 16, 2024.

EPA also will continue to coordinate and support protection of the Nation's critical water infrastructure from terrorist threats and all-hazard events, including cyberattacks. Cyberattacks can compromise the ability of water and wastewater utilities to provide clean and safe water to customers, erode customer confidence, and result in financial and legal liabilities. In FY 2025, EPA will leverage its role as the lead federal agency for cybersecurity in the water sector and work with government partners to close vulnerabilities and mitigate risks to cyberthreats. EPA requests \$25 million for a grant program to help water systems establish and build the necessary cybersecurity infrastructure to address rising threats. EPA will continue to provide practical tools, training, and technical assistance to increase resilience to extreme weather events (e.g., drought, flooding, wildfires, hurricanes), malevolent acts (e.g., cyberattacks), and climate change. In FY 2023, nearly 4,000 drinking water and wastewater systems and water sector partners received training and technical assistance.

EPA also is requesting \$30 million and 30.0 FTE to prepare for water emergencies in a new program project proposed in the Budget. These resources will enable EPA to respond to water emergencies where water quality poses a risk to public health, and the water system and/or primacy agency may not be able to ensure the community has access to safe drinking water in a timely or effective manner. EPA may be expected to serve as the lead federal agency (LFA) when communities lack safe and clean water due to unpredictable events such as extreme weather, lead contamination, and cyber attacks. Additionally, these resources will set up a fund that EPA will use to assist drinking water or wastewater system in an emergency that poses a risk to public health.

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<sup>32</sup> For additional information, please visit: <https://www.epa.gov/ground-water-and-drinking-water/proposed-lead-and-copper-rule-improvements>.

<sup>33</sup> For additional information, please visit: [https://www.epa.gov/system/files/documents/2022-08/Inventory%20Guidance\\_August%202022\\_508%20compliant.pdf](https://www.epa.gov/system/files/documents/2022-08/Inventory%20Guidance_August%202022_508%20compliant.pdf).

<sup>34</sup> For additional information, please visit: [https://www.epa.gov/system/files/documents/2023-06/Final%20Small%20System%20Entity%20Inventory%20Guide\\_508.pdf](https://www.epa.gov/system/files/documents/2023-06/Final%20Small%20System%20Entity%20Inventory%20Guide_508.pdf).

This new program and proposed appropriations language provides the program with important expanded authorities to close gaps and protect communities experiencing water crises.

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

The FY 2025 Budget includes \$1.7 billion and 1,903.9 FTE for Objective 5.2. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, increase by 41,000 square miles the area of watersheds with surface water meeting standards that previously did not meet standards.<sup>35</sup>

Since FY 2022, a total of 27,632 square miles of watershed with surface water has met standards that previously did not meet standards.

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

Pollution and degradation of lakes, rivers, streams, and wetlands endanger aquatic ecosystems, threaten the safety of drinking water, compromise water quality planning and flood protections, impact commercial and recreational opportunities, and reduce the natural benefits these resources provide to communities. Climate change is often the root cause of emerging threats such as drought, sea level rise, and invasive species proliferation. To address these challenges, in FY 2025, EPA will use a suite of CWA core programs to protect and improve water quality and ecosystem health, including the development and implementation of Total Maximum Daily Loads (TMDLs), alternative restoration plans, or other protection approaches for impaired waterbodies; development of national recommended water quality criteria; development of technology-based and water-quality based standards; and implementation of effluent and stormwater discharge permit programs. In FY 2025, funding will support the Agency’s work assisting local communities, particularly underserved communities, in their efforts to restore and protect the quality of their waters.

In addition to strengthening its programs, EPA plans to promulgate and update several rules to support clean and safe water. In FY 2025, EPA plans to finalize a rulemaking to establish more protective nutrient limits on wastewater discharges from meat and poultry product facilities. The Agency also plans to propose and take comment on effluent limitation guideline rulemakings to establish PFAS limits for organic chemical manufacturing, metal finishing/electroplating, and landfills industrial point source categories. An additional \$42.8 million and 22 FTE above FY 2024 ACR levels is requested to advance EPA’s PFAS Strategic Roadmap,<sup>36</sup> which will allow EPA to accelerate its efforts to develop various methods and tools to support tribes, states, and localities in managing PFAS risks, particularly in small and underserved communities. The Agency will continue implementing rules related to improving CWA protections on tribal reservations and

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<sup>35</sup> The FY 2022-2026 Strategic Plan included a draft July 2021 baseline: 425,198 square miles of watersheds with surface water meeting standards and 652,609 square miles of watersheds with surface water not meeting standards. As of July 2022, the final baseline is 504,605 square miles of watersheds with surface water not meeting standards.

<sup>36</sup> The PFAS Strategic Roadmap may be found at: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

considering tribal treaty rights when acting on state Water Quality Standards (WQS) that impact those rights.

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

EPA will work with partners and local communities to better safeguard human health and maintain, restore, and improve water quality. In FY 2025, EPA requests \$509.5 million for ongoing categorical grants that support tribal and state implementation of the CWA. This request includes an increase of \$51.7 million above the FY 2024 ACR budget for the Section 106 Grants Program, which includes funding to identify, assess and mitigate PFAS in the environment and supports programs for the prevention and control of surface and groundwater pollution from point and nonpoint sources as well as increases the amount available for tribes. This also includes a \$7.3 million increase for the Wetlands Program Development Categorical Grant for a total of \$22 million which will be targeted towards helping states implement programs to protect wetlands that have lost federal protection following the Sackett Supreme Court decision.

EPA plays a critical role as a convener and facilitator with federal, tribal, state, territorial and local partners to align resources and authorities within regional, watershed, and basin-scaled collaborative networks. In FY 2025, EPA will invest \$682 million and 175.4 FTE in Geographic Programs, slightly above the FY 2024 ACR levels, to maintain, restore, and improve water quality for communities to enjoy and to bolster important regional economies. In FY 2025, EPA's Geographic Programs will deliver technical and financial assistance to solve problems and support healthy climate resilient ecosystems that address water quality, water infrastructure, nutrient pollution, habitat loss, treaty rights, equity, and environmental justice.

**Environmental Protection Agency  
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**Safeguard and Revitalize Communities**

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|   | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|--------------------------------------|--------------------------------------|---|--|
| <b>Safeguard and Revitalize<br/>Communities</b>                             | <b>\$1,917,534</b>                   | <b>\$1,893,811</b>                   | <b>\$1,616,807</b>                        | <b>-\$277,004</b>  |
| Clean Up and Restore Land for<br>Productive Uses and Healthy<br>Communities | \$1,399,774                          | \$1,364,307                          | \$927,304                                 | -\$437,003   |
| Reduce Waste and Prevent<br>Environmental Contamination                     | \$301,250                            | \$312,317                            | \$355,061                                 | \$42,744   |
| Prepare for and Respond to<br>Environmental Emergencies                     | \$216,510                            | \$217,187                            | \$334,443                                 | \$117,255  |
| Total Authorized Workyears  | 3,224.2                              | 3,316.9                              | 3,631.2                                   | 314.3  |

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

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

### **Introduction**

EPA collaborates with tribal, state, and local partners to benefit all communities across the United States by cleaning up, addressing health and environmental risks and then returning contaminated sites to productive use, through the Superfund, brownfields, underground storage tanks, and RCRA programs. Cleaning up contaminated land contributes toward the Administration's Justice40 goal, an initiative initially announced in Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*,<sup>37</sup> and amplified through Equity Plans under E.O. 13985 that outline specific actions to ensure fair program implementation.

Communities reuse previously contaminated sites in many beneficial ways, including for new parks, shopping centers, sports fields, wildlife habitat, manufacturing facilities, homes and infrastructure. These reuse outcomes can provide significant benefits for underserved and overburdened communities. EPA and its partners also work to prevent releases of contaminants, reduce waste by increasing materials recovery and recycling, and support sustainable materials management practices. Through prevention activities, EPA protects groundwater from releases from underground storage tanks. Through reduction and recycling activities, EPA not only prevents future contamination but supports a less wasteful circular economy.

EPA prepares for and responds to environmental emergencies as a mission essential function. A recent example is responding to the Norfolk Southern train derailment in East Palestine, Ohio. EPA On-Scene Coordinators and other personnel were boots-on-the ground since the onset of the incident, conducting air, water, and soil monitoring at the site and working alongside federal, state, and local partners with response efforts to ensure the health and safety of the residents. In FY 2025, EPA requests a total of \$1.617 billion and 3,631.2 FTE to support *Goal 6, Safeguard and Revitalize Communities*. Discretionary appropriated funding is not included for certain Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) programs that are funded entirely through Superfund tax receipts. Superfund results remain critical to achieving environmental and human health protections for the Nation.

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

The FY 2025 Budget includes \$927.3 million and 2,175.0 FTE for Objective 6.1.<sup>38</sup> This objective directly supports the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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<sup>37</sup> Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>38</sup> Included in Objective 6.1 are the Superfund Remedial and Emergency Response and Removal programs for which appropriated funding is not requested. EPA will transition to funding from Superfund tax receipts for these programs in FY 2024.

- By September 30, 2026, bring human exposures under control at an additional 60 Superfund sites.
- By September 30, 2026, complete 225 Superfund cleanup projects that address lead as a contaminant.
- By September 30, 2026, clean up an additional 650 brownfields properties.
- By September 30, 2026, make an additional 425 RCRA corrective action cleanups Ready for Anticipated Use.
- By September 30, 2026, conduct an additional 35,000 cleanups at Leaking Underground Storage Tank facilities.

Nationally, there are thousands of contaminated sites with challenging and complex environmental problems, including soil, sediment, and groundwater contaminated by chemicals such as per- and polyfluoroalkyl substances (PFAS). Superfund cleanups address these problems and also contribute to reducing lead exposure, a particular health risk for children. Research shows Superfund cleanup actions lowered the risk of elevated blood lead levels by roughly 13 to 26 percent for children living within 1.2 miles of a Superfund National Priorities List (NPL) site where lead is a contaminant of concern.<sup>39</sup> While there is no single way to characterize communities located near contaminated sites, the legacy of pollution disproportionately affects communities of color, low-income communities, linguistically isolated populations, and populations with lower rates of high school education. For these reasons, the Superfund remedial program is an important part of the Administration’s Justice40 Initiative. By cleaning up and returning contaminated land to productive use, EPA and its partners will reduce the environmental and health effects of exposure to contamination in communities, especially for underserved and overburdened communities.

In FY 2025, the Budget proposes to transition funding to a combination of appropriations and Superfund tax receipts for a number of core Superfund programs including critical Superfund pre-construction work such as site characterization, remedial design, community outreach/engagement, and construction work at sites on the NPL, through the implementation of remedial efforts to clean up the sites. EPA expects to fully allocate Superfund remedial funds available for site work received through the Infrastructure Investment and Jobs Act (IIJA), also known as Bipartisan Infrastructure Law (BIL), to implement CERCLA by no later than the end of FY 2024. Appropriated funds and Superfund tax receipts will be used to help eliminate lags in investigation and cleanup as well as foster climate change adaptations to protect at-risk populations. Federal data in a recent Government Accountability Office (GAO) report suggests that approximately 60 percent of Superfund sites overseen by EPA are in areas that are vulnerable to wildfires and different types of flooding – natural hazards that climate change will exacerbate. In FY 2023, the Agency added 13 Superfund sites with human exposures under control but retracted 16 sites, resulting in a net three sites retracted. Nationwide, EPA will aim to control human exposures at 12 additional Superfund sites in FY 2025 in support of the 2022 – 2026 long-term performance goal. To reduce exposure to lead and associated health impacts, EPA will complete at least 45 Superfund lead cleanup projects supporting the 2022 – 2026 long-term performance goal of 225 projects. In FY 2023, EPA completed 49 Superfund cleanup projects that addressed lead as a contaminant.

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<sup>39</sup> Heather Klemick, Henry Mason, and Karen Sullivan. 2020. “Superfund Cleanups and Children’s Lead Exposure,” *Journal of Environmental Management*, 100. doi: [10.1016/j.jeem.2019.102289](https://doi.org/10.1016/j.jeem.2019.102289).



In FY 2025, the Superfund Emergency Response and Removal Program also will transition to Superfund tax receipts. Situations requiring emergency response and removal actions vary greatly in size, nature, and location, and include chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances including from abandoned and uncontrolled hazardous waste sites. EPA's 24-hour-a-day response capability is a cornerstone element of the National Contingency Plan.<sup>40</sup> These resources also will help EPA and Navajo Nation to accelerate response actions laid out in the 2020 Ten-Year Plan: *Federal Actions to Address Impacts of Uranium Contamination on the Navajo Nation*.<sup>41</sup>

Additionally, in FY 2025, EPA requests an increase of \$11.5 million above the FY 2024 ACR level to the Superfund Federal Facilities Program to help address critical gaps in its ability to oversee Department of Defense PFAS cleanup under CERCLA and to adjust core program capacity, including keeping pace with the Agency's oversight role at federal facility NPL sites. EPA anticipates additional engagement on non-NPL federal facilities in the Federal Agency Hazardous Waste Compliance Docket to address new information on PFAS at these sites and ensure appropriate assessment and referral of these sites to appropriate cleanup programs.

Currently operating facilities or businesses also may have contamination requiring cleanup, performed under the RCRA Corrective Action program. Cleaning up these contaminated sites also serves as a catalyst for economic growth and community revitalization and can help to preserve existing business operations. The 2021 RCRA economic benefits analyses of 79 RCRA cleanups found that these cleaned up facilities support 1,028 on-site businesses, which provide economic benefits including: \$39 billion in annual sales revenue; over 82,000 jobs; and \$7.9 billion in estimated annual employment income.<sup>42</sup> The FY 2025 Budget includes \$42.1 million and 174.4 FTE to continue efforts to clean up 3,983 priority contaminated hazardous waste facilities under RCRA, which include highly contaminated and technically challenging sites, and assess others to determine whether cleanups are necessary. In FY 2023, EPA approved 117 RCRA corrective action facilities as ready for anticipated use (RAU), bringing the total number of RCRA RAU facilities to 2,043. In FY 2025, EPA will make an additional 70 sites ready for anticipated use, supporting the FY 2022 – 2026 long-term performance goal of making 425 sites RAU.

Under the Leaking Underground Storage Tank (LUST) program, the Budget includes \$79.8 million and 46.8 FTE for states and tribes to assess and clean up petroleum contamination, including in groundwater.<sup>43</sup> EPA collaborates with states to develop and implement flexible, state-driven strategies to reduce the number of remaining LUST sites that have not reached cleanup completion. In FY 2023, the Agency completed 6,597 cleanups at LUST facilities that met risk-based standards for human exposure and groundwater migration. Through the cooperative efforts between EPA and states, the backlog was reduced by approximately 44 percent between fiscal

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<sup>40</sup> For more information, please refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-ncp-overview>.

<sup>41</sup> The Ten-Year Plan may be found at: <https://www.epa.gov/sites/default/files/2021-02/documents/nnaum-ten-year-plan-2021-01.pdf>.

<sup>42</sup> For more information, please refer to: <https://www.epa.gov/hw/redevelopment-economics-rcra-corrective-action-facilities>.

<sup>43</sup> Almost half of the Nation's overall population and 99 percent of the population in rural areas rely on groundwater for drinking water. (See *EPA 2000 Water Quality Inventory Report*, [https://archive.epa.gov/water/archive/web/html/2000report\\_index.html](https://archive.epa.gov/water/archive/web/html/2000report_index.html)).

years 2008 and 2023 (from 102,798 to 57,437).<sup>44</sup> Funding also will support tribal cleanup activities in fenceline communities that are immediately adjacent to oil and chemical facilities and UST who are vulnerable to environmental health hazards and climate risks at those facilities.

In FY 2025, funding for EPA's Brownfields program will build on current work to revitalize communities, especially those that are historically overburdened and underserved, by providing financial and technical assistance to assess, clean up, and plan reuse at brownfields sites. The FY 2025 Budget includes an additional \$10.6 million and 58.0 FTE for community development specialists to manage land revitalization projects, provide one-on-one financial planning support, and educate tribal communities, rural communities and communities with environmental justice concerns on how to address brownfields sites. The FTE request is designed to meet current program demands and strengthen EPA's ability to engage directly with the communities who need support the most. Prior to the IIJA funding, approximately 80 people managed more than 1,100 open cooperative agreements across the country. It is estimated that the program will have approximately 2,700 open cooperative agreements to manage by FY 2027. The additional FTE resources will enable EPA to sustain and responsibly manage the unprecedented infrastructure investments in the Brownfields program. In FY 2023, EPA leveraged 17,441 jobs and \$3.76 billion in cleanup and redevelopment funds and made 736 additional brownfields sites RAU through the Brownfields program. Activities undertaken in FY 2025 will leverage approximately 12,135 jobs and \$2.3 billion in other funding sources.<sup>45</sup>

In FY 2025, EPA continues to request the \$20 million first provided in the FY 2023 enacted budget to inventory and support the cleanup of contaminated lands in Alaska, many of which were contaminated while not under Alaska Native ownership. Contaminants on some of these lands – arsenic, asbestos, lead, mercury, pesticides, PCBs, and other petroleum products – pose health concerns to Alaskan Native communities, negatively impact subsistence resources, and hamper economic activity.

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

The FY 2025 Budget includes 355.1 million and 728.6 FTE for Objective 6.2. This objective directly supports the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

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

Nationwide, EPA and its state partners strive to reach all permitting-related decisions in a timely manner for the approximately 6,700 hazardous waste units (e.g., incinerators, landfills, and tanks) located at 1,300 permitted treatment, storage, and disposal facilities. The goal is to ensure that permits are updated to reflect the latest technology and standards and remain protective under changing conditions, such as climate change, and that communities, including those that are underserved and overburdened, have an equitable opportunity to engage in the permitting process

<sup>44</sup> For additional information, please see EPA website: <http://www.epa.gov/ust/ust-performance-measures>.

<sup>45</sup> U.S. EPA, Office of Land and Emergency Management Estimate. All estimates of outputs and outcomes are supported by the data that is entered by cooperative agreement recipients via EPA's ACRES database.

over time. To measure progress, EPA has set an FY 2025 target of 117 permit renewals at hazardous waste facilities supporting the FY 2022 – 2026 long-term performance goal. Through June 2023, EPA and its state partners had updated RCRA permits at 73.7 percent of facilities that required renewals and are on track to achieve the FY 2026 goal of 80 percent, based on current planning.

The FY 2025 Budget supports building capacity to implement various aspects of the coal combustion residuals (CCR) program. The Agency has promulgated regulations specifying improved management and disposal practices to protect people and ecosystems. The Agency will continue to work with our stakeholders as we implement these regulations. EPA will take action to ensure protective management of CCR through the implementation of existing regulations, promulgation of additional regulations to address legacy surface impoundments, and implement the federal permitting program. The FY 2025 Budget requests an additional \$4.6 million and 20.5 FTE above FY 2024 to provide sufficient staffing levels to implement the federal CCR permitting program. EPA will continue to work with states that wish to establish state CCR permit programs that meet EPA's baseline requirements.

In FY 2025, EPA requests an additional \$4.2 million and 25 FTE for the RCRA Waste Minimization and Recycling program to manage grants under the new Solid Waste Infrastructure for Recycling grant program. This investment will focus on efforts to strengthen the U.S. recycling system by investing in solid waste management infrastructure and consumer education and outreach, address the global issue of plastic waste, engage communities, and prevent and reduce food loss and waste. Through its National Recycling Strategy and efforts to advance a more circular economy, EPA is working to develop a stronger, more resilient, and cost-effective U.S. municipal solid waste recycling system.<sup>46</sup> Recycling is an important part of a circular economy, which refers to a system of activities that is restorative to the environment, enables resources to maintain their highest values, designs out waste, and reduces greenhouse gas emissions. Recycling helps alleviate burdens on populations that bear the brunt of poorly run waste management facilities.

To protect groundwater from releases of petroleum from underground storage tanks (UST), EPA works closely with its tribal and state partners on prevention. FY 2025 resources include \$42.8 million and 61.8 FTE for inspecting UST facilities to meet the three-year inspection requirement and assisting states in adopting prevention measures such as delivery prohibition, secondary containment, and operator training. This request includes an additional \$889,000 in grant funding to support fenceline communities by increasing state inspections that will focus on ensuring UST systems are compatible with E15. Due to the increased emphasis on inspections and release prevention requirements, the number of confirmed releases decreased from 6,847 in FY 2014 to 4,354 reported releases in FY 2023.

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

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<sup>46</sup> For additional information, please refer to: <https://www.epa.gov/recyclingstrategy/what-circular-economy#:~:text=EPA's%20circular%20economy%20for%20all,healthy%20communities%20are%20the%20goals.>

The FY 2025 Budget includes \$334.4 million and 727.6 FTE to support Objective 6.3. This objective directly supports the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

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

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

EPA will continue to chair the U.S. National Response Team<sup>47</sup> and co-chair the 13 Regional Response Teams, which serve as multi-agency coordination groups supporting emergency responders when convened as incident specific teams. In FY 2025, EPA requests an additional \$22.1 million and 1.8 FTE to modernize the Chemical Incident and Radiological Reconnaissance on Unmanned Systems (CIRRUS) program and to overhaul the aging Portable High-Throughput Integrated Identification System (PHILIS) capability. These resources also support the development of rapid, mobile analytical capabilities for biological agents. EPA will participate in the development of limited, scenario-specific exercises and regional drills designed to assess national emergency response management capabilities, including response to biological incidents. To bring broader opportunity to participate in these key planning and preparation activities, EPA has set a long-term performance goal of ensuring that 40 percent of annual emergency response and removal exercises that EPA conducts or participates in incorporate environmental justice principles. Based upon higher-than-expected results, EPA exceeded this goal during FY 2022 and FY 2023. Unless resources are reduced or diverted, for example toward responding to multiple large-scale disasters, EPA expects to meet this goal each year through FY 2026.

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In FY 2025, EPA will continue to inspect chemical facilities to prevent accidental releases. The objective is to ensure compliance with accident prevention and preparedness regulations at Risk Management Plan (RMP) and Emergency Planning and Community Right-to-Know Act (EPCRA)-regulated facilities and to work with chemical facilities to reduce chemical risks and improve safety to populations, especially in fenceline communities. To this end, the FY 2025 Budget requests an additional \$7.5 million and 26 FTE above the FY 2024 ACR to support a multi-pronged approach to protect fenceline communities at risk from nearby chemical facilities, including providing increased outreach and inspections at regulated facilities to ensure facilities have measures in place to prevent chemical accidents. There are approximately 11,600 chemical facilities that are subject to the RMP regulations. Of these, approximately 1,800 facilities have

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<sup>47</sup> For additional information, please refer to: <https://www.nrt.org/>.

been designated as high-risk based upon their accident history, quantity of on-site dangerous chemicals stored, and proximity to large residential populations.<sup>48</sup> EPA prioritizes inspections at high-risk facilities and will focus on those facilities located in communities with environmental justice concerns and communities with increased climate-related risks (e.g., extreme weather, flooding, wildfires). In addition, EPA is developing a regulatory action to revise the RMP regulations to incorporate consideration of communities with environmental justice concerns and those vulnerable to climate risks.

In FY 2025, EPA will continue to inspect oil facilities to ensure compliance with prevention and preparedness requirements. Inspections involve reviewing the facility's prevention, preparedness, and response plans and discussing key aspects of these plans with facility staff. EPA will increase inspections, enforcement, and compliance assistance at regulated facilities, focusing on high-risk facilities located in communities with environmental justice concerns and communities with increased climate-related risks. EPA also will conduct unannounced exercises at facilities subject to Facility Response Plan regulations, a subset of facilities identified as high risk due to their size and location, to test the facility owner's ability to put preparedness and response plans into action.

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<sup>48</sup> Located in the EPA RMP database.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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

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

**STRATEGIC OBJECTIVES:**

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

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

|  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|--------------------------------------|--------------------------------------|---|--|
| <b>Ensure Safety of Chemicals for<br/>People and the Environment</b> | <b>\$453,924</b>                     | <b>\$455,988</b>                     | <b>\$594,577</b>                          | <b>\$138,588</b>   |
| Ensure Chemical and Pesticide<br>Safety                              | \$368,990                            | \$368,436                            | \$482,698                                 | \$114,261  |
| Promote Pollution Prevention   | \$84,933                             | \$87,552                             | \$111,879                                 | \$24,327   |
| Total Authorized Workyears   | 1,641.8                              | 1,682.2                              | 1,973.3                                   | 291.2  |

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

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

### **Introduction**

EPA is responsible for ensuring the safety of chemicals and pesticides for the environment and people at all life stages, improving access to chemical safety information, and preventing pollution at the source before it occurs. The Agency focuses on assessing, preventing, and reducing releases and exposures resulting from the manufacture, processing, use, and disposal of chemicals and pesticides and advances the community's right-to-know about these releases and exposures. EPA works to protect the most vulnerable populations from unsafe exposures, especially children, the elderly, and those with environmental justice concerns (including low-income, minority and indigenous populations) who may already be disproportionately harmed by and at risk from other stressors. In addition, EPA works to ensure public access to chemical and pesticide data, analytical tools, and other sources of information and expertise, and promotes source reduction, integrated pest management, and other pollution prevention strategies by organizations and businesses. In total, the FY 2025 Budget includes \$594.6 million and 1,973.3 FTE for *Goal 7: Ensure Safety of Chemicals for People and the Environment*.

In FY 2025, EPA's activities under this goal will focus on evaluating, assessing, and managing risks from exposure to new and existing industrial chemicals; continuing to address lead-based paint risks; reviewing and registering new pesticides and new uses for existing pesticides; reducing occupational exposure to pesticides, particularly in disadvantaged communities; and addressing potential risks to threatened and endangered species from pesticides. In addition, EPA will continue working with tribes, state agencies, industry, and communities to implement voluntary efforts to prevent pollution at the source and continue to publish Toxics Release Inventory (TRI) data on chemical releases from industrial facilities for public review and use.

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

The FY 2025 Budget includes \$482.7 million and 1,693.5 FTE for Objective 7.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, complete at least eight High Priority Substance (HPS) TSCA risk evaluations annually within statutory timelines compared to the FY 2020 baseline of one.
- By September 30, 2026, initiate all TSCA risk management actions within 45 days of the completion of a final existing chemical risk evaluation.
- By September 30, 2026, review 90 percent of risk management actions for past TSCA new chemical substances reported to the 2020 Chemical Data Reporting Rule (CDR) compared to the FY 2021 baseline of none.
- By September 30, 2026, recertify before the expiration date 36 percent of lead-based paint Renovation, Repair, and Painting (RRP) firms whose certifications are scheduled to expire compared to the FY 2021 baseline of 32 percent.
- By September 30, 2026, complete pesticide registration review for 78 cases.

- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for new active ingredients in 90 percent of the risk assessments supporting pesticide registration decisions compared to the FY 2020 baseline of 50 percent.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species in 50 percent of the risk assessments supporting pesticide registration review decisions compared to the FY 2020 baseline of 27 percent.
- By September 30, 2026, support Agricultural Worker Protection Standard (WPS) pesticide safety training for 20,000 farmworkers annually compared to the FY 2018-2020 annual average baseline of 11,000.

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

Under Section 5 of TSCA, EPA is responsible for reviewing all new chemical submissions before they enter commerce to determine whether the chemicals may pose unreasonable risks to human health or the environment.<sup>49</sup> EPA’s new chemicals program serves as a “gatekeeper” role to help manage potential risk to human health and the environment from chemicals new to the marketplace. Any chemical that is not on the TSCA Inventory is considered a “new” chemical substance. TSCA section 5 requires that any person planning to manufacture or import a new chemical substance submit notice to EPA prior to commencing that activity. EPA is required to assess the potential risks to human health and the environment of the chemical, make an affirmative determination, and where potential risks are identified, EPA must take action to mitigate those risks before the chemical can enter commerce. In FY 2025, EPA expects to conduct risk assessments and make affirmative determinations on risks for more than 500 new chemical notice and exemption submissions annually.

Under TSCA Section 6,<sup>50</sup> EPA has responsibility for prioritizing and evaluating at least 20 existing chemicals at a time, assessing additional chemicals at manufacturers’ request, and managing identified unreasonable risks to human health and the environment. In FY 2025, EPA continues developing draft and final risk evaluations for High Priority Substances (HPS) and expects to promulgate risk management actions in response to unreasonable human health and environmental risks identified in those risk evaluations. In FY 2024 - 2025, EPA anticipates issuing draft and final risk evaluations for Asbestos Part 2, a flame retardant (TCEP), formaldehyde, and three chlorinated solvents (1,1-DCA, 1,2-DCA, and TDCE). In addition, EPA anticipates finalizing the 1,4-Dioxane Risk Evaluation Supplement. EPA will expeditiously move into the management of any unreasonable risks identified in the evaluations and expects to initiate up to seven proposed risk management actions for chemicals with risk evaluations anticipated to be proposed or finalized in FY 2024.

Additionally, EPA expects to have finalized risk management actions for nine of EPA’s first 10 existing chemical risk evaluations actions in FY 2025 and will engage in implementation activities associated with these final actions, including development of compliance guides and outreach to impacted entities. The FY 2025 Budget includes \$131.9 million and 451.8 FTE for the EPM TSCA

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<sup>49</sup> Actions under TSCA Section 5 may be found at: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/actions-under-tsca-section-5>.

<sup>50</sup> Information regarding the regulation of Chemicals under Section 6(a) of the Toxic Substances Control Act may be found at: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/regulation-chemicals-under-section-6a-toxic-substances>.



Program, an increase of \$49.1 million and 112.5 FTE above the FY 2024 ACR. Increased funding for the TSCA Program is needed in FY 2025 to advance implementation of the law's requirements. The 2016 amendments to TSCA brought about a dramatic increase in EPA's workload and significantly changed the way EPA implemented the New Chemicals Program. Under the prior law, EPA issued formal written unreasonable risk determinations for about 20 percent of new chemical submissions. Under the amended law, EPA is required to issue determinations for 100 percent of new chemical submissions (a five-fold increase). Despite these significant new responsibilities, the Program's budget stayed essentially flat for the first six years of the new law. As noted in a recent report from the U.S. Government Accountability Office (GAO), since the 2016 amendments, EPA has missed most deadlines for reviewing new and existing chemicals under TSCA due in part to workforce planning gaps, staff shortages and, and insufficient resources.<sup>51</sup> While the Program received additional funding in FY 2023, the full request of \$131.9 million in FY 2025 will allow EPA to continue making progress toward implementing TSCA in the manner envisioned by Congress.

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

Also under TSCA, EPA's EPM Lead-Based Paint Risk Reduction Program contributes to the goal of reducing lead exposure and works toward addressing historic and persistent disproportionate vulnerabilities of certain communities.<sup>52,53</sup> With \$14.6 million and 62.9 FTE included in the FY 2025 Budget, EPA will continue to reduce exposure to lead in paint and dust by establishing standards governing lead hazard identification and abatement practices; establishing and maintaining a national pool of certified firms and individuals; and providing information and outreach to housing occupants and the public so they can make informed decisions and take actions on lead hazards in their homes.

In July 2023, EPA announced a proposal to strengthen requirements for the removal of lead-based paint hazards in pre-1978 buildings and childcare facilities, known as abatement activities, to better protect children and communities from the harmful effects of exposure to dust generated from lead paint, advancing President Biden's whole-of-government approach to protecting families and children from lead exposure.<sup>54</sup> If finalized, the proposed rule would strengthen EPA's regulations under section 402 of the TSCA by revising the dust-lead hazard standards (DLHS), which identify hazardous lead in dust on floors and window sills, and the dust-lead clearance levels (DLCL), the amount of lead that can remain in dust on floors, window sills and window troughs after lead removal activities. If finalized, the rule is estimated to reduce the lead exposures of approximately 250,000 to 500,000 children under age six per year. Assuming the rule is finalized, EPA will be in the process of implementing it in FY 2025.

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<sup>51</sup> Please see: <https://www.gao.gov/assets/gao-23-105728.pdf>.

<sup>52</sup> Childhood blood lead levels (BLL) have declined substantially since the 1970s, due largely to the phasing out of lead in gasoline and to the reduction in the number of homes with lead-based paint hazards. The median concentration of lead in the blood of children aged 1 to 5 years dropped from 15 micrograms per deciliter in 1976–1980 to 0.7 micrograms per deciliter in 2013–2014, a decrease of 95 percent. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>53</sup> Among children ages 1 to 5 years in families with incomes below poverty level, the 95<sup>th</sup> percentile blood lead level (BLL) was 3.0 µg/dL, and among those in families at or above the poverty level, it was 2.1 µg/dL, a difference that was statistically significant. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>54</sup> See <https://www.epa.gov/newsreleases/biden-harris-administration-proposes-strengthen-lead-paint-standards-protect-against>.

## ***Pesticide Programs***

In FY 2025, consistent with statutory responsibilities,<sup>55,56,57</sup> EPA will continue to review and register new pesticides and new uses for existing pesticides, and other covered applications under the Pesticide Registration Improvement Act (PRIA) and its reauthorizations. EPA also will act on other registration requests in accordance with Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Federal Food, Drug, and Cosmetic Act (FFDCA) standards. Many of these registration actions will be for reduced-risk conventional pesticides and biopesticides, which, once registered and used by consumers, will increase benefits to society and reduce ecological impacts. Additionally, in FY 2025, EPA will continue to reevaluate existing chemicals in the marketplace on a 15-year cycle to ensure the FIFRA standard for registration continues to be met based on current science, including registration review actions subject to the October 1, 2026, deadline for completion.

The *Agricultural Worker Protection Standard (WPS)*<sup>58</sup> and the *Certification of Pesticide Applicators (CPA)*<sup>59</sup> revised rules (finalized in FY 2015 and FY 2017, respectively) are key elements of EPA's strategy for reducing occupational exposure to pesticides. In FY 2023 and FY 2024, the Agency revised the WPS Application Exclusion Zone provisions. In FY 2025, EPA will continue to support the implementation of the regulations through education and outreach, guidance development, and grant programs, with a particular focus on environmental justice issues in rural communities and the health of farmworkers and their families. For example, in FY 2023, 15,155 farmworkers received EPA-supported WPS pesticide safety training.

Under the Endangered Species Act (ESA),<sup>60</sup> EPA is responsible for ensuring that pesticide regulatory decisions will not destroy or adversely modify designated critical habitat or jeopardize the continued existence of species listed as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS), referred to collectively as the Services. Meeting this responsibility presents a great challenge given that there are approximately 1,200 active ingredients in more than 17,000 pesticide products—many of which have multiple uses. Endangered species risk assessments are extraordinarily complex, national in scope, and involve comprehensive evaluations that consider risks to over 1,700 listed endangered species and 800 designated critical habitats in the U.S. with diverse biological attributes, habitat requirements, and geographic ranges.

In April 2022, EPA released a workplan outlining priorities for coming into full compliance with the ESA across the numerous types of actions it completes annually as well as developing several pilot projects to more efficiently comply with the ESA, given that the current process for each

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<sup>55</sup> Summary of Federal Insecticide, Fungicide, and Rodenticide Act: <https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act>.

<sup>56</sup> Summary of the Federal Food, Drug, and Cosmetic Act: <https://www.epa.gov/laws-regulations/summary-federal-food-drug-and-cosmetic-act>.

<sup>57</sup> Pesticide Registration Improvement Extension Act of 2018 (PRIA 4): <https://www.epa.gov/pria-fees>.

<sup>58</sup> Agricultural Worker Protection Standard: <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>.

<sup>59</sup> Revised Certification Standards for Pesticide Applicators: <https://www.epa.gov/pesticide-worker-safety/revised-certification-standards-pesticide-applicators>.

<sup>60</sup> For additional information on the Endangered Species Protection Program, see: <https://www.epa.gov/endangered-species/about-endangered-species-protection-program>.

pesticide active ingredient can span 4-12 years.<sup>61</sup> EPA prioritized meeting its ESA obligations for all conventional new active ingredient applications whereby all new active ingredient registrations will only be registered under conditions that comply with ESA. EPA also prioritized ESA determinations in response to litigation commitments and court decisions (the ESA workplan includes a list of the FY 2022 litigation commitments regarding ESA determinations and implementations of biologic opinions from the Services). The increase EPA received in the FY 2023 enacted budget serves as initial funding to help EPA meet these specific workplan commitments. In November 2022, EPA released a workplan update that announced FIFRA interim ecological mitigations for non-target and ESA listed species that EPA has begun to incorporate into registration review. The update also announced other initiatives to make even faster progress on some of our ESA goals.<sup>62</sup>

EPA also released two draft initiatives for public comment in 2023 to make further progress on addressing ESA protections. In June 2023, EPA released a draft pilot that identified 27 listed species that are particularly vulnerable to pesticide exposures and a proposed strategy to reduce impacts to them. In July 2023, EPA released for public comment a draft strategy to more efficiently address ESA obligations for herbicides, referred to as the herbicide strategy. EPA started with a strategy for herbicides over other types of pesticides because of the large number of listed plant species and the high importance of herbicides to agriculture. Addressing ESA for these pesticides will increase certainty and predictability of their availability. Similar strategies are planned for other classes of pesticides, such as insecticides, after EPA completes the herbicide strategy.

In FY 2025, EPA expects to implement the ESA strategies that it has finalized, including by updating its IT systems needed to implement those strategies. EPA also expects to continue to address its ESA obligations for the registration of all new conventional active ingredient pesticides as well as meet its court deadlines under various settlement agreements. EPA also intends to continue developing a strategy to further ESA protections for insecticides in FY 2025 and to issue a strategy to further ESA protections for rodenticides in FY 2025.

The FY 2025 Budget requests \$76 million and 221.6 FTE for the EPM Pesticide: Protect the Environment from Pesticide Risk Program, which includes an increase of \$26.8 million and 20 FTE to support ESA compliance work. In FY 2025, EPA will continue to develop and improve existing processes to allow EPA to protect listed species earlier in the regulatory and consultation processes and pursue other major improvements to its ESA compliance work in coordination with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service and USDA.

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<sup>61</sup> For additional information, see: [https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use\\_final.pdf](https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use_final.pdf).

<sup>62</sup> For additional information, see: <https://www.epa.gov/system/files/documents/2022-11/esa-workplan-update.pdf>.

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

The FY 2025 Budget includes \$111.9 million and 279.9 FTE for Objective 7.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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

### ***Pollution Prevention***

EPA’s implementation of the Pollution Prevention (P2) Program under the Pollution Prevention Act of 1990<sup>63</sup> is one of EPA’s primary tools for advancing environmental stewardship and sustainability by federal, tribal, and state governments, businesses, communities, and individuals. These practices focus on reducing the amount of any hazardous substance, pollutant, or contaminant entering a waste stream or released into the environment prior to recycling of discarded material, treatment, or disposal, as well as conserving the use of natural resources. P2 grants – a key element of the P2 Program – contributed to the elimination of 19.8 million metric tons of greenhouse gases between 2011 and 2021.<sup>64</sup> In FY 2025, EPA will continue its work to prevent pollution at the source by awarding targeted P2 grants to tribes, states, and local governments, encouraging the use of products certified by EPA as safer for the environment, encouraging federal procurement of environmentally preferable products, and enhancing the use of TRI data to help prevent pollution and support the Administration’s environmental justice priorities.

In FY 2025, EPA will continue to focus on carrying out sector-focused P2 National Emphasis Areas<sup>65</sup> and enabling the replication and leveraging of business successes supported by the \$5 million P2 grants awarded annually. EPA also will deliver training and conduct outreach for communities overburdened with pollution, as well as tribal, state, and local governments to help with product and service procurement choices that are environmentally sound and promote human and environmental health. The additional Infrastructure Investment and Jobs Act (IIJA) funding for the Program for FY 2022 to 2026 will significantly increase results and the generation of information on P2 approaches that other businesses can replicate, particularly in disadvantaged communities.

In FY 2025, EPA plans to complete the process of updating and strengthening the standards of the Safer Choice (SC) Program,<sup>66</sup> which advances chemical safety by increasing the availability and identification of products containing ingredients that meet stringent health and environmental criteria, through a notice and comment process after consultation with stakeholders. The Agency

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<sup>63</sup> Summary of the Pollution Prevention Act: <https://www.epa.gov/laws-regulations/summary-pollution-prevention-act>.

<sup>64</sup> For additional information, see: [https://www.epa.gov/system/files/documents/2021-07/p2flier\\_2021\\_0.pdf](https://www.epa.gov/system/files/documents/2021-07/p2flier_2021_0.pdf).

<sup>65</sup> P2 National Emphasis Areas may be found at: <https://www.epa.gov/p2/p2-national-emphasis-areas-neas>.

<sup>66</sup> For additional information on Safer Choice, please visit: <https://www.epa.gov/saferchoice>.

will conduct outreach with federal, tribal, state, and local government procurement officials and institutional and industrial purchasers to communicate the benefits of SC and other environmentally preferable products, and work to make SC-certified products more widely available to disadvantaged communities. EPA will continue to partner with organizations serving disadvantaged communities with environmental concerns to help custodial staff and house cleaning companies fight occupational exposure-related conditions (e.g., asthma) and gain access to certified products. EPA also will update the Safer Chemical Ingredients List to enhance transparency and facilitate expansion of safer chemical choices and products, including increasing the number and volume of SC-certified products.<sup>67</sup>

The FY 2025 Budget includes \$29.2 million and 69.2 FTE to support the P2 Program in the EPM appropriation, an increase of \$16.2 million and 18 FTE above the FY 2024 ACR. This increase will fund a new P2 grant program to support small businesses with transitioning to TSCA compliant practices and mitigate economic impacts. EPA's P2 Program has supported work by P2 grantees, over several years, to work with businesses and industry to identify technically and economically feasible alternatives to toxic chemicals, including some that are the focus of current TSCA risk evaluation and management (e.g., halogenated solvents used in a variety of industries such as degreasing in metal fabrication). Additionally, pollution prevention reporting under the TRI Program collects information on facility-level P2 practices associated with reductions in use and release of toxic chemicals. In FY 2025, EPA will evaluate and integrate P2 case studies and best practices relevant to TSCA risk management by small businesses, clarify technical and economic factors associated with such transitions, and develop and deploy pilot programs to leverage training and ongoing support for small businesses expected to be making transitions in response to TSCA risk management.

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

The TRI Program makes TRI data available to the public each year. EPA encourages communities, industry, and other stakeholders to access the data through any one of the TRI Program's state-of-the-art tools and analyze the data to: evaluate improvements in environmental performance, leverage pollution prevention information, identify communities that may be disproportionately exposed to toxics emissions, and identify opportunities for improvement.<sup>68</sup> With the FY 2025 request of \$14.1 million and 37 FTE for the TRI/Right to Know Program, EPA will continue research on tools that can quickly and accurately identify disadvantaged communities near TRI facilities, which would support prioritization of P2 initiatives. In addition, in FY 2025, EPA will continue to publish the TRI and use analyses of toxic chemical releases from industrial facilities located near disadvantaged communities with environmental concerns to identify and develop sector specific P2 case studies, best practices, outreach, and training. This will help facilitate adoption of P2 practices in the facilities and in the communities themselves.

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<sup>67</sup> The Safer Chemical Ingredients List (SCIL) may be found at: <https://www.epa.gov/saferchoice/safer-ingredients>.

<sup>68</sup> For additional information, please visit the TRI for Communities webpage: <https://www.epa.gov/toxics-release-inventory-tri-program/tri-for-communities>.

**Environmental Protection Agency  
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**APPROPRIATION: Science & Technology  
Resource Summary Table  
(Dollars in Thousands)**

|                                 | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|---------------------------------|--------------------------------------|--------------------------------------|---|--|
| <b>Science &amp; Technology</b> |                                      |                                      |   |  |
| Budget Authority                | \$835,028                            | \$802,276                            | \$1,009,960                               | \$207,684  |
| Total Workyears                 | 1,992.1                              | 2,022.0                              | 2,292.9                                   | 270.9  |

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

**Bill Language: Science and Technology**

*For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs, and travel expenses; procurement of laboratory equipment and supplies; hire, maintenance, and operation of aircraft; and other operating expenses in support of research and development, \$1,009,960,000, to remain available until September 30, 2026.*

**Program Projects in S&T  
(Dollars in Thousands)**

| <b>Program Project</b>                                | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Clean Air and Climate                                 |                                  |                                      |   |  |
| Clean Air Allowance Trading Programs                  | \$6,578                          | \$7,117                              | \$19,987                                  | \$12,870   |
| Climate Protection                                    | \$9,968                          | \$8,750                              | \$10,800                                  | \$2,050  |
| Federal Support for Air Quality Management            | \$8,950                          | \$11,343                             | \$10,754                                  | -\$589   |
| Federal Vehicle and Fuels Standards and Certification | \$122,243                        | \$117,341                            | \$185,873                                 | \$68,532   |
| Subtotal, Clean Air and Climate                       | \$147,738                        | \$144,551                            | \$227,414                                 | \$82,863   |
| Clean and Safe Water Technical Assistance Grants      |                                  |                                      |   |  |
| Congressional Priorities                              | \$23,283                         | \$30,751                             | \$0                                       | -\$30,751  |
| Enforcement   |                                  |                                      |   |  |
| Forensics Support                                     | \$14,152                         | \$15,532                             | \$19,337                                  | \$3,805  |



| <b>Program Project</b>   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Ensure Safe Water  |                                  |                                      |   |  |
| Drinking Water Programs  | \$5,474                          | \$5,098                              | \$7,043                                   | \$1,945  |
| Homeland Security  |                                  |                                      |   |  |
| Homeland Security: Critical Infrastructure Protection                  | \$12,249                         | \$10,852                             | \$34,351                                  | \$23,499   |
| Homeland Security: Preparedness, Response, and Recovery                | \$26,376                         | \$25,347                             | \$40,802                                  | \$15,455   |
| Homeland Security: Protection of EPA Personnel and Infrastructure      | \$625                            | \$625                                | \$501                                     | -\$124   |
| Subtotal, Homeland Security  | \$39,250                         | \$36,824                             | \$75,654                                  | \$38,830   |
| Indoor Air and Radiation   |                                  |                                      |   |  |
| Indoor Air: Radon Program  | \$70                             | \$199                                | \$173                                     | -\$26  |
| Radiation: Protection  | \$2,321                          | \$1,683                              | \$2,416                                   | \$733  |
| Radiation: Response Preparedness                                       | \$3,200                          | \$3,596                              | \$4,802                                   | \$1,206  |
| Reduce Risks from Indoor Air   | \$27                             | \$278                                | \$185                                     | -\$93  |
| Subtotal, Indoor Air and Radiation                                     | \$5,618                          | \$5,756                              | \$7,576                                   | \$1,820  |
| IT / Data Management / Security  |                                  |                                      |   |  |
| IT / Data Management   | \$3,489                          | \$3,197                              | \$3,346                                   | \$149  |
| Operations and Administration  |                                  |                                      |   |  |
| Facilities Infrastructure and Operations                               | \$65,328                         | \$67,500                             | \$72,906                                  | \$5,406  |
| Pesticides Licensing   |                                  |                                      |   |  |
| Pesticides: Protect the Environment from Pesticide Risk                | \$2,468                          | \$2,334                              | \$4,239                                   | \$1,905  |
| Pesticides: Protect Human Health from Pesticide Risk                   | \$3,034                          | \$2,894                              | \$5,902                                   | \$3,008  |
| Pesticides: Realize the Value of Pesticide Availability                | \$963                            | \$925                                | \$1,040                                   | \$115  |
| Subtotal, Pesticides Licensing   | \$6,466                          | \$6,153                              | \$11,181                                  | \$5,028  |
| Research: Chemical Safety for Sustainability                           |                                  |                                      |   |  |
| Health and Environmental Risk Assessment                               | \$40,119                         | \$39,918                             | \$45,746                                  | \$5,828  |
| Research: Chemical Safety for Sustainability                           |                                  |                                      |   |  |
| <i>Endocrine Disruptors</i>  | \$17,222                         | \$16,353                             | \$18,017                                  | \$1,664  |
| <i>Computational Toxicology</i>  | \$23,500                         | \$21,606                             | \$23,646                                  | \$2,040  |
| <i>Research: Chemical Safety for Sustainability (other activities)</i> | \$56,107                         | \$54,591                             | \$64,554                                  | \$9,963  |
| Subtotal, Research: Chemical Safety for Sustainability                 | \$96,828                         | \$92,550                             | \$106,217                                 | \$13,667   |

| <b>Program Project</b>                                 | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Subtotal, Research: Chemical Safety for Sustainability | \$136,947                        | \$132,468                            | \$151,963                                 | \$19,495   |
| Research: Safe and Sustainable Water Resources         |                                  |                                      |   |  |
| Research: Safe and Sustainable Water Resources         | \$125,346                        | \$116,141                            | \$143,745                                 | \$27,604   |
| Research: Sustainable Communities                      |                                  |                                      |   |  |
| Research: Sustainable and Healthy Communities          | \$147,279                        | \$137,857                            | \$149,498                                 | \$11,641   |
| Research: Air, Climate and Energy                      |                                  |                                      |   |  |
| Research: Air, Climate and Energy                      | \$114,659                        | \$100,448                            | \$140,297                                 | \$39,849   |
| <b>TOTAL S&amp;T</b>                                   | <b>\$835,028</b>                 | <b>\$802,276</b>                     | <b>\$1,009,960</b>                        | <b>\$207,684</b>   |

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

## **Clean Air**

## Clean Air Allowance Trading Programs

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management    | \$17,268                         | \$16,554                             | \$30,743                                  | \$14,189   |
| <b><i>Science &amp; Technology</i></b> | <b><i>\$6,578</i></b>            | <b><i>\$7,117</i></b>                | <b><i>\$19,987</i></b>                    | <b><i>\$12,870</i></b>   |
| Total Budget Authority                 | \$23,846                         | \$23,671                             | \$50,730                                  | \$27,059   |
| Total Workyears                        | 63.8                             | 66.7                                 | 86.1                                      | 19.4   |

### **Program Project Description:**

This Program is responsible for managing the Clean Air Status and Trends Network (CASTNET), an ambient monitoring network that has been continuously collecting data for more than 30 years. CASTNET serves as the Nation’s primary source for assessing long-term trends in rural air quality and atmospheric pollutant inputs to ecosystems. CASTNET sites are uniquely situated in remote and high elevation areas within 42 states and eight tribal boundaries. Rural CASTNET sites are intentionally located away from stationary emission sources and are often located in or near economically disadvantaged communities, tribal communities, or communities of color. The network provides valuable data to support the ozone National Ambient Air Quality Standards (NAAQS) in many areas not monitored by state, local, and tribal monitoring agencies. Additionally, CASTNET ozone data are used for exceptional event assessments of international transport, background concentrations, wildfire events, and stratospheric ozone intrusions often leading to ozone exceedances. The sites also fill critical data gaps needed to understand precursor emissions contributions leading to air quality issues affecting downwind population centers, such as agricultural activity, oil and gas production, wildfire smoke, and wood smoke in mountain valleys. The CASTNET monitoring network continues to be critical for assessing impacts of regional emission reduction programs and is used in evaluating how climate stressors may impact future improvements to air quality.

The Agency’s CASTNET Program also supports 69 ambient ammonia monitoring sites and 30 wet deposition sites through its contribution to the National Atmospheric Deposition Program (NADP) to assess atmospheric concentrations of particulate matter (PM) precursors (e.g., ammonia), nitrogen impacts on air and water quality (e.g., eutrophication, algal blooms), and ecosystem effects (e.g., reduction in biodiversity). The Agency utilizes CASTNET data to support the development, evaluation, and validation of air quality models used to assess results under potential future emission and climate scenarios. Used in conjunction with other ambient air quality networks, CASTNET’s data products also are used to determine the effectiveness of national and regional emission control programs, validate satellite measurements, and provide near-real time data to support AirNow and Air Quality Index (AQI) reporting tools.

EPA works closely with tribal governments to build tribal air monitoring capacity through partnerships with the CASTNET Program. Since 2002, CASTNET has added eight sites on tribal lands. By expanding tribal partnerships, CASTNET can fill important spatial gaps in air quality and atmospheric deposition monitoring while providing tribes with the equipment and technical training to collect and report local air quality data. Tribes benefit from dedicated monitoring sites that build technical skills, provide near-real time air quality data to the community, and provide environmental data that help tribes assess the impacts of air pollution on cultural or natural resources on tribal lands. Tribal partners utilize the CASTNET data to review permit applications, assess impacts from upwind emissions sources, and provide hands-on educational training. CASTNET hosts quarterly calls with EPA Regions and tribal partners which provides a forum for sharing technical information, establishing training modules, and engaging directly with the user community.

To support modernization efforts, CASTNET will use the existing network infrastructure to fill in gaps in continuous measurements necessary to evaluate changes in atmospheric chemistry and global climate impacts on air quality and deposition. The Program is well-situated as a platform to measure background or regional levels of air toxics (*e.g.*, ethylene oxide) and persistent chemicals of concern (*e.g.*, Per- and Polyfluoroalkyl Substances (PFAS) compounds). Measuring speciated reactive nitrogen will provide valuable data that states can use to determine which precursors are driving PM formation and make more informed decisions on emission control strategies. Furthermore, continuing to expand capacity while modernizing the CASTNET infrastructure ensures data can be made available in near-real time to address short-term changes in air quality resulting from meteorological conditions, such as temperature inversions, or natural disasters, such as wildfires.

This program also is responsible for managing EPA's Long-Term Monitoring (LTM) program, established in 1983 to assess changes in the health of lakes and streams in the Eastern U.S. in response to emission reductions and subsequent decreases in atmospheric pollution loading. There have been significant decreases in power sector sulfur dioxide (SO<sub>2</sub>) and nitrogen oxide (NO<sub>x</sub>) emissions (by 93 percent and 87 percent, respectively, since 1995) resulting in very low levels of acid rain deposition and recovery from acid rain in lakes and streams in the Eastern U.S. With no expected increases of deposition in the future, EPA plans to sunset the Program at the end of FY 2024 but will continue to make the long-term data record available for researchers, students, and the public through the LTM website.

This program also supports the Clean Air Allowance Trading Programs, which are nationwide and multi-state programs that address air pollutants that are transported across state, regional, and international boundaries. Programs designed to control SO<sub>2</sub> and NO<sub>x</sub> include Title IV (the Acid Rain Program) of the Clean Air Act (CAA), the Cross-State Air Pollution Rule (CSAPR), the CSAPR Update, the Revised CSAPR Update, and the Good Neighbor Plan (GNP). The infrastructure for the Clean Air Allowance Trading Programs also supports implementation of other state and federal programs to control SO<sub>2</sub>, hazardous air pollutants, and greenhouse gases.

The suite of CSAPR programs, including the most recent GNP, require states to limit their emissions of SO<sub>2</sub> and/or NO<sub>x</sub> in order to reduce or eliminate the states' contributions to fine particulate matter and/or ground-level ozone pollution in other states. These programs set

emissions limitations that are defined in terms of maximum statewide “budgets” for emissions of annual SO<sub>2</sub>, annual NO<sub>x</sub>, and/or ozone-season NO<sub>x</sub> from each state’s large electric generating units. EPA is supporting state efforts with respect to best available retrofit technology, reasonable progress, and interstate visibility transport, as those obligations relate to SO<sub>2</sub> emissions from electricity generating units.<sup>1</sup> The air quality and other environmental information gathered through this program support these Clean Air Allowance Trading Program-related rulemakings and other rulemakings associated with Regional Haze.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will:

- Continue to support air quality and environmental monitoring sites (*e.g.*, CASTNET NADP National Trends Network (NTN), and NADP Ammonia Monitoring Network (AMoN) sites. Monitoring data from these programs are used to analyze and assess rural air quality, climate impacts on air pollution and atmospheric deposition and other indicators of air quality and ecosystem health.
- Provide support for independent audits and required performance evaluations to assure high-quality data to support the NAAQS and environmental assessments. The audit contract was awarded to a small, women-owned, minority-owned, disadvantaged business.
- Continue making progress toward increasing monitoring capacity by working to identify new tribal partners and other underserved communities that would benefit from joining a national air monitoring program.
- Invest in technology and small businesses by replacing aging equipment, repairing monitoring shelters more than 30 years old that have deteriorated due to extreme weather and deploying new equipment and monitoring sites in rural, often low-income/minority areas. The CASTNET contractor allocates 55 percent of their subcontract dollars to small businesses responsible for performing calibrations, managing site operators, and data analyses.
- Upgrade aging CASTNET equipment. To improve overall data quality, EPA will replace continuous ozone analyzers, and procure new PM and gas analyzers (*e.g.*, carbon monoxide (CO), volatile organic compounds (VOCs), speciated nitrogen) that will support NAAQS assessments, emission control strategies, regulatory actions, and climate impacts on air quality and ecosystems in the future. Analyzers will be integrated into the existing automated calibration systems to improve network resiliency.
- Utilize existing infrastructure to expand network capacity by adding measurement systems for background and regional concentrations of air toxics and emerging pollutants of concern. Data will complement urban measurements and provide valuable information on atmospheric pathways and chemical transformations that will impact health risks.

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<sup>1</sup> Clean Air Act § 110 and § 169A; refer to 40 CFR 52.2312.

- Continue to modernize the data reporting tools and visualizations to improve user experiences and data access, particularly during emergencies (e.g., wildfires). Strengthening front-end and back-end data management platforms will improve system reliability and allows state and local agencies to quickly make critical decisions. Providing real-time air quality data during such events is valuable for informing vulnerable populations about health risks.
- Assure the continuation of ongoing SO<sub>2</sub> and NO<sub>x</sub> emission reductions from power plants in the U.S. by implementing the suite of CSAPR programs and the Acid Rain Program.<sup>2</sup>
- Ensure accurate and consistent results for the Clean Air Allowance Trading Programs. Continue work on performance specifications and investigating monitoring alternatives and methods to improve the efficiency of monitor certification and emissions data reporting.
- Work with states to implement emission reduction programs to comply with CAA Section 110(a)(2)(D)(i)(I) requirements, including conducting environmental justice analyses to consider the distributional impacts of emissions on overburdened communities.<sup>3</sup>

**Performance Measure Targets:**

**(PM NOX) Tons of ozone season NOx emissions from electric power generation sources.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         |         | 355,000 | 344,000 | 332,000 | 332,000 | Tons  |
| <b>Actual</b> | 443,764 | 389,170 | 341,082 | 359,124 | 324,285 | 293,519 |         |         |       |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$12,870.0 / +1.7 FTE) This program change is an increase to modernize and maintain the Clean Air Status and Trends Network, to provide additional monitoring sites and deployable monitors, including on tribal lands, and to expand site functionality (i.e., to include measuring additional air pollutants). This investment includes \$306.0 thousand in payroll and additional changes to fixed support costs.

**Statutory Authority:**

Clean Air Act.

<sup>2</sup> Clean Air Act §§ 110(a)(2)(D) and 401.

<sup>3</sup> For more information on program performance, please see: <https://www.epa.gov/airmarkets/progress>.

## Climate Protection

Program Area: Clean Air and Climate

Goal: Tackle the Climate Crisis

Objective(s): Reduce Emissions that Cause Climate Change

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$99,292                         | \$101,000                            | \$176,485                                 | \$75,485   |
| <b>Science &amp; Technology</b>     | <b>\$9,968</b>                   | <b>\$8,750</b>                       | <b>\$10,800</b>                           | <b>\$2,050</b>   |
| Total Budget Authority              | \$109,260                        | \$109,750                            | \$187,285                                 | \$77,535   |
| Total Workyears                     | 195.9                            | 216.1                                | 256.7                                     | 40.6   |

### Program Project Description:

The Climate Protection Program supports implementation and compliance with greenhouse gas (GHG) emission standards for light-duty and heavy-duty vehicles developed under EPA’s Federal Vehicle and Fuels Standards and Certification Program. Resources under this program also support compliance activities for implementing the National Highway Traffic Safety Administration’s (NHTSA) Corporate Average Fuel Economy (CAFE) standards. Under authorities contained in the Clean Air Act (CAA) and the Energy Policy Act, EPA is responsible for issuing certificates and ensuring compliance with both the GHG and CAFE standards.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Reduce Emissions that Cause Climate Change in the *FY 2022 - 2026 EPA Strategic Plan*.

Resources will support the following activities:

#### Certification and Compliance

Implementation of the GHG emission standards for light-duty and heavy-duty vehicles and engines has significantly increased EPA’s certification and compliance responsibilities. These responsibilities play a critical role in ensuring that the programs achieve their climate goals. Over time, in an effort to provide greater compliance flexibility for manufacturers, EPA has introduced numerous innovative features into the vehicle certification process. These features include new and more comprehensive trading programs, credits for off-cycle emission reductions, and new federal test procedures. In FY 2025, EPA will begin implementing Light-Duty and Heavy-Duty GHG programs based on the final rulemaking for new multi-pollutant emissions standards, including for greenhouse gas emissions, for light- and medium-duty vehicles beginning with model year (MY) 2027 and the final rulemaking establishing new GHG emissions standards for heavy-duty engines and vehicles beginning with MY 2027. This implementation requires significant expansion of EPA’s information technology systems, which provide an efficient means for manufacturers to



apply for and receive certificates of conformity, and for EPA to audit and oversee manufacturer compliance.

### Vehicle and Engine Testing Services

EPA's National Vehicle & Fuel Emissions Laboratory (NVFEL) has invested significant resources to maintain its critical vehicle and engine testing capabilities, and to upgrade them as needed to implement standards for fuel, vehicle, and engine emissions. These investments have included updates to its heavy-duty engine dynamometers and temperature-controlled vehicle test sites, together with new emissions analyzers and data collection systems needed to perform regulation development and certification testing of light-duty, medium-duty, and heavy-duty engines and vehicles, including battery electric and hybrid electric technologies. This modernized test environment has led to new developments, such as test methods that fairly and repeatably account for "real-world" use in fuel economy label testing of electrified vehicles and updated procedures for GHG compliance testing of heavy-duty engines.

In FY 2025, NVFEL will continue to direct resources toward updating its electric vehicle test capabilities and battery testing infrastructure to support future compliance requirements for light-duty and heavy-duty vehicles. NVFEL's ongoing facility updates have been essential to the implementation of certification and compliance testing programs for EPA's light- and heavy-duty GHG regulations and have expanded production of scientific data on new and emerging vehicle and engine technologies in support of EPA's rulemaking activities. Continued equipment modernization is critical to NVFEL in keeping pace with technology advancements in the transportation sector, and in maintaining the lab's role as a trusted testing standard for regulated industry and as a credible deterrent against non-compliance.

In addition to investing in emerging needs, NVFEL will continue to repair and replace aging laboratory equipment needed to sustain its core compliance testing activities. In FY 2025, NVFEL will update its hot-temperature vehicle test site used for light- and medium-duty compliance testing. This is a part of ongoing capital equipment updates needed for sustaining the lab's ability to implement new light-duty and heavy-duty multi-pollutant regulations, which have increased NVFEL's operation and maintenance costs by an estimated \$2.1 million per year.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,050.0 / +2.3 FTE) This program change is an increase in support of the National Vehicle and Fuel Emissions Laboratory compliance/certification work and mobile source vehicle emissions analysis. Additional resources at the lab support restoring capacity to test and certify engines, fuels, and vehicles to ensure compliance with regulatory standards, and to generate emissions data to support regulatory development work essential to tackling the climate change crisis. This investment includes \$416.0 thousand in payroll and additional changes to fixed support costs.

**Statutory Authority:**

Clean Air Act; Pollution Prevention Act (PPA), §§ 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; Energy Policy Act of 2005, § 756.

## Federal Support for Air Quality Management

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$134,931                        | \$147,704                            | \$258,663                                 | \$110,959  |
| <b>Science &amp; Technology</b>     | <b>\$8,950</b>                   | <b>\$11,343</b>                      | <b>\$10,754</b>                           | <b>-\$589</b>  |
| Total Budget Authority              | \$143,881                        | \$159,047                            | \$269,417                                 | \$110,370  |
| Total Workyears                     | 824.3                            | 879.3                                | 1,079.7                                   | 200.4  |

### **Program Project Description:**

Federal support for the criteria pollutant and air toxics programs includes a variety of tools to characterize ambient air quality and the level of risk to the public from air pollutants and to measure national progress toward improving air quality and reducing associated risks. The Federal Support for Air Quality Management Program supports development of State Implementation Plans (SIPs) through modeling and other tools, and assists states in implementing, attaining, maintaining, and enforcing the National Ambient Air Quality Standards (NAAQS) for criteria pollutants. The Program also supports development and provision of information, training, and tools to assist state, tribal, and local agencies, as well as communities, to reduce air toxics emissions and risks specific to their local areas. In addition, the Program supports activities related to the Clean Air Act (CAA) stationary source residual risk and technology review program. EPA is required to assess the level of risk remaining after promulgation of National Emission Standards for Hazardous Air Pollutants (NESHAP) that are based on Maximum Available Control Technology (MACT) within eight years of that promulgation. In addition, the Agency is required to review all NESHAP at least every eight years to determine if revisions are needed to reflect developments in practices, processes, and control technologies.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

During FY 2025, as part of implementing key activities in support of attainment of the NAAQS, EPA will provide states, tribes, and local air agencies with scientifically and technically sound assistance in developing SIPs/ Tribal Implementation Plans (TIPs) that meet requirements to attain and maintain the NAAQS. This assistance includes providing models, modeling inputs and tools, technical data and guidance, and identifying emission control options. EPA facilitates national consistency in how air quality modeling is conducted as part of regulatory decision-making, including federal and state permitting programs, SIP/TIP-related actions, as well as how conformity determinations are made across the U.S. The Agency will work with states, tribes, and

local air agencies to ensure that particulate matter (PM) hot-spot analyses are conducted in a manner consistent with the transportation conformity regulation and guidance.

One of EPA's priorities is to fulfill its statutory and court-ordered obligations, and EPA will continue to emphasize incorporating environmental justice (EJ) considerations in the decision-making processes involved in meeting these obligations. In FY 2025, EPA will continue to conduct the periodically required "technology reviews" of NESHAP and conduct required risk assessments for MACT-based NESHAP. EPA also has made specific commitments to the Office of Inspector General (OIG) to develop and implement a strategy to meet statutory deadlines for these air toxics rule reviews.<sup>4</sup> EPA expects to propose or promulgate more than 41 air toxics rules in FY 2025. If EPA receives the resources requested to meet its commitment to the OIG concerning the air toxics program, EPA also will expect to propose or finalize an additional 48 air toxics rules in FY 2025 – a total of 89 air toxics actions.

EPA also will enhance risk assessment capabilities to better identify and determine impacts on communities. The Agency will share air toxics data faster and more regularly to the public, allowing for increased transparency and the ability to see trends and exposure risks over time. In 2025, EPA will continue reporting the most current air toxics data each year in the annual Air Trends Report and in an online interactive tool (AirToxScreen) instead of the previous three to four-year cycle for reporting air toxics data and provide that data at increased spatial resolution. EPA will continue providing information annually for communities on health risks from exposures to air toxics through the AirToxScreen, so that the public can more easily identify existing and emerging air toxics exposure issues.

EPA will continue to provide information and assistance to states, tribes, and communities through documents, websites, webinars, and training sessions on tools to help them on EJ assessments that can inform risk reduction strategies for air toxics. EPA will continue to communicate and collaborate effectively with communities with EJ concerns and vulnerable populations to address air toxics issues. EPA will enhance its multi-pollutant air quality management support to state and local areas, factoring EJ into prioritization efforts, including providing tools to enable state, tribal, and local governments planning and strategy development. EPA will continue to look at multiple pollutants in an industrial sector and identify ways to encourage adoption of policies which optimize co-benefits of pollution control, including for greenhouse gases. The focus of these efforts is to address an individual sector's emissions comprehensively and to prioritize regulatory efforts to address the sources and pollutants of greatest concern to overburdened communities. In developing sector and multi-pollutant approaches, EPA will publicly release its NEXUS tool and other multi-pollutant data and analysis tools that address the differing and cumulative nature of the multiple pollutants and associated industrial sectors.

In FY 2025, EPA will continue to work with internal and external stakeholders to improve ambient air quality monitoring networks and measurement techniques to fill data gaps and to provide better input to estimation of population exposure to criteria and toxic air pollutants. To ensure data quality, EPA will continue to implement and manage independent quality assurance programs for

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<sup>4</sup> The EPA Needs to Develop a Strategy to Complete Overdue Residual Risk and Technology Reviews and to Meet the Statutory Deadlines for Upcoming Reviews. March 30, 2022. [https://www.epa.gov/system/files/documents/2022-03/epa\\_oig\\_20220330-22-e-0026.pdf](https://www.epa.gov/system/files/documents/2022-03/epa_oig_20220330-22-e-0026.pdf).

national monitoring networks as well as for federal and commercial laboratories that produce ambient air monitoring data.

In FY 2025, EPA will continue to work with partners to improve emissions factors and inventories, including the National Emissions Inventory (NEI). This effort includes gathering improved activity data from emissions monitoring and using geographic information systems and satellite remote sensing systems, where possible, for key point, area, mobile, and fugitive sources, and global emission events. Based on any final version of a revised Air Emissions Reporting Requirements (AERR) rule, EPA will provide guidance and training in anticipation of any new reporting requirements that affect the 2025 inventory year.

EPA, using resources from the Inflation Reduction Act, will begin a multi-year project to develop a new information technology infrastructure. The new information technology infrastructure will allow access to air quality, emissions, and regulatory information for communities, environmental agencies, and other stakeholders. Access to this information will enable the development and implementation of strategies to improve air quality and reduce emissions of climate pollutants. During the requirements analysis and gathering phase of the project, the development team will look to incorporate the business processes so that one or more of the following legacy systems and applications can be retired once the infrastructure is operational: Air Quality System (AQS), AirNow, Emissions Inventory System (EIS), Electronic Reporting Tool (ERT), Compliance and Emissions Data Reporting Interface (CEDRI), Combined Air Emission Reporting System (CAERS), Web Factor Information Retrieval System (WebFIRE), State Planning Electronic Collaboration System (SPeCS), Exceptional Events Submission and Tracking System (EETS), and Petitions to Object to Title V Permits (POTVP). Additionally, during the requirements analysis and gather phase of the project, EPA will investigate the feasibility of incorporating other business processes supported by other existing tools/applications. Funding of operations and maintenance for legacy systems will be required as the new infrastructure is developed. EPA's intent is that once the new infrastructure is operational, funding from legacy systems will be shifted to support the new infrastructure.

In FY 2025, EPA will develop the new information technology infrastructure and continue to operate and maintain baseline operations of the AQS. EPA also will continue to support the AQS Data Mart, which provides that same ambient air quality data to the scientific community and the general public. The Agency's national real-time ambient air quality data system, AirNow, will maintain baseline operations. The public increasingly relies on AirNow for ambient air quality information during wildfires. In FY 2025, EPA will continue integrating the Fire and Smoke map by engaging tribal, state, and local agencies for input to provide information that millions of people rely on during periods of smoke from wildfires.

EPA will continue to operate and maintain the EIS, which quality assures and stores current and historical emissions inventory data and supports the development of the NEI. EPA, states, and others use the NEI to aid in state and local air agency SIP development, serve as a vital input to air quality modeling, help analyze public health risks from air toxics, develop strategies to manage those risks, and support multi-pollutant analysis for air emissions. As necessary, the Agency will enhance EIS to support the revised AERR rule and other user-focused needs.

In FY 2025, as EPA develops the new information technology infrastructure, the Agency will continue to streamline emissions data reporting for multiple agency programs through the CAERS. This system is a central hub that takes a single submission of data in a single format and sends it to the appropriate EPA program system. When fully developed, CAERS is expected to reduce the cost to industry by only reporting emissions data for multiple agency programs to one system and to the government by better managing emissions data and making that data available in a timely fashion. EPA will enhance CAERS to support the revised AERR rule and continue to onboard state, local, and tribal air agencies.

**Performance Measure Targets:**

Work under this program supports performance results in the Federal Support for Air Quality Management Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$436.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$1,025.0 / +6.0 FTE) This net program change reflects a shift to fund additional FTE for the development of science, technology and methodologies to better implement the Clean Air Act, including: enhancing risk assessment capabilities to better identify and determine impacts on communities; communicating and collaborating with environmental justice communities to address air toxics concerns; and improving ambient air monitoring networks and measurement techniques to fill data gaps and better estimate the population's exposure to criteria and toxic air pollutants. This includes an investment of \$1.3 million for payroll.

**Statutory Authority:**

Clean Air Act.

## Federal Vehicle and Fuels Standards and Certification

Program Area: Clean Air and Climate

Goal: Tackle the Climate Crisis

Objective(s): Reduce Emissions that Cause Climate Change

(Dollars in Thousands)

|                                 | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---------------------------------|--------------------------|-----------------------------|----------------------------------|--|
| <i>Science &amp; Technology</i> | <i>\$122,243</i>         | <i>\$117,341</i>            | <i>\$185,873</i>                 | <i>\$68,532</i>  |
| Total Budget Authority          | \$122,243                | \$117,341                   | \$185,873                        | \$68,532   |
| Total Workyears                 | 308.3                    | 323.5                       | 370.3                            | 46.8   |

### **Program Project Description:**

Under the Federal Vehicle and Fuels Standards and Certification Program, EPA develops, implements, and ensures compliance with national emission standards to reduce mobile source related air pollution from: light-duty cars and trucks; heavy-duty trucks and buses; nonroad engines and equipment; and from the fuels that power these engines. The Program also evaluates new emission control technology and provides state, tribal, and local air quality managers and transportation planners with guidance, tools, and other information to develop additional strategies and place-based transportation programs to reduce mobile source pollution.

As part of ensuring compliance with national emission standards, the Program tests vehicles, engines, and fuels, and establishes test procedures for federal emissions and fuel economy standards. The Program operates test cells that simultaneously measure criteria pollutants and greenhouse gas (GHG) emissions, reviews certification applications for light-duty vehicles and heavy-duty engines to approve applications for criteria pollutant and GHG emission standards and examines for potential violations.

### National Vehicle and Fuel Emissions Laboratory (NVFEL)

The NVFEL ensures air quality benefits and fair competition in the marketplace by conducting testing operations on motor vehicles, heavy-duty engines, nonroad engines, and fuels to certify that all vehicles, engines, and fuels that enter the U.S. market comply with all federal clean air, GHG, and fuel economy standards. The NVFEL conducts vehicle and engine emission tests as part of pre-production tests, certification audits, in-use assessments, and recall programs to ensure compliance with mobile source programs. The NVFEL also produces critical test data on new and emerging vehicle and engine technologies to support the development of future greenhouse gas and criteria pollutant regulations. Through cooperative partnerships and committee involvement, the lab leads the development and implementation of test methods and procedures for vehicles, engines, and fuels to ensure consistent data quality among manufacturers' labs, measure fuel efficiency, and verify compliance of electrified and conventional vehicles with EPA standards.

### Renewable Fuel Standard (RFS)

The RFS Program was created under the Energy Policy Act of 2005 (EPAct), which amended the Clean Air Act (CAA), and was expanded under the Energy Independence and Security Act of 2007 (EISA). Congress created the RFS Program to reduce greenhouse gas emissions and expand the nation's renewable fuels sector while reducing reliance on imported oil. The RFS Program requires a certain volume of renewable fuel to replace or reduce the quantity of petroleum-based transportation fuel, heating oil, or jet fuel. Producers of renewable fuel generate renewable fuel credits known as Renewable Identification Numbers (RINs) which are ultimately used by petroleum companies to demonstrate compliance with the Program's renewable fuel volume requirements. EPA implements the Program in consultation with the Department of Agriculture and the Department of Energy.

### Supporting Tribal, State and Local Governments

EPA works with tribal, state, and local governments to ensure the technical integrity of the mobile source control emission benefits, including in State Implementation Plans (SIPs) and transportation conformity determinations. EPA develops and provides information and tools to assist tribal, state, and local agencies, as well as communities, to reduce criteria pollutant and air toxics emissions and risks specific to their local areas. Reductions in emissions of mobile source air pollution, such as components of diesel exhaust, are achieved through: guidance and technical assistance for state and local CAA mobile source programs in nonattainment and maintenance areas for the National Ambient Air Quality Standards (NAAQS); establishing national emissions standards for vehicles, equipment, and fuels, research of public health impacts, and mitigation options; methods for quantifying multi-pollutant emission reductions for place-based strategies; and partnership approaches working with tribal, state, and local governments, as well as a variety of non-governmental stakeholder groups.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 1/Objective 1.1, Reduce Emissions that Cause Climate Change in the *FY 2022 - 2026 EPA Strategic Plan*.

To support both climate change and air quality work activities relating to EPA's mobile sources program, EPA is requesting additional resources in FY 2025. This includes funding for the development of analytical methods, regulations, and analyses for controlling greenhouse gas, criteria pollutant, and air toxics emissions from light-duty, medium-duty, and heavy-duty vehicles. Specifically, this includes funding for implementing the multi-pollutant emissions standards, including for greenhouse gas emissions, for light- and medium-duty vehicles and implementing a final rule to establish new GHG emissions standards for heavy-duty engines and vehicles. This also includes resources to address new technical challenges to support these two sets of long-term rulemakings, which will include added light-duty vehicle and heavy-duty vehicle testing and modeling capabilities at NVFEL. Key to this technical work is to understand the cost, feasibility, and infrastructure impacts of electrifying the broad range of products in the light-duty vehicle and heavy-duty vehicle sectors. This will include vehicle demonstration projects focused on zero-emission technologies, that are rapidly growing in the light- and heavy-duty sectors and will be strategically important in meeting future multi-pollutant emissions standards.



### Federal Vehicle and Fuels Standards and Certification Program

In FY 2025, the Federal Vehicle and Fuels Standards and Certification Program will continue to focus its efforts on certification responsibilities. The Agency will continue to perform its compliance oversight functions on priority matters, conducting compliance oversight tests where evidence suggests noncompliance. EPA will continue to conduct pre-certification confirmatory testing activities for emissions and fuel economy for passenger cars and will increase on-road measurements of in-use vehicle emissions. EPA anticipates reviewing and approving about 4,900 vehicle and engine emissions certification requests from vehicle and engine manufacturers, including light-duty vehicles (LDVs), heavy-duty diesel engines, nonroad engines, marine engines, locomotives, and others. EPA's certification services have sustained high demand, due to the number of industries the Agency regulates as well as increasing complexities with each subsequent change in stringency and rulemaking action. Accordingly, if the Agency receives the additional funding requested, NVFEL will increase the audit rate of its compliance testing (*i.e.*, the number of tests conducted) in each of those areas in FY 2025 aligned with our ongoing risk assessments. In FY 2023, EPA spent approximately \$3 million to conduct this compliance testing achieving approximately a 10 percent audit rate for light-duty vehicles and a less than 3 percent audit rate in most other sectors.

EPA utilizes in-use emissions data provided by light-duty vehicle manufacturers to measure compliance and determine if any follow-up evaluation or testing is necessary. Since calendar year (CY) 2000, light-duty vehicle manufacturers have been required to test several newer and older in-use vehicles and provide the data to EPA. The Agency receives over 6,000 emissions tests results from more than 2,000 vehicles annually. EPA reviews the data and determines if there are any specific vehicles, models, or manufacturers that are failing in-use emissions standards. The Agency will use this information submitted by light-duty manufacturers, together with emissions data collected at NVFEL, to determine if there are vehicle models which should be recalled and repaired to address excess in-use emissions and that should be identified for testing for the upcoming model year prior to granting the manufacturer a certificate of conformity, which allows the manufacturer to sell vehicles in the U.S.

### Emission Standards for New Motor Vehicles

In FY 2024, EPA will finalize actions to reduce air pollution and GHG emissions on the transportation sector's largest contributors to criteria pollutant and GHG emissions: LDVs and heavy-duty vehicles (HDVs). This work supports EPA's long-term performance goal to promulgate final rules that will reduce GHG emissions, including from light duty, medium-duty, and heavy-duty vehicles. In FY 2025, EPA will work with stakeholders, including vehicle manufactures, the power generation sector, refueling infrastructure stakeholders, and others to collect data and measure the progress industry is making regarding the successful implementation of the highway vehicle standards established in FY 2024. EPA also will develop and publish progress report(s) on this work, including as early as FY 2025.

EPA will invest significant resources to address a myriad of new implementation issues to support these two sets of long-term rulemakings, which will include added LDV and HDV testing and modeling capabilities at NVFEL. Key to this technical work is to understand the cost, feasibility, and infrastructure impacts of electrifying the broad range of products in the LDV and HDV sectors. This will include vehicle demonstration projects focused on zero-emission technologies, which are

rapidly growing in the light- and heavy-duty sectors and will be strategically important in meeting future multi-pollutant emissions standards.

#### Fuel Economy Labeling Requirements

In FY 2025, EPA also will oversee compliance with vehicle fuel economy labeling requirements. In past years, EPA conducted in-use audits of manufacturer “coast-down” data used for laboratory fuel economy tests, revealing issues in manufacturer data submitted to EPA and, as a result, found inaccurate fuel economy labels on more than a million vehicles from several manufacturers. In FY 2025, EPA will continue the coast-down testing program for electric vehicles started in FY 2024, in response to rising consumer demand associated with an increase in electric vehicle offerings.

#### Multi-Pollutant Emissions Standards Implementation

In FY 2025, EPA will continue implementing the multi-pollutant emissions standards, including for greenhouse gas emissions, for light- and medium-duty vehicles beginning with MY 2027 and extending through and including MY 2032. As a result, the Agency will continue to update and maintain essential laboratory software and test equipment to ensure compliance with these new emissions standards once they take effect.

#### Heavy-Duty GHG and Criteria Emissions Standards Implementation

In FY 2025, EPA will continue implementing the Heavy-Duty Phase 3 GHG emissions standards for heavy-duty engines and vehicles beginning with MY 2027 and will continue implementing the Heavy-Duty 2027 criteria emissions standards for engines and vehicles. Accordingly, the Agency will update and maintain its critical laboratory equipment as needed to ensure that heavy-duty engines and vehicles sold in the U.S. comply with these new emissions standards. In addition, EPA will be collecting comprehensive information as part of its certification and compliance programs and will be monitoring compliance by manufacturers as well as the major elements of infrastructure for zero-emission heavy-duty vehicles. As it has for some previous heavy-duty programs, EPA will issue periodic public reports that reflect this information.

#### Marine and Aircraft Emission Reduction Measures

EPA will continue working with the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) on programs to control pollutant emissions from marine and aircraft engines, respectively. EPA is supporting the State Department and Coast Guard on technical issues related to establishing measures to achieve GHG targets established at IMO. At ICAO, EPA will actively participate in the development of new carbon dioxide (CO<sub>2</sub>) standards for decision in February 2025 as well as technical work that could lead to future, more stringent nitrogen oxides (NO<sub>x</sub>) and particulate matter (PM) emission standards.

In addition to the international efforts for aviation, EPA is continuing its work to address lead in aviation gasoline. In FY 2024, EPA will announce its final determination that emissions of lead from aircraft that operate on leaded fuel cause or contribute to air pollution which may reasonably be anticipated to endanger public health and welfare under the Clean Air Act. With this finding and subject to its statutory obligations, EPA in coordination with the Federal Aviation Administration (FAA) will continue efforts in FY 2025 to address through regulatory actions lead emissions from certain aircraft engines as well as potential mitigation measures.

### Locomotive and Land-based Nonroad Engines, Equipment, and Vehicles

In alignment with EPA's Strategic Goal 1: (Tackle the Climate Crisis, Objective 1: Reduce Emissions that Cause Climate Change in the Agency's *FY 2022-2026 Strategic Plan*) and Executive Order 14008: (*Tackling the Climate Crisis at Home and Abroad* (January 27, 2021)) EPA is devoting resources to the locomotive, nonroad, and marine sectors which are important sources of GHG emissions, as well as local and regional air pollution, and have a disproportionate impact on the health of disadvantaged communities. EPA last revised emission standards for these important sectors more than ten years ago (*e.g.*, 2008 for locomotives, 2004 for land-based nonroad diesel engines), yet these mobile source sectors continue to contribute significantly to air pollution at the global, regional, and local level. In addition, technologies which can significantly reduce air pollution from these sources have evolved significantly in the past 10 to 15 years.

In FY 2025, EPA will accelerate and support the development of new regulations to address the significant climate change, criteria pollutants, and EJ impacts from these sectors. Addressing these emissions is critical to accomplishing the Agency's Strategic Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights, Objective 2.2: Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities. EPA is engaging with EJ stakeholders and conducting analyses that identify disproportionate impacts.

In FY 2025, EPA will conduct the necessary technology assessments, emissions and air quality analysis, EJ assessment, cost analysis, and economic assessments, and ensure that the regulatory requirements in the CAA are met for new locomotives, nonroad, and marine transportation sources, in order to improve air quality, including near communities with EJ concerns.

Furthermore, the California Air Resources Board (CARB) and the San Joaquin Valley Air Pollution Control District both submitted petitions requesting that EPA undertake rulemaking to adopt more stringent national emission standards under the CAA regulating NO<sub>x</sub> and PM emissions from locomotives. As described in EPA's November 9, 2022, response to these petitions, the Agency committed to pursue appropriate actions to address air pollutant emissions from the locomotive sector.

### Emissions Modeling

The Motor Vehicle Emission Simulator (MOVES) is the Agency's emission modeling system that estimates emissions for on-road and nonroad mobile sources at the national, county, and project levels for criteria air pollutants, GHGs, and air toxics. In FY 2025, EPA will continue to maintain the official version of EPA's model that will be used to estimate impacts of the Agency's emission control programs and will be used by states and metropolitan planning organizations (MPOs) in their work to meet the NAAQS, including the development of SIPs and transportation conformity analyses. The Agency also will support users on any new model releases that incorporate the best available data and science and account for the latest emission standards.

### National Vehicle and Fuel Emissions Laboratory Facility Infrastructure

NVFEL provides all laboratory testing and support functions necessary for the Agency to certify that all vehicles, engines, and fuels sold in the United States are in compliance with U.S. emission standards, representing approximately 4,900 certificates issued to vehicle and engine manufacturers on an annual basis.

In January 2023, the Agency awarded a new Energy Savings Performance Contract (ESPC) to pursue an infrastructure upgrade project for the NVFEL facility with projected capital equipment costs more than \$59 million over the lifetime of the contract. The ESPC replaces the mechanical, electrical, control and building management systems for the Heating, Ventilation and Air-Conditioning (HVAC) equipment that was at or beyond the end of its useful life. ESPCs, private/public partnership contract vehicles coordinated through the Department of Energy, use facilities' energy and operational savings to offset many of the contract costs.

In FY 2025, EPA is requesting an additional \$10 million to reduce the debt interest payment and the lifetime cost of the ESPC. These resources are critical to support the ability of NVFEL to carry-out its mission-critical work of certifying vehicle compliance by reducing the annual costs of the contract. Ensuring industry's compliance is a priority for EPA and an essential safeguard of fair market competition for manufacturers of vehicles and engines introduced into commerce in the United States. The ESPC supports the Agency with achieving Executive Order 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*. The energy savings to be realized when the ESPC is fully implemented in FY 2025 is estimated to be 34,473 MBtu annually (39 percent energy reduction) with water conservation of 1.6 million gallons annually (16 percent reduction) and annual greenhouse gas reduction of 3,158 metric tons of carbon dioxide equivalent.

#### Renewable Fuel Standard (RFS)

EPA activity in the fuel sector will focus on the implementation and oversight of the RFS Program. Congress established renewable fuel volume targets through CY 2022, leaving the Agency to establish the volumes for CY 2023 and beyond. During FY 2023, EPA issued a final rule ("RFS Set Rule") to establish such volumes for CY 2023-2025. During FY 2025, EPA will be working to finalize rulemaking(s) necessary to establish renewable fuel volume targets for the calendar years beyond 2025.

In FY 2025, EPA will continue implementing the *RFS Set Rule* provisions and overseeing program compliance. This work will involve: 1) registering new renewable fuel facilities to enable them to generate RINs; 2) building critical new capability in EPA's Moderated Transaction System (EMTS) (EMTS, which is developed, implemented, operated and maintained by EPA, is fundamental to the tracking of more than 20,000 RIN transactions per day, and the generation of more than 1.4 billion RINs per month); 3) evaluating and implementing, if appropriate, enhancements to improve program operations, oversight and enforceability; 4) evaluating and implementing other IT systems modifications and enhancements that provide the greatest returns on investment through continuous improvement; 5) ensuring the integrity of the RFS program through enforcement actions against those using the Program for fraudulent gain; and 6) supporting the Department of Justice in defending the Agency's implementation of the RFS Program in numerous challenges in court.

In FY 2025, EPA will continue its work related to assessing lifecycle GHG emissions associated with renewable fuels, as required to implement GHG threshold requirements under the CAA. Producers of new and advanced biofuels regularly seek to qualify their fuels under RFS, and EPA will continue to evaluate such feedstocks and fuels to determine eligibility for the Program. The Agency also will look at ways to update the science and data analysis that supports EPA's evaluation methodology, including potential new modeling methodologies.

EPA also will continue to implement gasoline and diesel fuel quality standards and obligations under the CAA. This includes many of the same compliance and enforcement oversight activities mentioned above for the RFS. In late 2020, EPA finalized a fuel regulation streamlining rule that included updated registration, recordkeeping, and reporting requirements. EPA will continue efforts in FY 2025 to implement these requirements through continuous improvement of IT registration and reporting systems to deliver the full impact and benefit of the investment made in the streamlined regulations. These include automation and reduced registration, administration, and reporting burdens for both the regulated community and EPA. Finally, in FY 2025 EPA will continue its ongoing research into new opportunities to improve and/or protect fuel quality in ways that can reduce air pollution and improve public health and welfare.

In FY 2025, EPA will continue to work with stakeholders to implement a new electronic reporting portal for its Fuel and Fuel Additive (FFA) program. EPA implemented an electronic registration system for the FFA Program in FY 2020; companies once registered may then introduce FFA products into commerce. Companies still submit related quarterly and annual FFA reports to the Agency in formats that require EPA to manually transcribe the information into its fuels database. EPA plans to incorporate FFA reports into the *eReporting* system in FY 2025 after implementing higher priority implementation needs in FY 2024.

#### Supporting Tribal, State and Local Governments

In FY 2025, EPA will continue to respond to significant requests from tribal, state, and local governments for assistance in air quality planning, including SIPs, CAA-required mobile source programs, and transportation conformity determinations, especially for nonattainment areas working to attain the ozone and PM<sub>2.5</sub> NAAQS. EPA will continue to work with tribal, state, and local governments to ensure the technical integrity of the mobile source emission estimates in their SIPs and any Tribal Implementation Plans (TIPs). In addition, EPA will assist states in developing CAA-required programs—such as new and existing motor vehicle inspection and maintenance (I/M), fuels, and vehicle miles travelled (VMT) offset programs—as well as identifying place-based control options and provide policy, technical, and modeling guidance for ozone nonattainment areas for the 2008 and 2015 ozone NAAQS of higher CAA classifications. In FY 2025, I/M programs will be required in approximately 30 states, summertime fuel programs will be required in over 20 states, with other CAA mobile source programs required in the most polluted areas in the country. In addition, in partnership with the Department of Transportation, EPA will ensure national consistency in how transportation conformity determinations are conducted across the U.S. and in the development of motor vehicle emissions budgets in SIPs, EPA’s adequacy findings on these budgets, and emission reduction strategies to ensure new transportation investments to support state air quality goals.

EPA will continue to provide regulations, guidance, state-of-the-science models (such as MOVES), and assistance to state and local agencies working on CAA-required PM<sub>2.5</sub> and PM<sub>10</sub> hot-spot analyses. This will help protect public health in local communities, including communities of color and low-income communities with EJ concerns, near new or expanded highway and freight terminal projects with significant increases in diesel truck traffic. In addition, EPA will continue to provide regulations, guidance, and support to states with respect to existing I/M programs that focus on in-use vehicles and engines. Basic and/or Enhanced I/M testing is currently being conducted in almost 30 states with EPA technical and programmatic guidance.

EPA also will continue to provide regulatory actions and technical assistance to certain states considering changes or removal of low Reid Vapor Pressure (RVP) fuel programs. Finally, EPA will continue to develop methods for tribal, state and local agencies to quantify multi-pollutant emission reductions to address the NAAQS and climate change from available and newly emerging emission reduction strategies.

### Prioritizing Environmental Justice

In FY 2025, EPA will continue to work with a broad range of stakeholders - including communities with EJ concerns - to develop targeted, sector-based, and place-based incentives for diesel fleets (including school buses, ports, and other goods movement facilities) to limit emissions from older diesel engines not subject to stringent emissions standards. Millions of people in the U.S. currently live and work near ports and can be exposed to air pollution associated with emissions from diesel engines at ports, including particulate matter, nitrogen oxides, ozone, and air toxics.<sup>5</sup> The near-port communities that bear the brunt of air pollution from these diesel engines are often comprised of low-income populations and people of color. EPA will focus its efforts on reducing mobile source emissions in and around ports through EPA’s Ports Initiative<sup>6</sup>. EPA will assist tribal, state, and local governments to reduce emissions in or near communities with EJ challenges to meet CAA SIP, transportation conformity, and other air quality planning requirements. EPA also is working with industry to bring about field testing and emissions testing protocols for a variety of innovative energy-efficient, emissions reducing technologies for the legacy fleet. In December 2022, EPA also finalized a rulemaking to reduce NO<sub>x</sub> emissions from MY 2027 and later heavy-duty engines and vehicles, which is a high priority for many communities with EJ concerns.

### **Performance Measure Targets:**

**(PM CRT) Number of certificates of conformity issued that demonstrate that the respective engine, vehicle, equipment, component, or system conforms to all applicable emission requirements and may be entered into commerce.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> | 5,200   | 5,000   | 5,000   | 4,700   | 4,700   | 4,900   | 4,900   | 4,900   | Certificates |
| <b>Actual</b> | 4,869   | 4,711   | 4,843   | 5,351   | 5,196   | 4,844   |         |         |              |

**(PM RUL) Number of final rules issued that will reduce GHG emissions from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023               | FY 2024               | FY 2025               | Units |
|---------------|---------|---------|---------|---------|-----------------------|-----------------------|-----------------------|-----------------------|-------|
| <b>Target</b> |         |         |         |         | No Target Established | No Target Established | No Target Established | No Target Established | Rules |
| <b>Actual</b> |         |         |         |         | 1                     | 1                     |                       |                       |       |

<sup>5</sup> For more information, please see the DERA Fifth Report to Congress, August 2022 which may be found at: <https://nepis.epa.gov/Exec/zyPDF.cgi?Dockey=P1015S8Q.pdf>.

<sup>6</sup> For more information, please visit <https://www.epa.gov/ports-initiative>.

## **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8,512.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes \$1.102 million to support critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$1,397.0) This change to fixed and other costs is an increase due to the recalculation of lab utilities.
- (+\$175.0 / + 1.0 FTE) This change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements.
- (+\$48,448.0 / +45.8 FTE) This program change is an increase that supports activities to address the climate crisis. This includes funding for implementing the multi-pollutant emissions standards, including for greenhouse gas emissions, for light- and medium-duty vehicles and implementing a final rule to establish new GHG emissions standards for heavy-duty engines and vehicles. This also includes resources to address new technical challenges to support these two sets of long-term rulemakings, which will include added light-duty vehicle and heavy-duty vehicle testing and modeling capabilities at NVFEL. Key to this technical work is to understand the cost, feasibility, and infrastructure impacts of electrifying the broad range of products in the light-duty vehicle and heavy-duty vehicle sectors. This will include vehicle demonstration projects focused on zero-emission technologies, that are rapidly growing in the light- and heavy-duty sectors and will be strategically important in meeting future multi-pollutant emissions standards. This program change also invests in the maintenance, repair, and replacement of aging test equipment at NVFEL. This investment includes \$9.4 million for payroll costs and essential workforce support costs.
- (+\$10,000.0) This program change is an increase for the Ann Arbor Facility Energy Saving Performance Contract (ESPC), which supports the ability of NVFEL to carry-out its mission-critical work of certifying vehicle compliance.

### **Statutory Authority:**

Title II of the Clean Air Act; Motor Vehicle Information Cost Savings Act; Alternative Motor Fuels Act of 1988; National Highway System Designation Act; Energy Policy Act of 1992; Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); Energy Policy Act of 2005; Energy Independence and Security Act of 2007.

## **Enforcement**



## Forensics Support

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>Science &amp; Technology</i></b> | <b><i>\$14,152</i></b>           | <b><i>\$15,532</i></b>               | <b><i>\$19,337</i></b>                    | <b><i>\$3,805</i></b>  |
| Hazardous Substance Superfund          | \$1,597                          | \$1,240                              | \$1,720                                   | \$480  |
| Total Budget Authority                 | \$15,749                         | \$16,772                             | \$21,057                                  | \$4,285  |
| Total Workyears                        | 70.3                             | 70.3                                 | 78.7                                      | 8.4  |

### **Program Project Description:**

The Forensics Support Program provides expert scientific and technical support for criminal and civil environmental enforcement cases, as well as technical support for the Agency’s compliance efforts. EPA’s National Enforcement Investigations Center (NEIC) is an environmental forensic center accredited for both laboratory analysis and field sampling operations that generate environmental data for law enforcement purposes. It is fully accredited under International Standards Organization (ISO) 17025, the main standard used by testing and calibration laboratories, as recommended by the National Academy of Sciences.<sup>7</sup> The NEIC maintains a sophisticated chemistry and physical science laboratory and a corps of highly trained inspectors and scientists with expertise across environmental media. The NEIC works closely with EPA’s Criminal Enforcement Program to provide technical support (e.g., sampling, analysis, consultation, and testimony) to criminal investigations. The NEIC works closely with other EPA programs to provide technical support, consultation, on-site inspection, investigation, and case resolution services in support of the Agency’s Civil Enforcement Program.

The Forensics Support Program will continue to provide expert scientific and technical support for EPA’s criminal and civil enforcement efforts, focus its work on collecting and analyzing materials to characterize contamination, and attribute it to individual sources and/or facilities. The work NEIC performs typically represents the most complex cases nationwide, requiring a level of expertise and equipment not found elsewhere in EPA, as well as provides support to evaluate and leverage emerging technologies for enforcement solutions.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

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<sup>7</sup> Strengthening Forensic Science in the United States: A Path Forward, National Academy of Sciences, 2009, available at: [http://www.nap.edu/catalog.php?record\\_id=12589](http://www.nap.edu/catalog.php?record_id=12589).

In FY 2025, the Agency requests an additional \$3.2 million and 4.8 FTE to ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, and transport hydrofluorocarbons (HFCs) to support enforcement work under the American Innovation and Manufacturing (AIM) Act. EPA will support critical climate change initiatives, including forensics laboratory support for climate change enforcement efforts both in civil and criminal enforcement. This is vital to EPA's ability to enforce the HFC phase down regulations to reduce climate impacts. The Agency will make significant investments to assist with HFC-related enforcement capabilities, including inspector training, training on and utilizing advanced field sampling equipment, and expansion of laboratory analytical capabilities to meet the urgent demand for highly complex HFC and other analysis. The additional funding also will support further development of the Agency's Geospatial Measurement of Air Pollution (GMAP) van, a mobile tool to help identify Clean Air Act noncompliance throughout the United States.

The Program is requesting an additional \$0.9 million and 3.2 FTE in Forensics Support to increase the Agency's capacity to complete critical civil inspections of facilities that affect communities with Environmental Justice (EJ) concerns. This investment will help the Agency complete more complex inspections, as well as provide critical inspection training to agency, state, and local inspectors. The additional resources will bolster the Agency's impact by ensuring inspectors across the Agency and the United States have the basic technical knowledge to hold polluters accountable, especially in overburdened and vulnerable communities. The inspections and training provided by the increased staff will make an impact on combating climate change, identifying noncompliant facilities, and ensuring civil enforcement actions prevent further harm to the environment.

In FY 2025, NEIC will continue to utilize resources to actively investigate releases of per- and polyfluoroalkyl substances (PFAS) to the air, land, and water from processing facilities, waste disposal facilities, and federal facilities where PFAS are suspected of contaminating various environmental media. PFAS released into the environment can present an urgent public health and environmental threat. NEIC provides nationally recognized inspectors, toxicologists, and chemists to support EPA's PFAS enforcement cases by conducting field investigations, laboratory analysis and workforce support.

Effective enforcement relies on the best available science. In FY 2025, NEIC will strengthen efforts for clean air and water protections, aligned with the Administration's goals to hold polluters accountable for their actions and provide relief to communities with EJ concerns. To achieve these goals, the Agency will employ NEIC's environmental forensics expertise to investigate violations of environmental statutes and prosecute environmental crimes in communities that are disproportionately affected by pollution. NEIC supports EJ concerns by targeting critical industry inspections in overburdened or vulnerable communities. The NEIC utilizes data to work with regional offices to take an enforcement action that could ultimately improve air and water quality around the United States and in communities with EJ concerns.

In FY 2025, NEIC will continue to streamline its forensics work and identify enhancements to the Agency's field investigation techniques by investing in and using existing and emerging technology. NEIC is continuing to expand and modernize field and laboratory capabilities to support the civil and criminal enforcement programs' investigations in support of the National Enforcement and Compliance Initiatives, including in support of the coal combustion residuals,

climate change initiatives, and drinking water. The NEIC will continue to build on its previous progress to maximize the efficiency and effectiveness of its operations, produce timely and high-quality civil inspection reports, improve procurement processes, and identify and implement further efficiencies in laboratory operations. NEIC will continue to enhance the work completed in FY 2022 and FY 2023 to support criminal and civil program efforts while also growing its support of EPA enforcement and compliance assurance programs. During FY 2022 and FY 2023, the NEIC accepted over 320 requests from all ten EPA regions for technical enforcement support.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$291.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, changes to benefits costs, and changes to lab utilities and security costs.
- (+\$3,150.0 / +4.8 FTE) This program investment will ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, transport, and store HFCs. This investment includes \$888.0 thousand for payroll.
- (+\$946.0 / +3.2 FTE) This program increase will focus its enforcement efforts on the most serious environmental violations through the NEICs that seek to improve air quality, provide clean and safe water, and ensure chemical safety. The increase will support continued efforts to rebuild EPA's civil enforcement inspector cadre for inspections, increase analytical capabilities and capacity in support of enforcement efforts. This funding will enhance EPA's civil enforcement programmatic capabilities to enhance efforts to address pollution in overburdened and vulnerable communities. This investment includes \$592.0 thousand for payroll.

### **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; American Innovation and Manufacturing Act.

## **Homeland Security**

**Homeland Security: Critical Infrastructure Protection**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$249                            | \$923                                | \$1,025                                   | \$102  |
| <b>Science &amp; Technology</b>     | <b>\$12,249</b>                  | <b>\$10,852</b>                      | <b>\$34,351</b>                           | <b>\$23,499</b>  |
| Total Budget Authority              | \$12,498                         | \$11,775                             | \$35,376                                  | \$23,601   |
| Total Workyears                     | 26.2                             | 26.6                                 | 57.6                                      | 31.0   |

**Program Project Description:**

Under the federal homeland security system, EPA is the Sector Risk Management Agency responsible for implementing statutory and Presidential directives relating to homeland security for the water sector. EPA’s Water Infrastructure and Cyber Resilience program is implemented through close partnerships with the water sector, state emergency response and water program officials, and other federal agencies, especially the Department of Homeland Security (DHS), the United States Army Corps of Engineers (USACE), and the Intelligence Community. The Water Security Program engages federal, state, and local entities in defining annual objectives and identifying high priorities for immediate action.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

This program provides essential resources to coordinate and support protection of the Nation’s critical water infrastructure from terrorist threats and all-hazard events. In FY 2025, EPA will continue to provide exercises and technical support to approximately 4,500 water utilities, state officials, and federal emergency responders to become more resilient to any natural or manmade incident that could endanger drinking water and wastewater services, with an emphasis on the threats posed by climate change and cybersecurity. EPA will provide tools, exercises, and technical assistance which will address the highest risks confronting the water sector. In providing this assistance, EPA will provide direct technical assistance and will seek to engage disadvantaged and underserved communities, some of which may lack the technical capacity and resources to undertake preparedness and response actions in the absence of such external support.

The Program also supports the Agency’s Infrastructure Investment and Jobs Act (IIJA) implementation priorities including preparing for and responding to climate change events and cybersecurity challenges so that water systems are more resilient. For instance, in providing guidance and training associated with IIJA funding, EPA has leveraged its internal cybersecurity

expertise to identify the types of eligible projects for water systems, promote awareness of the availability of these funds as well as the application process, during the Agency's extensive training and technical assistance efforts with the sector.

### Natural Disasters, Climate Change, and General Preparedness

Drought, floods, hurricanes, and other natural disasters represent a high risk to the water sector due to their frequency of occurrence, their enormous potential for destruction, and the exacerbating effects of climate change. As evident from several recent natural disasters, the level of preparedness within the water sector varies significantly—with many utilities lacking adequate preparedness capabilities. In FY 2025, EPA will continue to improve the preparedness of the water sector by providing nationwide exercises and technical support to address natural disasters and general preparedness with the objective to train water and wastewater systems, state officials, and emergency response partners. In FY 2023, more than 3,500 drinking water and wastewater systems and water sector partners received training and technical assistance.

Climate change and associated extreme weather events directly threaten water systems' ability to fulfill their public health and environmental missions as evident from the devastation borne by events like Hurricanes Ian and Fiona and the decadal long drought and wildfires in the West. The EPA's Creating Resilient Water Utilities (CRWU) initiative advances the long-term sustainability of the water sector by enabling utility owners and operators to integrate climate change considerations into their routine planning practices. CRWU provides innovative, but readily accessible, electronic tools that enable water systems to adapt to climate change and enhance their resiliency, including through infrastructure improvement plans.

In FY 2025, EPA will:

- Provide in-person or virtual exercises, workshops, and direct technical assistance to the water sector, including Incident Command System / National Incident Management System exercises; drought response; flood response; state functional exercises (*e.g.*, scenarios of hurricanes, floods, and earthquakes); resource typing and site access workshops; and regional interstate emergency response exercises (*e.g.*, hurricane).
- Integrate new climate projection data into the flagship climate risk assessment tool, the Climate Resilience Evaluation and Awareness Tool (CREAT), which incorporates the latest projection data for precipitation, temperature, sea-level rise, storm surge components, and hydrologic changes. EPA will continue to provide extensive nationwide training sessions for drinking water and wastewater systems as well as a series of train-the-trainer forums for technical assistance providers to reach smaller utilities, with a significant focus on overburdened and underserved communities. EPA also will provide direct technical assistance to large, medium, and small drinking water and wastewater utilities, across the country, applying CREAT and other CRWU tools, including through developing infrastructure improvement plans and shepherding systems (especially those in disadvantaged and underserved communities) through the funding application process.
- Support the water sector in preparing for and responding to supply chain disruptions that have the potential to impact the availability of water treatment chemicals and other critical materials needed for drinking water and wastewater system operation by: 1) reviewing and

processing applications submitted under the authorities of the Safe Drinking Water Act (SDWA) Section 1441 and the Defense Production Act; 2) providing general guidance and direct technical assistance to water systems, state primacy agencies, and other water sector stakeholders experiencing supply challenges; 3) assessing the supply chain for critical water treatment chemicals in order to determine the risk of disruptions that could impact the water sector; and 4) offering a platform for tracking and sharing information about emerging and ongoing supply chain issues with the potential to impact water system operations.

- Conduct tabletop and functional exercises to improve the operation of intra-state and inter-state mutual aid agreements among water utilities.
- Implement lessons learned from the most recent hurricane seasons, as identified by reports from the Federal Emergency Management Agency (FEMA), the Water Agency Response Network, and EPA’s Inspector General.
- Address high priority security areas, as identified in the stakeholder generated *Roadmap to a Secure and Resilient Water and Wastewater Sector* to be completed in early 2024,<sup>8</sup> with an emphasis on the following four priorities: 1) promoting the awareness of the critical lifeline status of the drinking water and wastewater sector and translating that definition into strong support for the sector's needs and capabilities; 2) improving detection of, response to, and recovery from contamination incidents; 3) advancing preparedness and improving capabilities of the drinking water and wastewater sector for area-wide loss of water and power; and 4) advancing recognition of vulnerabilities and needed responses related to cybersecurity risk management.
- Conduct nationwide exercises with three critical, inter-dependent sectors: healthcare, emergency services, and energy. Most incidents, particularly natural disasters, have underscored the mutual reliance on the water sector with other lifeline sectors. Through exercises and technical support with officials at the local, state, and federal levels from these other sectors, EPA will seek to improve coordination among critical lifeline sectors.
- Sustain operation of the Water Desk in both the Agency’s Emergency Operations Center and FEMA’s National Response Coordination Center in the event of an emergency by updating roles and responsibilities, training staff in the incident command structure, ensuring adequate staffing during activation of the desk, and coordinating with EPA’s regional field personnel and response partners.
- Develop annual assessments, as required under the National Infrastructure Protection Plan, to describe existing water security efforts and progress in achieving the sector’s key metrics.

### Water Security Initiative (WSI)

WSI addresses the risk of contamination of drinking water distribution systems. It has designed and developed an effective system for timely detection and appropriate response to drinking water contamination threats and incidents through a pilot program that has broad application to the Nation’s drinking water utilities in high-threat cities. In FY 2025, EPA will continue necessary WSI Surveillance and Response System (SRS) activities including: 1) continue to refine technical assistance products based on the five full-scale SRS pilots; 2) implement a monitoring and response program for water utilities focused on source water chemical spills; and 3) provide direct

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<sup>8</sup>For more information, please see:

[https://www.waterisac.org/sites/default/files/public/2017\\_CIPAC\\_Water\\_Sector\\_Roadmap\\_FINAL\\_051217.pdf](https://www.waterisac.org/sites/default/files/public/2017_CIPAC_Water_Sector_Roadmap_FINAL_051217.pdf).

technical assistance, as requested by water utilities, that seeks to leverage EPA's expertise in deploying their own warning system.

In FY 2025, EPA will:

- Continue efforts to promote the water sector's adoption of Water Quality Surveillance and Response Systems (WQ-SRS). EPA will facilitate user forums and promote the use of available tools and materials to design and implement a WQ-SRS. These capabilities will help water systems rapidly detect and respond to water quality problems, such as contamination in the distribution system, to reduce public health and economic consequences.
- Build upon the Drinking Water Mapping Application to Protect Source Waters (DWMAPS)<sup>9</sup> and the chemical spill and storage notification requirements in the America's Water Infrastructure Act of 2018 (AWIA). EPA will continue to collaborate with water sector stakeholders, water utilities, and state environmental agencies, to identify specific information (*e.g.*, what chemicals are stored upstream from a surface water intake), including Emergency Planning and Community Right-to-Know Act (EPCRA) Tier 2 data, that is valuable to creating a comprehensive source water contamination threat inventory. EPA will continue to promote awareness and provide training on its guidance including state and federal information resources that can be used to identify potential sources of contamination. This effort will help to ensure that drinking water utilities have access to the basic information (*e.g.*, what chemicals are stored upstream from a surface water intake) necessary for understanding the risk of releases to their sources of drinking water, as required under AWIA Section 2013, and take steps to mitigate those risks.
- Provide technical support to EPA regions, state primacy agencies, and water systems during response to contamination incidents. EPA's Water Program has been providing technical assistance on contamination response for several years (*e.g.*, following wildfires, the jet fuel contamination incident in Honolulu, Hawaii) and anticipates that requests for this type of support will continue.

### Water Laboratory Alliance (WLA)

In a contamination event, the sheer volume or unconventional type of samples requiring analysis could quickly overwhelm the capacity or capability of a single laboratory. To address this potential deficiency, EPA has established the national WLA comprised of laboratories from the local (*e.g.*, water utility) to the federal level (*e.g.*, the Centers for Disease Control and Prevention's Laboratory Response Network). In FY 2025, EPA will continue to promote, through exercises, expert workshops, and association partnerships, the WLA Plan.<sup>10</sup> The plan provides a protocol for coordinated laboratory response to a surge of analytical needs. In FY 2025, under the WLA, EPA plans to train approximately 50 laboratories to improve their ability to handle potential problems associated with surge capacity and analytical method capabilities during an emergency.

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<sup>9</sup> For more information, please see: <https://www.epa.gov/sourcewaterprotection/drinking-water-mapping-application-protect-source-waters-dwmaps>.

<sup>10</sup> For more information, please see: <https://www.epa.gov/waterlabnetwork>.



In FY 2025, EPA will:

- Continue to work with regional and state environmental laboratories to conduct exercises and continue efforts to automate the exercises, enabling laboratories and other members of the water sector to participate in exercises simultaneously and continue the innovative practice of pursuing validation of methods through exercises.
- Continue to expand the membership of the WLA with the intention of achieving nationwide coverage. The WLA has 160 member laboratories that are geographically diverse and can provide a wide range of chemical, biological, and radiological analyses.<sup>11</sup> For the WLA to become a robust network that can cover major population centers and address a diverse array of high priority contaminants, membership must continue to increase. Therefore, EPA will continue to promote membership at regional and national conventions of laboratory and water utility associations as well as through a series of webinars.

### Cybersecurity

Cybersecurity represents a substantial concern for the water sector, given that automated process controls are used to operate most facets of a modern water utility and that many water utilities have not implemented basic cybersecurity practices. Recent attacks by both inside and outside actors and their clear potential to disrupt essential lifeline services, such as drinking water supplies, are prompting a growing recognition that the federal government should adopt a more aggressive posture towards cybersecurity. EPA will sustain our existing cybersecurity program, such as the Cybersecurity Evaluation Program, where utilities voluntarily work with a cybersecurity professional to complete an assessment and generate a risk mitigation plan. EPA also will continue to provide tabletop exercises on cyber threats, common vulnerabilities, and best practices. EPA will promote the use of the Water Cybersecurity Assessment Tool to help water systems self-assess their cyber practices. EPA will continue to produce alerts for the water sector, for example as occurred for the Russia state threat in 2021, for the China state threat in 2023 (Volt Typhoon), and for the Iranian state threat in 2023 (CyberAv3ngers).

In FY 2025, EPA will continue to fulfill its obligations under Executive Order 13636: *Improving Critical Infrastructure Cybersecurity*,<sup>12</sup> which designated EPA as the lead federal agency responsible for cybersecurity in the water sector. EPA will continue to conduct nationwide exercises and provide technical support on cybersecurity threats and countermeasures for about 200 water and wastewater utilities.

In FY 2025, EPA is requesting resources and FTE to:

- Issue guidance documents and conduct a national training program on evaluating cybersecurity practices at public water systems to support utilities, states, and tribes with the objective of developing implementation plans to mitigate cyber risks.

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<sup>11</sup> For more information, please see: <https://www.epa.gov/dwlabcert/contact-information-certification-programs-and-certified-laboratories-drinking-water>.

<sup>12</sup> For more information, please see: <https://www.dhs.gov/publication/executive-order-13636-improving-critical-infrastructure-cybersecurity>.

- Broaden and transition the Water Sector Cybersecurity Evaluation Program from an onsite cybersecurity assessment effort targeting about 100 water systems each year to a virtual assistance program providing direct technical support to thousands of water systems. Under this initiative, EPA will assess cybersecurity practices at water systems as requested by the system or the state. EPA will provide a report to the system that shows gaps in cybersecurity.
- Provide direct support and implement the Cybersecurity Technical Assistance Program for the Water Sector. Under this program, states and public water systems can submit questions or request to consult with a subject matter expert (SME) regarding cybersecurity, such as identifying cybersecurity gaps and selecting appropriate risk mitigation actions. EPA will strive to have an SME respond to the questioner within two business days. As with the cybersecurity training work, the Water Sector Cybersecurity Evaluation Program and the Cybersecurity Technical Assistance Program constitute a critical investment of resources vital to achieving the policy outcome of reducing cybersecurity risk to the Nation's water systems.
- Conduct classroom exercises, at locations across the country, on water sector cybersecurity. The exercises will address cybersecurity threats (including ransomware), vulnerabilities, consequences, best practices, and incident response planning.
- Update and/or develop new course materials to respond to the evolving nature of cybersecurity threats. One example of such updates is the FY 2023 alerts and training concerning the potential for China-state actors to infiltrate water system industrial control processes and business enterprise functions.
- EPA is requesting \$25 million for a Cybersecurity grant, under the STAG appropriation, to help water systems establish or update the necessary cybersecurity infrastructure to address the rising threats from sophisticated state actors and criminal organizations. These funds would enable water systems to adopt basic cybersecurity hygiene measures, the inadequate adoption of which, across the sector, has rendered water systems and the communities they sustain at high risk from disabling cyberattacks.

#### America's Water Infrastructure Act (AWIA)

In FY 2025, EPA will continue its efforts to fulfill the requirements of the Community Water System Risk and Resilience Section 1433 of SDWA, as amended by AWIA. Specifically, EPA will prepare community water systems, subject to the law, for the second round of certifications which are due beginning in 2025. SDWA requires each community water system, serving more than 3,300 persons, to review its risk and resilience assessment at least once every five years to determine if it should be revised. Upon completion of such a review, the system must submit to EPA a certification that it has reviewed its assessment and revised it, if applicable. Further, each community water system, serving more than 3,300 persons, must review and, if necessary, revise its emergency response plan at least once every five years after the system completes the required review of its risk and resilience assessment. The emergency response plan must incorporate any revisions to the risk and resilience assessment. Upon completion of this review, but not later than six months after certifying the review of its risk and resilience assessment, the system must submit a certification that it has reviewed its emergency response plan and revised it, if applicable. EPA will apply lessons learned from the first round of certifications to refine guidance, tools (*e.g.*, emergency response plan templates), training, and the online certification portal. EPA also will

provide individual technical assistance to water systems to help with the recertification requirements of SDWA Section 1433.

**Performance Measure Targets:**

**(PM DW-07) Number of drinking water and wastewater systems, tribal and state officials, and water sector partners provided with security, emergency preparedness, and climate resilience training and technical assistance.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| <b>Target</b> |         |         |         |         | 2,000   | 3,500   | 4,500   | 4,500   | Systems and Partners |
| <b>Actual</b> |         |         |         |         | 3,939   | 3,895   |         |         |                      |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$19,409.0 / +25.0 FTE) This program change is an increase of resources and FTE to implement actions to mitigate the risks of cyberattacks in the water sector as well as increase the Agency’s ability to respond to cyber incidents that endanger safe drinking water to communities. This investment includes \$4.623 million for payroll and additional changes to fixed support costs.
- (+\$4,090.0 / +6.0 FTE) This program change is an increase of resources and FTE to support the Water Sector Cybersecurity Program to enhance cyber incident preparation, response, recovery, information sharing, and intelligence for water utilities to protect infrastructure. This investment includes \$1.109 million for payroll.

**Statutory Authority:**

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

## Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|  | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|--|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Science &amp; Technology</i></b> | <b><i>\$26,376</i></b>   | <b><i>\$25,347</i></b>      | <b><i>\$40,802</i></b>           | <b><i>\$15,455</i></b>                                       |
| Hazardous Substance Superfund          | \$36,249                 | \$34,661                    | \$57,358                         | \$22,697   |
| Total Budget Authority                 | \$62,624                 | \$60,008                    | \$98,160                         | \$38,152   |
| Total Workyears                        | 116.1                    | 124.1                       | 145.3                            | 21.2   |

### **Program Project Description:**

Exposure to hazardous chemical agents, microbial pathogens, and radiological materials released into the environment can pose catastrophic consequences to the health of first responders and American citizens. EPA has responsibility, under statutory law and Presidential Directives, to remediate contaminated environments created by incidents such as terrorist attacks, industrial accidents, or natural disasters.

EPA’s disaster-related research topics, under the Homeland Security Research Program (HSRP), are: 1) contaminant characterization and consequence assessment; 2) environmental cleanup and infrastructure remediation; and 3) community engagement and systems-based tools supporting resilience equity.

The research supports EPA in carrying out its primary mission essential function to help communities prepare for, endure, and recover from disasters – safeguarding their health, economic, environmental, and social well-being. Researchers collaborate with states, local communities, tribes, private sector organizations, and federal agencies<sup>13</sup> to deliver effective tools, methods, information, and guidance that address both critical terrorism related issues and natural or manmade disasters.

EPA also is responsible for operating and maintaining the network of near real-time radiation monitors, known as RadNet, a key resource necessary for responding to certain incidents as noted within the Nuclear/Radiological Incident Annex to the National Response Framework. This network is critical in responding to large-scale incidents, such as the accident at the Fukushima nuclear facility, potential incidents in Ukraine, and is an EPA Critical Infrastructure/Key Resource asset. This monitoring network is supported by the IT system known as ARaDS, the Analytical Radiation Data System.

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<sup>13</sup> Partners include: Department of Homeland Security (DHS), Department of Defense (DOD), Centers for Disease Control and Prevention (CDC), Federal Bureau of Investigation (FBI), National Institute of Health (NIH), National Science Foundation (NSF), Department of Energy (DOE), and Department of Agriculture (USDA).

Recent Accomplishments of the Homeland Security Research Program include:<sup>14</sup>

*Securing Safe Water During Emergencies:*

EPA's HSRP researchers partnered with a nonprofit organization to develop a modular, mobile water treatment system known as Water on Wheels – Emergency Mobile Water Treatment System (also known as the WOW Cart).<sup>15</sup> This WOW cart has been serving communities who need clean water in the aftermath of disasters such as hurricanes, tornadoes, levee break, flooding, etc.<sup>16</sup> In addition, the HSRP's Water Network Tool for Resilience (WNTR) has been used to help assess how water distribution systems might behave during future disruptions and provided recommendations to increase resilience of these systems.<sup>17</sup> WNTR also was used to investigate the performance and resilience of a drinking water system during increased demands due to various emergencies.<sup>18</sup>

*Improving Preparedness for Radiological/Nuclear Incident Response:*

Radiological incidents require advanced planning and rapid response to minimize health risks to residents and mitigate long-term impacts to infrastructure and the environment. EPA's HSRP developed a tool that can track and quantify radiological contamination in stormwater systems following such an incident.<sup>19</sup> HSRP also developed other tools to provide first responders, emergency planners, residents, and others in the community with easily accessible and easy-to-use methods for various response missions such as containment, decontamination, waste management, etc., after radiological contamination.<sup>20,21</sup>

*Continued Efforts to Enhance Bio Incident Response:*

EPA HSRP continues to develop and evaluate characterization and decontamination methods and enhance national preparedness to respond to biological incidents. HSRP researchers developed methods for effectively sampling biological agents in the outdoor environment, such as water, vegetation, soil, etc.<sup>22,23,24,25</sup> HSRP research also provided responders with practical information on decontamination techniques that have been found to be effective for inactivating biological agents on various surfaces and materials.<sup>26,27,28,29</sup> These resources better prepare communities for responding to and ultimately recovering from biological incidents.

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<sup>14</sup> For a more complete view of accomplishments, please see: <https://www.epa.gov/research/national-research-programs>.

<sup>15</sup> For a more complete view of accomplishments, please see: <https://www.epa.gov/emergency-response-research/water-wheels-mobile-water-treatment-system-wow-cart>.

<sup>16</sup> For a more complete view of accomplishments, please see: <https://www.epa.gov/emergency-response-research/wow-cart-deployments>.

<sup>17</sup> For a more complete view of accomplishments, please see: <https://ascelibrary.org/doi/abs/10.1061/%28ASCE%29WR.1943-5452.0001607>.

<sup>18</sup> For a more complete view of accomplishments, please see: <https://ascelibrary.org/doi/abs/10.1061/JWRMD5.WRENG-5631>.

<sup>19</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=355687&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=355687&Lab=CESER).

<sup>20</sup> For more information, please see: <https://www.epa.gov/emergency-response-research/radiological-decontamination-query-tool>

<sup>21</sup> For more information, please see:

[https://cfpub.epa.gov/si/si\\_public\\_file\\_download.cfm?p\\_download\\_id=546646&Lab=CESER](https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=546646&Lab=CESER).

<sup>22</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=355726&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=355726&Lab=CESER)

<sup>23</sup> For more information, please see: <https://pubmed.ncbi.nlm.nih.gov/36104633/>.

<sup>24</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=355343&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=355343&Lab=CESER).

<sup>25</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=356092&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=356092&Lab=CESER).

<sup>26</sup> For more information, please see: <https://pubmed.ncbi.nlm.nih.gov/36822624/>.

<sup>27</sup> For more information, please see: <https://pubmed.ncbi.nlm.nih.gov/36056613/>.

<sup>28</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=356257&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=356257&Lab=CESER).

<sup>29</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=355794&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=355794&Lab=CESER).

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

Research is planned and prioritized based on the needs of end-users of this science, including EPA program and regional offices (e.g., Regional On-Scene Coordinators), water utility companies, states, local communities, territories, and tribes.

In FY 2025, the Homeland Security Research Program will conduct research under the three disaster-related research topics as follow below.

### *Contaminant Characterization and Consequence Assessment:*

- Continue advancing the ESAM Program<sup>30</sup> for sampling procedures, processing, and analysis for contamination incidents to inform and support risk mitigation, decontamination, and clearance.
- Improve tools to inform, support, and enhance the ESAM Program for the environmental characterization process for contaminants.
- Conduct research to evaluate groundwater modeling tools for contaminant fate and transport and apply the tools in case studies.
- Improve the existing Trade-off Tool for Sampling<sup>31</sup> platform to enable functionality for creating or importing three dimensional environments.

### *Environmental Cleanup and Infrastructure Remediation:*

- Evaluate the efficacy of a variety of decontaminants against spores, viruses, and bacterial agents as a function of contamination level outside of the primary contamination zone, including agricultural scenarios.
- Conduct research to study the efficacy, operational concerns, and material compatibility for decontamination of chemical contamination incidents.
- Conduct research to identify a decontamination approach for premise plumbing impacted by salt water for return to service and to assess sea or brackish water at flushing contamination out of water infrastructure.
- Improve HSRP waste tools to include data sharing capabilities across multiple tools and support for future dashboard integration.

### *Community Engagement and Systems-Based Tools Supporting Resilience Equity:*

- Develop an improved methodology to collect data and produce transparent results to inform response progress during contamination incidents.
- Develop a reference guide for responders to make informed sampling or other response-related decisions following a hazardous release, particularly within urban areas.
- Conduct research to identify mechanisms to ensure disaster waste staging decisions achieve social and environmental objectives while advancing environmental justice and equity principles and practices.

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<sup>30</sup> For more information, please see: <https://www.epa.gov/esam>

<sup>31</sup> For more information, please see: <https://tots.epa.gov/>

## *Radiation Monitoring*

The RadNet fixed monitoring network provides near real-time radiation monitoring coverage near each of the 100 most populous U.S. cities, as well as expanded geographic coverage for a total of 140 monitoring sites. The RadNet air monitoring network provides the Agency, first responders, and the public with greater access to data. Should there be a radiological emergency, RadNet improves officials' ability to make decisions about protecting public health and the environment during and after the incident. Additionally, RadNet data is used by scientists to better characterize the effect of a radiological incident.

In FY 2025, the Agency will continue to operate and maintain the RadNet air monitoring network, continue to add exposure rate meter capability to the network, and provide essential maintenance to the network. To best maximize resources, exposure rate meter capability will be added to monitors when needed repairs are called for. This expansion will enhance the federal government's ability to effectively communicate radiation measurement information to the public and to non-technical decision makers after a radiological release. In addition to aiding in explaining data to the public and decision makers, the addition of exposure rate meters aligns EPA's monitoring system with that of the international community.

In FY 2025, EPA is requesting an increase of approximately \$12.2 million and 9.5 FTE to update the aging equipment that monitors the nation's air for radiation. As a part of this, EPA also will modernize IT infrastructure for the ARaDS and support enhanced lab and field office facility operations and maintenance.

## *Research Planning*

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published their fourth generation of the StRAPs,<sup>32</sup> which continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

EPA's Office of Research and Development (ORD) ensures the integrity and value of its research through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>33</sup> is designed to inform states about their role within EPA and EPA's research programs and to better understand the science needs of state environmental and health agencies.

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<sup>32</sup> The StRAPs are available here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>33</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

- Tribal Partnerships
  - Key Tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between Tribal and Agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

**Performance Measure Targets:**

Work under this program supports performance results in the Research: Chemical Safety and Sustainability Program under the S&T appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$217.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes funds to support critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (-\$102.0) This change to fixed and other costs is a decrease due to the recalculation of lab fixed costs.
- (+\$3,159.0 / + 5.7 FTE) This program change is an increase to conduct research on agents of concern and emerging threats. This increase will support the development of bio-surveillance protocols for populations and surface waters as well as support EPA’s Water Emergencies Initiative. In addition, this increase will expand EPA’s capabilities and research at its biosafety level-3 facility in Fort Meade, MD. This investment includes \$1.06 million in payroll.
- (+\$12,181.0 / + 9.5 FTE) This program change is an increase in resources and FTE to update the aging equipment that monitors the nation’s air for radiation. Should there be a radiological emergency, RadNet improves officials’ ability to make decisions about protecting public health and the environment during and after an incident. This increase also will modernize IT infrastructure for ARaDS and support enhanced lab and field office facility operations and maintenance. This includes \$1.788 million in payroll.

**Statutory Authority:**

Atomic Energy Act of 1954; Clean Air Act, §§ 102, 103; Safe Drinking Water Act, §§ 1431-1435, 1442; Robert T. Stafford Disaster Relief and Emergency Assistance Act; National Defense Authorization Act for Fiscal Year 1997, §§1411-1412; Public Health Security and Bioterrorism Preparedness and Response Act of 2002; Toxic Substances Control Act, § 10; Oil Pollution Act; Pollution Prevention Act; Resource Conservation and Recovery Act; Emergency Planning and Community Right-to-Know Act; Clean Water Act; Federal Insecticide, Fungicide, and Rodenticide Act; Federal Food, Drug, and Cosmetic Act; Food Quality Protection Act; Food Safety Modernization Act, §§ 203, 208.



**Homeland Security: Protection of EPA Personnel and Infrastructure**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$6,059                          | \$5,188                              | \$5,158                                   | -\$30  |
| <b>Science &amp; Technology</b>     | <b>\$625</b>                     | <b>\$625</b>                         | <b>\$501</b>                              | <b>-\$124</b>  |
| Building and Facilities             | \$3,944                          | \$6,676                              | \$6,676                                   | \$0  |
| Hazardous Substance Superfund       | \$1,167                          | \$1,029                              | \$1,530                                   | \$501  |
| Total Budget Authority              | \$11,795                         | \$13,518                             | \$13,865                                  | \$347  |
| Total Workyears                     | 12.3                             | 13.3                                 | 13.3                                      | 0.0  |

Total workyears in FY 2025 include 13.3 FTE to support Homeland Security Working Capital Fund (WCF) services.

**Program Project Description:**

This program supports activities to ensure that EPA’s physical structures and assets are secure and operational and that physical security measures are in place to help safeguard staff in the event of an emergency. These efforts also protect EPA’s vital laboratory infrastructure and testing assets. Specifically, funds within this appropriation support security needs for the National Vehicle and Fuel Emissions Laboratory (NVFEL).

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency will continue to provide enhanced physical security for the NVFEL, its employees, visitors, and test articles, which include prototype vehicles and engines. This funding supports the cost of security enhancements required as part of an agency security assessment review.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$124.0) This change to fixed and other costs is a decrease due to the recalculation of lab fixed costs.

**Statutory Authority:**

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

## **Indoor Air and Radiation**

**Indoor Air: Radon Program**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management    | \$2,844                          | \$3,364                              | \$5,147                                   | \$1,783  |
| <b><i>Science &amp; Technology</i></b> | <b><i>\$70</i></b>               | <b><i>\$199</i></b>                  | <b><i>\$173</i></b>                       | <b><i>-\$26</i></b>  |
| Total Budget Authority                 | \$2,914                          | \$3,563                              | \$5,320                                   | \$1,757  |
| Total Workyears                        | 8.0                              | 9.0                                  | 12.4                                      | 3.4  |

**Program Project Description:**

Title III of the Toxic Substances Control Act (TSCA) authorizes EPA to take a variety of actions to address the public health risks posed by exposures to indoor radon. Under the statute, EPA studies the health effects of radon, assesses exposure levels, sets an action level, provides technical assistance to states, industry, and the public, advises the public on steps they can take to reduce exposure, and promotes the availability of reliable radon services and service providers to the public.

Radon is the second leading cause of lung cancer in the United States – and the leading cause of lung cancer mortality among non-smokers – accounting for about 21,000 deaths per year.<sup>34</sup> EPA’s non-regulatory Indoor Air: Radon Program promotes actions to reduce the public’s health risk from indoor radon. EPA and the Surgeon General recommend that all homes be tested for radon and if radon levels above EPA’s guidelines are confirmed, elevated levels should be reduced by home mitigation using proven, straightforward techniques. EPA also recommends that new homes be built using radon-resistant features in areas where there is elevated radon. Nationally, risks from radon have been reduced in millions of homes, but millions are still in need of mitigation. Additionally, low-income families and tribal communities lack access to resources to address radon. This voluntary program promotes partnerships between national organizations, the private sector, and more than 50 state, local, tribal and territory governmental programs to reduce radon risk.

These resources, combined with resources for the Indoor Air: Radon Program from the Environmental Programs and Management (EPM) account, supports the Radon Reference and Intercomparison Program (ERRIP) of the National Analytical Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama. The ERRIP is the only federal National Institute of Standards and Technology (NIST) traceable primary radon reference and calibration program

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<sup>34</sup> For more information please visit: <https://www.epa.gov/radon>.

accessible to the U.S. radon industry and is a critical element of the framework for promoting the availability of reliable, quality radon services for the public.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will provide radon reference intercomparison samples to secondary radon chambers (known as ERRIP participants) operating in the United States to analyze. EPA then submits the radon reference data to the Radon Accrediting Board(s) to evaluate and assess the performance of the ERRIP participant. EPA will update and modernize program equipment and perform required Quality Assurance/Quality Control on program analytical process and procedures.

**Performance Measure Targets:**

**(PM LCD) Number of lung cancer deaths prevented through lower radon exposure.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| <b>Target</b> |         |         |         |         | 1,881   | 1,981   | 2,083   | 2,162   | Deaths Prevented |
| <b>Actual</b> | 1,482   | 1,578   | 1,684   | 1,795   | 1,894   | 1,970   |         |         |                  |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$3.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$29.0) This program change decreases resources for radon reference intercomparison work.

**Statutory Authority:**

Title IV of the Superfund Amendments and Reauthorization Act (SARA); Title III Toxic Substances Control Act; Clean Air Act.

**Radiation: Protection**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$8,390                          | \$9,088                              | \$11,748                                  | \$2,660  |
| <b>Science &amp; Technology</b>     | <b>\$2,321</b>                   | <b>\$1,683</b>                       | <b>\$2,416</b>                            | <b>\$733</b>   |
| Hazardous Substance Superfund       | \$2,081                          | \$2,472                              | \$3,144                                   | \$672  |
| Total Budget Authority              | \$12,792                         | \$13,243                             | \$17,308                                  | \$4,065  |
| Total Workyears                     | 57.3                             | 54.8                                 | 67.2                                      | 12.4   |

**Program Project Description:**

EPA supports contaminated site characterization and cleanup by providing field and fixed laboratory environmental, radiological, and radioanalytical data and technical support, providing radioanalytical training to state and federal partners, and developing new and improved radioanalytical methods. Many of the sites with radioactive contamination are surrounded by economically disadvantaged communities including, for example, tribal lands in the southwestern United States and former industrial sites located outside major urban areas.

In the event of a radiological accident or incident, the National Analytical Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and the National Center for Radiation Field Operations (NCRFO) in Las Vegas, Nevada, provide analytical and field operation support for radioanalytical testing, quality assurance, analysis of environmental samples, and field measurement systems and equipment to support site assessment, cleanup, and response activities. Together, these organizations provide technical support for conducting site-specific radiological characterizations and cleanups.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA, in cooperation with states, tribes, and other federal agencies, will provide ongoing site characterization and analytical support for site assessment activities, remediation technologies, and measurement and information systems. EPA also will provide essential training and direct site assistance, including field surveys and monitoring, laboratory analyses, health and safety, and risk assessment support at sites with radioactive contamination.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$44.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$54.0) This change to fixed and other costs is an increase due to the recalculation of lab utilities.
- (+\$635.0 / +2.2 FTE) This program change is an increase that supports addressing critical gaps in EPA's radiological protection capacity including the ability to provide ongoing site characterization and analytical support for site assessment activities, radioactive waste storage and disposal approaches, remediation technologies, and measurement and information systems. This investment includes \$407.0 thousand for payroll.

**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: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$2,111                          | \$2,650                              | \$3,185                                   | \$535  |
| <b>Science &amp; Technology</b>     | <b>\$3,200</b>                   | <b>\$3,596</b>                       | <b>\$4,802</b>                            | <b>\$1,206</b>   |
| Total Budget Authority              | \$5,311                          | \$6,246                              | \$7,987                                   | \$1,741  |
| Total Workyears                     | 29.6                             | 33.3                                 | 41.4                                      | 8.1  |

### **Program Project Description:**

The National Analytical Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and the National Center for Radiation Field Operations (NCRFO) in Las Vegas, Nevada, provide field sampling and laboratory analyses to respond to radiological and nuclear incidents. This work includes measuring and monitoring radioactive materials and assessing radioactive contamination in the environment. This program comprises direct scientific field and laboratory activities to support preparedness, planning, training, and procedure development. In addition, program personnel are members of EPA’s Radiological Emergency Response Team (RERT), a component of the Agency’s emergency response program, and are trained to provide direct expert scientific and technical assistance. EPA’s RERT is part of the Nuclear Incident Response Team under the Department of Homeland Security.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA’s RERT will provide critical support for federal radiological emergency response and recovery operations under the National Response Framework and the National Oil and Hazardous Substances Pollution Contingency Plan. When necessary, EPA’s RERT will complement routine operations (*e.g.*, on-site technical support/consultation and laboratory analyses) and provide for the rapid collection of field measurements/samples and accurate radionuclide analyses of environmental samples.<sup>35</sup>

In FY 2025, NAREL and NCRFO will build capacity in core levels of readiness for radiological emergency responses; participate in critical emergency exercises; and respond, as required, to radiological incidents. NAREL and NCRFO will prioritize rapid deployment capabilities to ensure that field teams and laboratory personnel are ready to provide scientific data, field measurement

<sup>35</sup> For additional information, please visit: <https://www.epa.gov/radiation/radiological-emergency-response>.



capabilities, analyses, and updated analytical techniques for radiation emergency response programs across the Agency.

**Performance Measure Targets:**

**(PM RAD2) Percentage of radiation emergency response program personnel and assets that meet functional readiness requirements necessary to support federal radiological emergency response and recovery operation.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         | 90      | 92      | 92      | 92      | Percent |
| Actual |         |         |         | 92      | 87.7    | 87.1    |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$134.0) This change to fixed and other costs is an increase due to the recalculation of lab utilities.
- (+\$1,072.0 / +5.0 FTE) This program change is an increase to support activities for preparedness work, including basic laboratory analytic functions and field operations. This investment includes \$817.0 thousand for payroll and additional fixed support costs.

**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: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$13,281                         | \$13,593                             | \$47,570                                  | \$33,977   |
| <b>Science &amp; Technology</b>     | <b>\$27</b>                      | <b>\$278</b>                         | <b>\$185</b>                              | <b>-\$93</b>   |
| Total Budget Authority              | \$13,309                         | \$13,871                             | \$47,755                                  | \$33,884   |
| Total Workyears                     | 35.3                             | 39.2                                 | 71.4                                      | 32.2   |

**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, tribal and local levels. Poor indoor air quality represents one of the most significant public health risks within EPA's responsibility.<sup>36</sup> EPA uses a range of strategies to reduce health risks from poor indoor air quality in homes, schools, and other buildings through partnerships with non-governmental, professional, federal, state, and local organizations. Through these partnerships EPA provides information, guidance, and technical assistance to equip industry, the health care community, the residential, school, and commercial building sectors, and the general public to take action. As technical experts working at the intersection of the built environment and health, EPA is focused on policy and guidance to improve building conditions, including for disproportionately impacted communities, to reduce indoor air risk and achieve improvements in environmental and health outcomes.

Tribes have identified indoor air quality as a high priority and often bear disproportionately high impacts from poor indoor air quality. For example, Native Americans and Alaska Natives disproportionately suffer from asthma, in part due to poor housing conditions and the associated increase in exposure to indoor air pollutants.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will respond to regional requests for field measurements, assessments, and technical support.

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<sup>36</sup> For more information please visit: <https://www.epa.gov/iaq>.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$12.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$81.0) This reduction of resources diminishes the capacity to conduct field measurements, assessments, and provide technical support for indoor air quality remediation. This disinvestment will result in the elimination of in-person Tribal training courses on indoor air quality intervention and remediation approaches as well as limited ability to respond to regional requests for field measurements, assessments, and technical support.

**Statutory Authority:**

Title IV SARA; Title III Toxic Substances Control Act; Clean Air Act.

## IT / Data Management

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management    | \$95,631                         | \$91,821                             | \$108,601                                 | \$16,780   |
| <b><i>Science &amp; Technology</i></b> | <b><i>\$3,489</i></b>            | <b><i>\$3,197</i></b>                | <b><i>\$3,346</i></b>                     | <b><i>\$149</i></b>  |
| Hazardous Substance Superfund          | \$22,040                         | \$19,764                             | \$19,645                                  | -\$119   |
| Total Budget Authority                 | \$121,160                        | \$114,782                            | \$131,592                                 | \$16,810   |
| Total Workyears                        | 457.5                            | 490.9                                | 510.9                                     | 20.0   |

Total work years in FY 2025 include 175.0 FTE to support IT/Data Management working capital fund (WCF) services.

### **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. Science and Technology (S&T) resources for EPA's IT/DM Program fund the following activities: Quality Program,<sup>37</sup> EPA National Library Network, and Web Infrastructure Management.

The Quality Program provides quality policy, procedures, standards, and guidance for environmental information collection, production, evaluation, and use activities. These activities are performed by or for the Agency to ensure sound decisions are based on quality to support their intended use as EPA strives to protect human health and the environment. The Quality Program provides Quality Assurance (QA) directives, training, oversight, and technical support to assist EPA organizations in implementing their Quality Program for environmental information operations. It also oversees the implementation of EPA's Information Quality Guidelines (IQGs).

EPA's National Library Network provides information resources and services to EPA staff and the public in support of EPA's mission. Web Infrastructure Management provides accessible, relevant, timely, accurate, and complete environmental information to EPA's employees, partners, and stakeholders, as well as the public, through the websites and digital services which constitute EPA's internet presence.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

<sup>37</sup> For more information about EPA's Quality Program, please see: <https://www.epa.gov/quality>.

EPA's Quality Program provides implementation support to all EPA organizations that have environmental information operations described in an approved Quality Management Plan (QMP). In FY 2025, the Quality Program will:

- Assess organizations that have an approved QMP and identify findings requiring corrective action, areas needing improvement, and leveraging best practices.
- Focus on promoting sound science and ensure scientific integrity by promoting better planning to produce improved environmental information. Evaluate environmental information through use of the QA Annual Report and Work Plan and annual certification by Assistant and Regional Administrators.
- Manage and provide oversight for the IQGs to ensure that information disseminated by or for EPA conforms with the *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility and Integrity of Information Disseminated by the Environmental Protection Agency* criteria.<sup>38</sup> The Quality Program will facilitate the development of the Agency's responses to public requests for correction and reconsideration of information disseminated by EPA and report this information to the Office of Management and Budget (OMB). The Quality Program also will continue to focus on implementing recommendations from the Office of Inspector General (OIG) Audit Report, *EPA Needs to Address Internal Control Deficiencies in the Agencywide Quality System*.<sup>39</sup> The Program will give priority to implementation of revised Quality Directives for QMPs and Quality Assurance Project Plans, and the IQGs.
- Engage as a resource with EPA's state and tribal partners and environmental justice communities and support the Climate Change Program to ensure QA processes and procedures are in place to protect human health and the environment.

The Agency's S&T resources for IT/DM also will help provide library services through the EPA National Library Network to all EPA employees and environmental information access to the public, as well as support the hosting of EPA's websites and web pages. One EPA Web will continue to manage content and support internal and external users with information on EPA business, support employees with internal information, and provide a clearinghouse for the Agency to communicate initiatives and successes.

In FY 2025, EPA will work to transform the Agency's libraries to meet the needs of the 21<sup>st</sup> Century. This involves operating in an increasingly online and mobile environment; providing services and resources at the customer's point of need; prioritizing the thorough assessment of print materials to support strategic space usage; utilizing detailed data to ensure print collections are highly relevant to the Agency's needs and centralizing core services; and relying on technology and a team of professional librarians to disseminate information and connect people to resources they need to support the demands of both internal and external requests.

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<sup>38</sup> For more information, please see: <https://www.epa.gov/quality/guidelines-ensuring-and-maximizing-quality-objectivity-utility-and-integrity-information>.

<sup>39</sup> For more information, please see: <https://www.epa.gov/office-inspector-general/report-epa-needs-address-internal-control-deficiencies-agencywide-quality>.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$149.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); 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; and the National Technology Transfer and Advancement Act (NTTA), (PL 104-113).

## **Operations and Administration**

## Facilities Infrastructure and Operations

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|                                     | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|-------------------------------------|--------------------------|-----------------------------|----------------------------------|--|
| Environmental Programs & Management | \$275,614                | \$283,330                   | \$308,134                        | \$24,804   |
| <b>Science &amp; Technology</b>     | <b>\$65,328</b>          | <b>\$67,500</b>             | <b>\$72,906</b>                  | <b>\$5,406</b>   |
| Building and Facilities             | \$17,502                 | \$42,076                    | \$98,893                         | \$56,817   |
| Leaking Underground Storage Tanks   | \$803                    | \$754                       | \$729                            | -\$25  |
| Inland Oil Spill Programs           | \$692                    | \$682                       | \$643                            | -\$39  |
| Hazardous Substance Superfund       | \$74,115                 | \$65,634                    | \$72,349                         | \$6,715  |
| Total Budget Authority              | \$434,054                | \$459,976                   | \$553,654                        | \$93,678   |
| Total Workyears                     | 304.7                    | 321.8                       | 331.1                            | 9.3  |

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### Program Project Description:

Science and Technology (S&T) resources in the Facilities Infrastructure and Operations Program fund the Agency's rent, utilities, and security. The 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, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$5.4 million in the Facilities Infrastructure and Operations Program to support agencywide climate sustainability and resiliency initiatives, and EPA facilities' operating costs and projects. Investing in the reconfiguration of EPA's workspaces enables the Agency to release office space and avoid long-term rent costs, consistent with the *Federal Assets Sale and Transfer Act*.<sup>40</sup> These resources are essential to help EPA reduce the number of occupied leased facilities, consolidate and optimize space within owned facilities, and reduce square footage. The Agency's space consolidation and energy efficiency efforts result in cost avoidances due to projected rent and utility increases in out-years. For FY 2025, the Agency requests \$29.25

<sup>40</sup> For additional information, please refer to: <https://www.congress.gov/bill/114th-congress/house-bill/4465>, *Federal Assets Sale and Transfer Act of 2016*.



million for rent, \$18.31 million for utilities, and \$11.99 million for security in the S&T appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level.

EPA will continue conducting climate resiliency assessments at EPA-owned facilities to identify critical upgrades that are necessary to improve facility resiliency against the impacts of climate change, such as roof stabilization or seawall construction projects. EPA also will continue incorporating natural hazard and climate vulnerability assessments into their real property risk management process. In FY 2025, EPA will conduct climate assessments at the Andrew W. Breidenbach Environmental Research Center, and Center Hill Research Facility in Cincinnati, OH, and the National Vehicle and Fuel Emissions Laboratory in Ann Arbor, MI. As a result of FY 2022 assessments, EPA initiated two high priority projects in FY 2023: a feasibility study to improve the resilience of the causeway leading to the Gulf Ecosystem Measurement and Modeling Division campus in Gulf Breeze, FL, and a solar array feasibility study at the research facility in Narragansett, RI.

Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce.<sup>41</sup> EPA will consider all opportunities for supporting organizational health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*.<sup>42</sup> Even if modifications are kept to a minimum, each move requires initial funding to achieve long-term cost avoidance and sustainability goals. These investments support sustainable federal infrastructure and the clean energy goal of net-zero emissions by 2050.

In FY 2025, EPA will implement energy, water, and building infrastructure requirements with emphasis on environmental programs (e.g., Environmental Management Systems, Environmental Compliance Programs, Leadership in Energy and Environmental Design Certification, alternative fuel use, fleet reductions, telematics, and sustainability assessments). This funding will support investments in infrastructure (e.g., architectural and design) and mechanical systems (e.g., Optimized Building Management Systems for heating and cooling with load demand driven controls). In line with federal sustainability goals, EPA will work to utilize 100 percent carbon pollution-free electricity on a net annual basis by 2030.

EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations determined through audits and assessments and will provide health and safety training to field staff (e.g., inspections, monitoring, and on-scene coordinators). The Agency will continue its partnership with GSA to utilize shared services solutions, *USAccess*, and Enterprise Physical Access Control System (ePACS) programs. *USAccess* provides standardized HSPD-12 approved

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<sup>41</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) and EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>)

<sup>42</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

Personal Identity Verification (PIV) card enrollment and issuance and ePACS provides centralized access control of EPA facilities, including restricted and secure areas.

**Performance Measure Targets:**

Work under this program supports performance results in the Facilities Infrastructure and Operations Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$446.0) This change to fixed and other costs is an increase due to adjustments for rent, utilities, security, and transit subsidy needs.
- (+\$4,960.0) This program change supports implementation of EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* requirements that will require EPA to increase facility resiliency against the impact of climate change and to advance sustainability of EPA operations. This investment increases support for EPA facilities projects to ensure EPA has optimal footprint to support the proposed FTE increase in the FY 2025 Budget request, continue ongoing EPA laboratory consolidation projects, and support agencywide climate sustainability and resiliency initiatives such as facility climate assessments and Optimized Building Managements Systems.

**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).

## **Pesticides Licensing**

## Pesticides: Protect Human Health from Pesticide Risk

Program Area: Pesticides Licensing

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|                                     | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|-------------------------------------|--------------------------|-----------------------------|----------------------------------|--|
| Environmental Programs & Management | \$59,740                 | \$62,125                    | \$66,281                         | \$4,156  |
| <b>Science &amp; Technology</b>     | <b>\$3,034</b>           | <b>\$2,894</b>              | <b>\$5,902</b>                   | <b>\$3,008</b>   |
| Total Budget Authority              | \$62,774                 | \$65,019                    | \$72,183                         | \$7,164  |
| Total Workyears                     | 398.6                    | 385.6                       | 385.6                            | 0.0  |

### Program Project Description:

EPA’s Pesticide Programs screen new pesticides before they reach the market and ensure that pesticides already in commerce are safe. As directed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), and the Pesticide Registration Improvement Act of 2022 (PRIA 5),<sup>43</sup> EPA is responsible for registering and re-evaluating pesticides to protect consumers, pesticide users, workers who may be exposed to pesticides, children, and other sensitive populations.

To make regulatory decisions and establish tolerances (*e.g.*, maximum allowable pesticide residues on food and feed) for food use pesticides and for residential or non-occupational use, EPA must find the pesticide safe. This involves considering cumulative and aggregate risks and ensuring extra protection for children as required by the FQPA. Aggregate assessments ensure that there is reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposure and all other exposure for which there is reliable information. For cumulative assessments, the Agency is required to consider available information concerning the cumulative effects of such residues and other substances that have a common mechanism of toxicity. The Agency must balance the risks and benefits of other uses. For antimicrobial pesticides with public health claims, EPA requires that manufacturers perform tests to ensure the efficacy (*i.e.*, performance) of products per the labelling. In anticipation of future public health emergencies, the Pesticide Program evaluates public health claims for antimicrobial products, including the accelerated availability of disinfectants determined to be effective against emerging pathogens and development of study designs to support the generation of innovative products, including those that can reduce airborne transmission of these pathogens. This program operates two laboratories, the Microbiology Laboratory<sup>44</sup> and the Analytical Chemistry Laboratory.<sup>45</sup>

<sup>43</sup> On December 29, 2022, the Pesticide Registration Improvement Extension Act of 2022 (PRIA 5), which reauthorizes PRIA for 5 years through fiscal year 2027 and updates the fee collection provisions of the FIFRA, was signed into law.

<sup>44</sup> For additional information, please visit: <https://www.epa.gov/aboutepa/about-microbiology-laboratory>.

<sup>45</sup> For additional information, please visit: <https://www.epa.gov/aboutepa/about-analytical-chemistry-laboratory-acl>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

This FY 2025 request includes an increase of \$3.0 million to invest in several areas across the Environmental Science Lab in Fort Meade, Maryland. This facility is comprised of a Microbiology Lab Branch and an Analytical Chemistry Branch. The Analytical Chemistry Laboratory will continue to develop and validate methods for multi-residue pesticide analyses, including furthering test protocols, providing technical review of data and reports. The laboratory also will provide technical analyses and support to states, EPA Regions and the Office of Enforcement and Compliance Assurance (OECA) in enforcement cases related to the potential misuse of or illegal pesticides. Additionally, this lab maintains EPA's National Pesticide Standard Repository and distributes more than 5,000 standards yearly to States and Regions for use in validating test results, calibrating instruments, and/or for identifying and quantifying pesticide residues. In addition, the laboratory will continue to provide technical support to EPA's Office of Pesticide Programs to develop and standardize test protocols relating to the performance of portable monitoring devices measuring post-application levels. Finally, work will continue the development and release of additional testing methods related to identifying and quantifying PFAS residues in High Density Polyethylene (HDPE) containers. These efforts are critical to ensuring the safety of pesticide products within channels of trade, including those available for use by the public.

These funds are needed to replace aging critical lab equipment, enhance operation specifications for MLB's BSL-3 laboratories, and modernize the lab's capabilities to be responsive to homeland security & other emerging issues (*e.g.*, pandemics). The additional funding will support the following critical lab purchases:

- Update and/or purchase equipment to meet more current laboratory specifications for a biosafety level 3 (BSL-3).
- Replace autoclave in B207 (BSL-3 virus lab) with a new pass-through autoclave.
- Replace current environmental monitoring system equipment shared by both Pesticide Program laboratories with more current technology to enhance operation specifications related to maintaining the BSL-3 laboratory.
- Modernization of IT in BSL-3 laboratory (LAN, scanner, tablets/software for paperless recordkeeping, etc.)
- Pass-through port for both BSL-3 laboratories.<sup>46</sup>
- Enlargement of BSL-3 anterooms to provide additional safety measures.
- Dedicated shower-out capability in the lab wing.

The Microbiology Laboratory will continue to protect human health by ensuring the availability of scientifically sound efficacy test methods for antimicrobial pesticides (*e.g.*, hospital disinfectants used to treat surfaces). By developing new methods for new uses and emerging pathogens, the regulated community can register new products as well as new claims for existing products. These efforts will benefit the public because of the critical support the Laboratory

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<sup>46</sup> For more information please visit: <https://www.enviropass.com/products/medical-pass-throughs/specimen-pass-through/>.

provides to inform regulatory actions for public health pesticides, identify pathways for approval of pathogen-specific claims, and allow for marketplace penetration of these products.

Specifically, in FY 2025, the Microbiology Laboratory will:

- Continue to work on the development of new regulatory guidance and implementation materials on a quantitative method for bactericidal claims to support adoption of the method for regulatory purposes.
- Continue to work on the data collection, analysis, and development of new regulatory guidance and implementation materials on a quantitative method for fungicidal claims to support adoption of the method for regulatory purposes.
- Complete approval process for generation of a new ASTM standard method for *Legionella* in recirculating water for cooling tower remediation.
- Provide efficacy testing and technical support for workplans for the Antimicrobial Product Evaluation Program (APEP) pursuant to EPA's response to the Office of the Inspector General (Report No. 16-P-0316).<sup>47</sup>
- Complete data collection for the revised residual self-sanitizer and disinfectant methods and submit them for comment and/or through ASTM.
- Complete a regulatory guidance document and implementation strategy for evaluating the efficacy of antimicrobial towelettes.
- Continue to develop laboratory capacity for conducting efficacy testing with Biosafety Level 3 (BSL-3) microorganisms at the Environmental Science Center in Ft. Meade, Maryland. EPA's Pesticide Program has the only EPA laboratory with physical containment laboratories to manage BSL-3 microbes.
- Continue collaboration with the Office of Research and Development's Homeland Security and Materials Management Division (HSMMD) Senior Research Microbiologist whose duty station is in the Microbiology Laboratory and who will lead ORD research efforts in support of meeting OCSPP needs under ORD's Homeland Security Research Program.
- Continue to expand viral testing and method development to respond to emerging viral pathogens.

In FY 2025, the Analytical Chemistry Laboratory will continue to protect human health by ensuring the availability of appropriate analytical methods for analyzing pesticide residues in food and feed and ensuring their suitability for monitoring pesticide residues and enforcing tolerances. In addition, the Laboratory will:

- Develop improved analytical methods and protocols using state of the art instruments to replace outdated ones, thus increasing laboratory efficiency and accuracy of the data.
- Continue to develop new methods to support EPA's overall efforts on identifying PFAS compounds and potential routes of exposure. Additional methods specific to types of pesticide formulations will continue to progress, including methodology to quantify PFAS residues in pesticide formulations of varying chemistries (*i.e.*, those containing

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<sup>47</sup> *See*, Report No. 16-P-0316, "Report: EPA Needs a Risk-Based Strategy to Assure Continued Effectiveness of Hospital-Level Disinfectants," found at: <https://www.epa.gov/office-inspector-general/report-epa-needs-risk-based-strategy-assure-continued-effectiveness>.

surfactants). Collaborate with federal and non-federal laboratories to validate and standardize these methods.

- Continue testing of pesticide products, as requested, to ensure products are free of PFAS. With part of the increase proposed in this request, EPA plans to purchase an analytical instrument dedicated for method development and testing of PFAS in pesticide products, to minimize PFAS cross contamination.
- Provide analytical support to fill in data gaps for the Pesticide Programs' Section 18 emergency exemption applications, and to perform studies for use in risk assessments and ultimately, risk mitigation decisions.
- Provide analytical assistance and technical advice to the EPA Office of Enforcement and Compliance Assurance (OECA) and to all regional offices in the enforcement of pesticide product integrity, of domestic products and products imported to the US under the USMC agreement (USMCA). This could disproportionately impact members of communities with environmental justice (EJ) concerns who might not speak English, who may be targeted by illegal imports, and who may not know how to look for approved products.
- Verify that pesticides products are properly formulated.
- Operate EPA's National Pesticide Standard Repository.<sup>48</sup>

### Preventing Disease through Public Health Pesticides: Antimicrobial Testing

EPA's Antimicrobial Testing Program (ATP), starting in 1991, was charged with testing hospital sterilants, disinfectants, and tuberculocides since 1991 to help ensure that products in the marketplace meet stringent efficacy standards. EPA is in the process of developing a new risk-based testing strategy in response to OIG recommendations.<sup>49</sup> Consistent with the OIG recommendations, EPA suspended the ATP in November 2017. EPA released a draft risk-based strategy, renamed the Antimicrobial Performance Evaluation Program (APEP), in October 2019 for public comment and will continue to seek public input prior to implementation as early as FY 2025. Implementation of the APEP will benefit public health by ensuring approved antimicrobials meet contemporary efficacy standards.

The Microbiology Laboratory will continue to develop efficacy methods to support EPA's antimicrobial pesticide regulatory programs. The results of these efforts will help ensure products are available to control various bacteria (*e.g.*, *Clostridioides difficile*), viruses (*e.g.*, Mpox (formerly monkeypox) and other emerging pathogens) and biofilms and to inform EPA's method development activities in FY 2024 and beyond.

### **Performance Measure Targets:**

Work under this program supports performance results in the Pesticides: Protect Human Health from Pesticide Risk Program under the EPM appropriation.

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<sup>48</sup> For additional information, please visit: <https://www.epa.gov/pesticide-analytical-methods/national-pesticide-standard-repository>.

<sup>49</sup> For additional information, please visit: <https://www.epa.gov/pesticide-registration/antimicrobial-performance-evaluation-program-apep>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$29.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$17.0) This change to fixed and other costs is a decrease due to recalculation of laboratory fixed costs.
- (+\$3,054.0) This increase provides additional resources to invest in a Biosafety Level 3 Lab at Fort Meade, MD. These funds are needed to replace some aging critical lab equipment and modernize the lab's capabilities to be responsive to homeland security & other emerging issues such as pandemics and additional changes to fixed support costs.

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

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$45,217                         | \$48,704                             | \$75,963                                  | \$27,259   |
| <b>Science &amp; Technology</b>     | <b>\$2,468</b>                   | <b>\$2,334</b>                       | <b>\$4,239</b>                            | <b>\$1,905</b>   |
| Total Budget Authority              | \$47,685                         | \$51,038                             | \$80,202                                  | \$29,164   |
| Total Workyears                     | 299.4                            | 259.6                                | 282.1                                     | 22.5   |

### Program Project Description:

EPA’s Pesticide Program screens new pesticides before they reach the market and ensures that pesticides already in commerce are safe. As directed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), and the Pesticide Registration Improvement Act of 2022 (PRIA 5),<sup>50</sup> EPA is responsible for registering and re-evaluating pesticides to protect humans, plants, animals, and ecosystems that are not targets of the pesticide.

Under FIFRA, the Agency must balance the risks and benefits of other pesticide uses. For antimicrobial pesticides with public health claims, EPA requires that manufacturers perform tests to ensure the efficacy (*i.e.*, performance) of products per the labelling.

In addition to FIFRA responsibilities, the Agency has responsibilities under the Endangered Species Act (ESA).<sup>51</sup> Under ESA, EPA must ensure that pesticide regulatory decisions will not destroy or adversely modify designated critical habitat or result in jeopardy to the continued existence of species listed by the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS). Where risks are identified, EPA must work with FWS and NMFS in a consultation process to ensure these pesticide registrations also will meet the ESA standard.

Under the Science and Technology appropriation, EPA’s Pesticide Program operates two laboratories, the Microbiology Laboratory<sup>52</sup> and the Analytical Chemistry Laboratory,<sup>53</sup> that support the goal of protecting human health and the environment through diverse analytical testing and analytical method development and validation efforts. These laboratories provide a variety of

<sup>50</sup> On December 19, 2022, the Pesticide Registration Improvement Extension Act of 2022 (PRIA 5), which reauthorizes PRIA for 5 years through fiscal year 2027 and updates the fee collection provisions of the FIFRA was signed into law.

<sup>51</sup> *See*, ESA sections 7(a)(1) and 7(a)(2); Federal Agency Actions and Consultations (16 U.S.C. § 1536(a)), available at the U.S. Fish and Wildlife Service ESA internet site: <https://www.fws.gov/service/section-7-consultations>.

<sup>52</sup> For additional information, please visit: <https://www.epa.gov/aboutepa/about-microbiology-laboratory>.

<sup>53</sup> For additional information, please visit: <https://www.epa.gov/aboutepa/about-analytical-chemistry-laboratory-acl>.

technical services to EPA, other federal and state agencies, tribal nations, and other organizations to ensure the protection of the environment from pesticide risk.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

This FY 2025 request includes an increase of \$1.99 million to invest in several areas across the Environmental Science Lab in Fort Meade Maryland. EPA's Pesticide Program laboratories provide a diverse range of environmental data that the Agency uses to make informed regulatory decisions. The Analytical Chemistry Laboratory and the Microbiology Laboratory each provide critical laboratory testing and support activities to assist the decision-making processes of the Agency. The laboratories develop standard methods to evaluate the performance of antimicrobial products such as disinfectants used in hospital settings, and validate analytical chemistry methods to ensure that EPA, the Food and Drug Administration (FDA), the United States Department of Agriculture (USDA), and the states have reliable methods to measure and monitor pesticide residues in food and the environment.

These funds are needed to replace some aging critical lab equipment and modernize the lab's capabilities to be responsive to homeland security & other emerging issues (e.g., pandemics). The additional funding will support the following critical lab improvements:

- Update and/or purchase equipment to meet more current laboratory specifications for a biosafety level 3 (BSL-3) lab, the only such lab at EPA.
- Replace autoclave in B207 (BSL-3 virus lab) with a new pass-through autoclave.
- Replace current environmental monitoring system equipment and contract shared by both Pesticide Program laboratories with more current technology since both laboratory branches are currently covered under the existing environmental monitoring system contract.
- Modernization of IT in BSL-3 laboratory (LAN, scanner, tablets/software for paperless recordkeeping, etc.)
- Pass-through port for both BSL-3 laboratories.<sup>54</sup>
- Enlargement of BSL-3 anterooms to provide additional safety measures.
- Dedicated shower-out capability in the lab wing.

Laboratory activities in FY 2025 will include continuing to lead collaborative studies with other laboratories to validate testing methods for antimicrobial products to determine their efficacy against pathogens such as *Legionella*; working with the Antimicrobials Division on the implementation of an appropriate performance standard for a revised method for measuring the efficacy of disinfectants quantitatively; working with state laboratories to share method development and analyze samples, as requested; and working with investigations to evaluate the composition of potentially illegal pesticides.

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<sup>54</sup> For more information please visit: <https://www.enviropass.com/products/medical-pass-throughs/specimen-pass-through/>

In FY 2025, the Microbiology Laboratory plans to continue to work with the U.S. Department of Homeland Security and USDA to evaluate various environmentally relevant materials such as porous materials (*e.g.*, wood, concrete, fabric, tile, etc.) which simulate use sites in livestock, poultry, and other food animal rearing operations. Outbreaks of avian influenza, African swine fever, Newcastle Disease virus, and other pathogens can devastate American agriculture, and the persistence of these viruses on surfaces is not well understood. Currently, due to the unavailability of standardized quantitative test methods to simulate real-world conditions, the response to an animal pathogen outbreak and submission of requests under FIFRA Section 18 to address these outbreaks rely on published, often antiquated, data. Thus, the use of commonly available chemicals for remediation (*e.g.*, citric acid, sodium hypochlorite, chlorine dioxide, etc.) of contaminated sites without extensive knowledge of their environmental impact from such widespread use is problematic.

The goal of the Microbiology Laboratory is to develop a quantitative approach for assessing the effectiveness of antimicrobial products against high consequence animal viruses and other pathogens. Through this approach, EPA will provide a tool for the development of high-quality efficacy data on relevant surface materials. The availability of the method to the regulated community will support the development of new antimicrobial products following contemporary regulatory requirements.

In FY 2025, the Analytical Chemistry Laboratory will continue to focus on analytical method development and validations as well as special studies to address specific, short-term, rapid-turnaround priority issues, including specifically, the development and release of new methods for the analysis of PFAS in formulated pesticide products as well as a method for quantifying the amounts of PFAS in container walls. These methods, once validated, will provide standardized, critical tools for the analysis of pesticide residues for PFAS, supporting the first portion of EPA's strategic plan to effectively identify these compounds and potential routes of exposure.

The Laboratory also will continue to provide technical and analytical assistance to EPA's Enforcement and Compliance Assurance Program and regional offices to determine levels of pesticide residues in soil, sediment, crops, and water from agricultural uses (for purpose of tolerance enforcement and product usage enforcement) and/or from accidental spills around pesticide treatment plants (for purpose of cleanup and remediation).

Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizes EPA to allow Emergency Exemptions (also called "Section 18s") for unregistered uses of pesticides to address emergency conditions. Under such an exemption, EPA allows limited use of the pesticide in defined geographic areas for a finite period of time once EPA confirms that the situation meets that statutory definition of "emergency condition." The Analytical Chemistry Laboratory also will continue to provide national technical analytical support for the development of data needed for the Pesticides Program's risk assessments and for Section 18 emergency exemptions, and to perform studies for use in risk mitigation.

**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 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$86.0) This change to fixed and other costs is a decrease due to recalculation of laboratory fixed costs and additional changes to fixed support costs.
- (+\$1,991.0) This increase provides additional resources to invest in a Biosafety Level 3 Lab at Fort Meade, MD. These funds are needed to replace aging critical lab equipment and to modernize the lab's capabilities to increase the capacity and responsiveness for homeland security incidents and other emerging issues of concern such as pandemics.

**Statutory Authority:**

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

## Pesticides: Realize the Value of Pesticide Availability

Program Area: Pesticides Licensing

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$5,774                          | \$7,637                              | \$8,316                                   | \$679  |
| <b>Science &amp; Technology</b>     | <b>\$963</b>                     | <b>\$925</b>                         | <b>\$1,040</b>                            | <b>\$115</b>   |
| Total Budget Authority              | \$6,738                          | \$8,562                              | \$9,356                                   | \$794  |
| Total Workyears                     | 30.0                             | 35.8                                 | 35.8                                      | 0.0  |

### Program Project Description:

EPA’s Pesticide Program laboratories provide significant contributions to help the Agency realize the value of pesticides. They consist of the Microbiology Laboratory<sup>55</sup> and the Analytical Chemistry Laboratory,<sup>56</sup> both of which support the goal of protecting human health and the environment through diverse analytical testing, analytical method development, and validation efforts. Laboratories provide a variety of technical services to EPA, other federal and state agencies, tribal nations, and other organizations to ensure the value of pesticide availability is realized.

The primary focus of the Microbiology Laboratory is standardization of existing test methods and the development and validation of methods for new uses and emerging pathogens for antimicrobial products with public health claims – products used to kill or suppress the growth of pathogenic microorganisms on inanimate objects and surfaces. The Microbiology Laboratory is instrumental in advancing the science of antimicrobial product testing and provides technical expertise to standard-setting organizations and various agency stakeholder groups.

The Analytical Chemistry Laboratory provides scientific, laboratory, and technical support through chemical analyses of pesticides and related chemicals to protect human health and the environment. The Analytical Chemistry Laboratory’s responsibilities include providing technical support and chemical analyses of pesticides and related chemicals; developing new multi-residue analytical methods; and operating EPA’s *National Pesticide Standard Repository*,<sup>57</sup> which collects and maintains pesticide standards (*i.e.*, samples of pure active ingredients or technical grade active ingredients, regulated metabolites, degradants, and related compounds).

<sup>55</sup> For additional information, please visit: <https://www.epa.gov/aboutepa/about-microbiology-laboratory>.

<sup>56</sup> For additional information, please visit: <https://www.epa.gov/aboutepa/about-analytical-chemistry-laboratory-acl>.

<sup>57</sup> For additional information, please visit: <https://www.epa.gov/pesticide-analytical-methods/national-pesticide-standard-repository>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, EPA will realize the benefits of pesticides by ensuring the continued operation of the National Pesticide Standard Repository. The Microbiology Laboratory and the Analytical Chemistry Laboratory will continue to conduct chemistry and efficacy evaluations for antimicrobials. As the recognized source for expertise in pesticide analytical method development, EPA's Pesticide Program laboratories will continue to provide quality assurance review, technical support, and training to EPA's regional offices, state laboratories, and other federal agencies that implement the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The Analytical Chemistry Laboratory will continue to maintain the National Pesticide Standard Repository (NPSR) and collect and maintain an inventory of analytical standards of registered pesticides in the U.S. EPA provides these pesticide standards (approximately 4,000 to 5,000 annually) to qualified federal, state, territorial, and tribal laboratories for food and product testing, environmental monitoring, and enforcement purposes. This lab has implemented several changes in the operation of the NPSR to increase its efficiency and to better serve regulatory laboratories. Changes included requiring requests to be grouped for pesticide standards, instituting an inventory control system focusing on high demand standards, asking registrants to package pesticide standards in ready-to-be-shipped quantities, and installing a chemist as the lead staff person to ensure adherence to new protocols. These changes resulted in the improvement in the operations of the lab including a decrease in the turnaround time for shipping repository samples from 15 to 10 days. These changes also helped federal agencies, states, and tribal laboratories expedite enforcement efforts. Further process enhancements will continue in FY 2025 and beyond, specifically in minimizing the number of non-usable expired standards that are shipped as chemical waste.

In FY 2025, the Analytical Chemistry Laboratory also will continue its work in: developing and validating multiresidue methods using state-of-the-art methodology and instrumentation; providing chemical analysis for assessing risk to human health and to the environment from agricultural use of pesticides; and providing technical support to EPA regional offices to ensure that pesticide products are formulated according to approved labels.

In FY 2025, the Microbiology Laboratory will continue to evaluate FIFRA Section 18 emergency exemptions and novel protocol requests for new uses and novel pathogens. The Laboratory also will continue the development of data and methods to support Section 18 for high consequence animal pathogens (*e.g.*, African swine fever, Newcastle disease virus, etc.). In addition, the continued work to develop new methods for emerging pathogens (*e.g.*, *Legionella*, *Candida auris*, etc.) and clinical porous materials provides a pathway for registrants to add new claims to existing antimicrobial pesticides. In some cases, the methods will lead to the development of new products when currently registered formulations are not effective against emerging pathogens. The Laboratory anticipates supporting up to 25 requests for these activities in FY 2025.

The Microbiology Laboratory also will continue to refine and develop methods to support EPA's Section 3 and Section 18 regulatory programs, continuing to develop testing methods for evaluating effectiveness of disinfectant products against airborne SARS-CoV-2 virus and other emerging pathogens. In addition, the Laboratory will collaborate with EPA's Homeland Security Research Program to develop guidance for registrants seeking to make long-term disinfectant efficacy claims and explore novel control and application options for disinfectant products. The Laboratory also will continue to develop a quantitative efficacy test method which may provide a pathway for evaluating disinfectant claims for porous material (vinyl, room divider curtains, etc.).

**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 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$115.0) This program change is an increase to support laboratory Operations and Maintenance costs and additional changes to fixed support costs.

**Statutory Authority:**

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

## **Research: Air and Energy**



**Research: Air, Climate and Energy**

Program Area: Research: Air, Climate and Energy  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>Science &amp; Technology</i></b> | <b><i>\$114,659</i></b>          | <b><i>\$100,448</i></b>              | <b><i>\$140,297</i></b>                   | <b><i>\$39,849</i></b>   |
| Total Budget Authority                 | \$114,659                        | \$100,448                            | \$140,297                                 | \$39,849   |
| Total Workyears                        | 263.3                            | 264.0                                | 300.7                                     | 36.7   |

**Program Project Description:**

Air pollution harms human health and the environment, yet millions of Americans still live in or near geographic areas that do not meet national standards for air pollutants. Climate change is impacting public health, air, and water quality today and will exacerbate additional existing environmental challenges in the future. Many air pollution sources are in communities with Environmental Justice concerns which can be further exacerbated by the impacts of climate change.

To address these and other air pollution issues, including the growing threat of air pollution from wildfires which have been intensified by climate change, EPA’s Air, Climate, and Energy (ACE) Research Program provides scientific information to EPA program and regional offices, tribes, states, and other partners. ACE advances the science needed to attain the National Ambient Air Quality Standards (NAAQS),<sup>58</sup> reduce emissions of hazardous air pollutants (HAPs), address the causes and consequences of climate change and environmental inequities, and develop more resilient communities to protect human health and ecosystems. The ACE Research Program also contributes to understanding the impacts of interventions that reduce air pollution exposures and protect public health; strategies to prepare, adapt, and build resilience; and responses to the transformation of our energy systems.

The ACE Research Program is centered around two interrelated research topic areas: 1) understanding air pollution and climate change and their impacts on human health and ecosystems and 2) responding to risks and impacts and preparing for the future. The ACE Research Program relies on successful partnerships with a variety of organizations including academic and industry researchers, tribes, states, local and private sector organizations, as well as key federal agencies.

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<sup>58</sup> Section 109 of the Clean Air Act identifies two types of national ambient air quality standards – primary standards provide public health protection, including protecting the health of “sensitive” populations such as children, older adults, and persons with pre-existing disease such as asthma or cardiovascular disease and secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, wildlife, soils, water, crops, vegetation, and buildings. Unless otherwise stated, in this document the term NAAQS will refer to both primary and secondary standards.

## Recent Accomplishments of the ACE Research Program include:<sup>59</sup>

- **Air Pollutant Emissions:** In FY 2023, EPA researchers assessed emissions of Ethylene Oxide (EtO) from a chemical facility in the midwestern U.S. that had installed EtO emission controls. Using new approaches for mobile and stationary measurements, researchers found that even with point-source controls, EtO can be emitted from different areas of the facility, including railcar switchovers, batch reactor washouts, transfer pumps, and wastewater tanks<sup>60</sup>. Additionally, in FY 2023, researchers used EPA's Community Multiscale Air Quality model (CMAQ) to study how natural sources of dimethylsulfide emissions, produced by oceans, wetlands, plants, and soil impact atmospheric sulfate in the U.S. Sulfate is a pollutant and an important component of atmospheric processes affecting climate change and air pollution. The study found dimethylsulfide emissions increase sulfate over land and seawater, with the biggest impacts occurring in the northwestern U.S. states and Florida during spring and fall.<sup>61</sup> EPA researchers also addressed the critical need for improved air-quality modeling in extreme cold weather environments in Alaska. They participated in the multiagency 2022 Alaskan Layered Pollution and Chemical Analysis (ALPACA) field study and developed a CMAQ wintertime modeling platform for Fairbanks, Alaska. Analysis of data gathered in this collaboration confirmed this is a useful tool that the State of Alaska will use to understand its air pollution composition and develop control strategies to address the severe particulate matter (PM) pollution problem in Fairbanks.<sup>62</sup>
- **Air Pollution, Climate Change, and Ecosystem Health:** In FY 2023, EPA researchers analyzed how nitrogen deposition affects carbon storage in U.S. forest ecosystems. They found that while nitrogen deposition can increase overall carbon storage, there is wide variability across species and regions, with both increases and decreases. Overall, the impact of nitrogen deposition on carbon storage is diminishing, with implications for climate change.<sup>63</sup> Also in FY 2023, researchers used high-resolution modeling to evaluate the impact cold-water refuges can have on the migration of salmon and trout during high-temperature days. The study found that cold-water refuges can lower fish exposure to physiologically stressful temperatures more likely under future climate scenarios. These refuges can thus help salmon and trout fish maintain a diversity of migration patterns, which influence their survival and reproductive potential.<sup>64</sup>
- **Energy and Transportation System Emissions:** In FY 2023, EPA researchers evaluated emissions of methane from oil and gas production, finding that the largest methane emitters in this sector are pneumatic devices and leakage from storage tanks.<sup>65</sup> Researchers released a public version of the Global Change Analysis Model Long-term Interactive Multi-Pollutant Scenario Evaluator (GLIMPSE), to assist in air quality, climate, and energy planning. GLIMPSE is being used to support state planning for the Climate Pollution Reduction Grants provisions of the Inflation Reduction Act.<sup>66</sup>

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<sup>59</sup> For more information, please see <https://www.epa.gov/research/national-research-programs>.

<sup>60</sup> For more information, please see <https://doi.org/10.1016/j.aecoa.2023.100214>.

<sup>61</sup> For more information, please see <https://doi.org/10.3390/atmos14040660>.

<sup>62</sup> For more information, please see <https://dec.alaska.gov/media/25pfupho/121-technical-modeling-report-02-10-2023.pdf> and <https://meetingorganizer.copernicus.org/EGU23/EGU23-6258.html>.

<sup>63</sup> For more information, please see <https://doi.org/10.1038/s43247-023-00677-w>.

<sup>64</sup> For more information, please see <https://doi.org/10.1002/ecs2.4265>.

<sup>65</sup> For more information, please see <https://doi.org/10.1016/j.aecoa.2022.100193>.

<sup>66</sup> For more information, please see <https://www.epa.gov/inflation-reduction-act/quantifying-energy-savings-and-greenhouse-gas-ghg-reductions>.

- **Wildfire Smoke and Water Quality Impacts:** Climate change is contributing to the increased size and intensity of wildfires, and states and communities are increasingly concerned about exposure to wildfire smoke and other impacts on the environment. In FY 2023, EPA researchers developed new emissions factors for biomass burning based on aerial sampling during prescribed burns<sup>67</sup>. The research resulted in a new test method for using unmanned aircraft systems to measure emissions from fires<sup>68</sup>. Additionally, EPA researchers reviewed the scientific literature to better understand wildfire impacts on water quality. They found that after wildfires, water contaminants can be greatly increased, and in some cases exceed regulatory levels in treated drinking water.<sup>69</sup> Researchers also analyzed air pollution on smoke-impacted days and found that after fires burned buildings and vehicles, toxic metals were present in the particulate measured far downwind from the fires.<sup>70</sup> Finally, researchers found “do-it-yourself” (DIY) air cleaners can be very effective in reducing fine-particle concentrations and delivering clean air during wildfire smoke events, with the best performance using a box design with four air filters.<sup>71</sup> Findings were shared with partners in Missoula, MT and the Hoopa Valley Tribe. In addition, the team has created infographics and frequently asked questions (FAQs) that are available on the EPA website.<sup>72</sup> This information on air cleaners also is included in the updated American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) guidance on *Planning Framework for Protecting Commercial Occupants from Smoke During Wildfire Events*.<sup>73</sup>

## **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

The ACE Research Program prioritizes key activities to support the attainment of the NAAQS and implementation of stationary and mobile source regulations, as well as foundational science to inform decision-making with consideration of increasing climate change impacts. The ACE Research Program includes work to develop, evaluate, and apply measurement methods and models incorporating the latest physical science and understanding of behaviors that impact the system. The planned research responds to identified needs in areas of emerging concern to the Administration, EPA, tribes, and state policymakers, including climate change, Environmental Justice (EJ) and equity, per- and polyfluoroalkyl substances (PFAS), ethylene oxide, and wildland fires.

The FY 2025 Budget requests an increase of \$39.9 million above the FY 2024 ACR level. This investment will substantially advance research to assess the impacts of climate change on human health and ecosystems including but not limited to the areas of emphasis below:

<sup>67</sup> For more information, please see <https://doi.org/10.1016/j.atmosenv.2023.119769>.

<sup>68</sup> For more information, please see <https://www.epa.gov/system/files/documents/2022-08/Other%20Test%20Method%2048%20w%20Cover%20Letter.pdf>.

<sup>69</sup> For more information, please see <https://doi.org/10.1029/2021WR030699>.

<sup>70</sup> For more information, please see <https://doi.org/10.1021/acs.est.2c02099>.

<sup>71</sup> For more information, please see <https://doi.org/10.1111/ina.13163>.

<sup>72</sup> For more information, please see: <https://www.epa.gov/air-research/research-diy-air-cleaners-reduce-wildfire-smoke-indoors>.

<sup>73</sup> For more information, please visit: <https://www.ashrae.org/File%20Library/Technical%20Resources/COVID-19/Planning-Framework-for-Protecting-Commercial-Building-Occupants-from-Smoke-During-Wildfire-Events.pdf>.

- Assess human and ecosystem exposures and effects associated with air pollutants on individual, community, regional, national, and global scales, both today and in the future, under a changing climate.<sup>74</sup>
- Assess the consequences of climate change and the vulnerability of communities and ecosystems to climate change impacts, including wildfires and other extreme events; and identify and evaluate strategies to adapt and build resilience to these impacts.
- Advance the Administration’s science-based approach to improving wildfire readiness by enhancing wildfire data and communications related to air quality and helping communities become “smoke ready.” Smoke-ready communities benefit community health by coordinating community-level action related to monitoring outdoor air quality, creating clean indoor air, and communicating actionable public health messaging.
- Characterize disproportionate impacts of climate change and air pollution in vulnerable communities and identify and evaluate strategies to reduce impacts in those communities.
- Develop and evaluate innovative multi-pollutant and sector-based approaches to preventing pollution, particularly in vulnerable communities.
- Characterize the positive and negative environmental effects of energy efficiency and renewable energy and evaluate strategies to expand the benefits of transformations in transportation and energy systems, especially for vulnerable communities.
- Develop and evaluate low-cost approaches to measure methane from fugitive and area sources, including leaks from oil and gas production and emissions from municipal solid waste landfills, as well as approaches for measuring methane and other greenhouse gases (GHG) from reservoirs and other water bodies.
- Provide human exposure and environmental modeling, monitoring, metrics, and information needed to inform air quality and climate change decision-making at the federal, tribal, state, and local levels.
- Deliver state-of-the-art tools that tribes and states can use to identify effective emission reduction strategies to meet the NAAQS and enhance air quality measurement and modeling methods to ascertain current and future compliance with the NAAQS, including potential impacts from the changing climate.
- Develop and apply approaches to evaluate the positive and negative environmental impacts of the transition to a low-carbon energy system.
- Provide support to regional offices, state, tribal, and community partners to address increased needs for scientific information and tools to inform effective climate change adaptation and mitigation actions at the local scale.

In addition, the ACE Research Program will implement the EPA Climate Adaptation Action Plan,<sup>75</sup> support the increased resilience of EPA’s programs, and strengthen the capacity of states, tribes, territories, and communities.

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<sup>74</sup> Beyond effects associated with ambient air exposures, consideration of potential human and ecosystem exposures, and effects associated with deposition of air pollutants to water and land also are evaluated.

<sup>75</sup> The ORD Climate Adaptation Plan is located here: <https://www.epa.gov/system/files/documents/2022-10/bh508-ORD%20Implementation%20Plan%2027%20Sep%202022.pdf>.

## Research Planning:

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that is developed with and reflects the research needs of agency programs and regional offices, states, and tribes. Each research program has developed and published its fourth generation of the StRAPs,<sup>76</sup> which continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various external groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA’s state engagement<sup>77</sup> is designed to inform states about their role within EPA and EPA’s research programs and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program, which provides a forum for the interaction between tribal and agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

## Performance Measure Targets:

**(PM RD2) Number of ORD activities related to environmental justice that involve or are designed to be applicable to tribes, states, territories, local governments, and communities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units      |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|------------|
| <b>Target</b> |         |         |         |         | No Target Established | 113     | 113     | 113     | Activities |
| <b>Actual</b> |         |         |         |         | N/A                   | 117     |         |         |            |

**(PM RD3) Percentage of ORD climate-related research products meeting partner needs.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      |         |         |         |         | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |          |
| <b>Numerator</b>   |         |         |         |         | 1       | 25      |         |         | Products |
| <b>Denominator</b> |         |         |         |         | 1       | 25      |         |         |          |

<sup>76</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>77</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**(PM RD4) Percentage of ORD environmental justice-related research products meeting partner needs.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      |         |         |         |         | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |          |
| <b>Numerator</b>   |         |         |         |         | 1       | 3       |         |         | Products |
| <b>Denominator</b> |         |         |         |         | 1       | 3       |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$186.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$107.0) This change to fixed and other costs is an increase due to the recalculation of laboratory fixed costs.
- (+\$36,783.0 / +33.7 FTE) This program change reflects an increase to the Air, Climate, and Energy Research Program. This increase is targeted to EPA’s commitment to enhance its efforts to combat this global issue of Climate Change. This will substantially increase its research to assess the impacts of climate change on human health and ecosystems. This investment includes \$6.437 million in payroll costs.
- (+\$382.0 / +2.0 FTE) This program change reflects an increase to address skill gaps identified in EPA’s workforce and establishes a real-time research capability to respond to emergencies. This investment includes \$382.0 thousand in payroll.
- (+\$1,191.0 / +1.0 FTE) This change will be used to implement the EPA Climate Adaptation Action Plan, support increased resilience of EPA’s programs, and strengthen the capacity of states, tribes, territories, and communities. This investment includes \$191.0 thousand in payroll costs.
- (+1,200.0) This program change reflects an increase to support the climate-macro interagency technical workgroup, advancing linked physical climate risk and economic modeling efforts. Specifically, these funds will support the Integrated Climate Science Program and the assessment of Federal Financial Climate Risk.

**Statutory Authority:**

Clean Air Act; Title II of Energy Independence and Security Act of 2007; Environmental Research, Development, and Demonstration Authorization Act (ERDDAA); National Environmental Policy Act (NEPA) § 102; Pollution Prevention Act (PPA); Global Change Research Act of 1990.

## **Research: Chemical Safety and Sustainability**

## Research: Chemical Safety for Sustainability

Program Area: Research: Chemical Safety for Sustainability  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management    | \$153                            | \$0                                  | \$0                                       | \$0  |
| <b><i>Science &amp; Technology</i></b> | <b><i>\$96,828</i></b>           | <b><i>\$92,550</i></b>               | <b><i>\$106,217</i></b>                   | <b><i>\$13,667</i></b>   |
| Hazardous Substance Superfund          | \$5,476                          | \$8,060                              | \$8,060                                   | \$0  |
| Total Budget Authority                 | \$102,457                        | \$100,610                            | \$114,277                                 | \$13,667   |
| Total Workyears                        | 268.8                            | 276.7                                | 315.4                                     | 38.7   |

### Program Project Description:

EPA’s Chemical Safety for Sustainability (CSS) Research Program provides scientific and technical approaches, information, tools, and methods to support the Agency and others in making better-informed and more timely decisions about chemicals and their potential risks to human health and the environment.<sup>78</sup> Products under the CSS Program strengthen the Agency’s ability to use the best available science to evaluate and predict human health and ecological impacts from the use, reuse, recycling, and disposal of manufactured and naturally occurring chemicals and their by-products.<sup>79</sup>

The CSS Research Program informs agency decisions about chemicals, accelerates the pace of chemical assessment and decision-making, and helps replace, reduce, and refine the use of mammals in evaluating chemical risks to ecological systems and human health. CSS products inform various agency programs established to implement environmental regulations and govern agency actions – which include evaluating existing and new chemicals (Toxic Substances Control Act [TSCA]); developing and using alternative testing protocols (TSCA, Federal Insecticide Fungicide and Rodenticide Act [FIFRA]); protecting the Nation’s food supply (Food Quality Protection Act [FQPA]); addressing product safety (Federal Food Drug Cosmetics Act [FFDCA]); supporting chemical prioritization (TSCA, Safe Drinking Water Act [SDWA]); supporting the development of safer and more sustainable chemicals and alternatives (Pollution Prevention [P2] Act [PPA]); evaluating pesticide registrations (FIFRA, Endangered Species Act); and mitigating Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Superfund remediation sites.

Research activities under CSS are coordinated with the activities of other national research programs and the results produced inform several cross-cutting, high-priority research topics. For example, planned research will address per- and poly-fluoroalkyl substances (PFAS), climate change, and risks in communities with Environmental Justice (EJ) concerns. Coordination with

<sup>78</sup> For the current CSS StRAP, please see: [Strategic Research Action Plans Fiscal Years 2023-2026 | US EPA](#).

<sup>79</sup> For more information, please see: <https://www.epa.gov/chemical-research>.



the Health and Environmental Risk Assessment (HERA) Research Program ensures that the approaches, tools, and information produced under CSS can be used to improve chemical hazard identification and dose-response assessments, reduce uncertainties associated with those assessments, and increase the speed of delivering chemical information to the Agency.

The CSS Research Program is organized into eight integrated research areas that include research on toxicity, exposure, human health, ecological health, chemical modeling and prediction, and chemical integration and informatics. These research areas fulfill requirements for chemical evaluation under TSCA (as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act); as part of SDWA; pesticide evaluation under FIFRA; chemical testing for endocrine system impacts under FQPA; agency implementation of TSCA Section 5 (New Chemicals) and Section 6 (Existing Chemicals); the development of safer and more sustainable chemicals and alternatives under PPA and TSCA, and identification of contaminants of emerging concern. The CSS Research Program provides ongoing support to the Agency's Chemical Safety and Pollution Prevention Program for the successful implementation of these TSCA activities, as well as their evaluation of pesticides under FIFRA.<sup>80</sup>

Recent Accomplishments of the CSS Research Program include:

- **Advancement of New Approach Methods (NAMs):** CSS research informed the development of a guidance document, published in June 2023,<sup>81</sup> on the use of developmental neurotoxicity NAMs data in Integrated Approaches to Testing and Assessment (IATA) case studies. This work was done in collaboration with the Organisation for Economic Co-operation and Development (OECD) and other international regulatory partners. The CSS Program also has developed a comprehensive public training program for NAMs, first launched in 2021.<sup>82</sup>
- **Continued Release, Evolution, and Updating of Multiple Digital Information Products to Inform Decision Making:** Research and development for the following systems continue to meet the information needs of decision-makers:
  - The *CompTox Chemicals Dashboard*<sup>83</sup> is the Agency's 'first-stop-shop' for information on chemical properties, characteristics, structure, toxicity, exposure, and persistence. The *Dashboard* allows for flexible searches including chemical and functional use and has batch search functionality. As of the December 2023 release, the *Dashboard* contains curated data on over 1.2 million chemicals.
  - The *ECOTOX Knowledgebase*<sup>84</sup> serves as the comprehensive, publicly available source of environmental toxicity data on aquatic life, terrestrial plants, and wildlife. The December 2023 release of the *ECOTOX Knowledgebase* contains over 1.1 million records and provides information on over 12,000 chemicals and over 13,000 species from over 54,000 references.

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<sup>80</sup> For more information, please see <https://www.epa.gov/chemical-research/chemical-research-inform-decision-making>.

<sup>81</sup> For more information on the OECD guidance document, see: <https://www.oecd.org/env/ehs/testing/developmental-neurotoxicity.htm>.

<sup>82</sup> To view the NAMs Training, visit: <https://www.epa.gov/chemical-research/new-approach-methods-nams-training>.

<sup>83</sup> For more information, please see: <https://comptox.epa.gov/dashboard>.

<sup>84</sup> For more information, please see: <https://cfpub.epa.gov/ecotox/>.

- The *Chemical Transformation Simulator*<sup>85</sup> continues to develop as a web-based tool for predicting environmental and biological transformation pathways for organic chemicals. Recently, the *Simulator* was expanded to include environmental transformation information for PFAS chemicals.
- *SeqAPASS*<sup>86</sup> is a tool that enables the extrapolation of toxicity information across species. Version 7.0, released in August 2023, provides users the opportunity to add another line of evidence for extrapolating knowledge across species by incorporating protein structural evaluations.
- *Cheminformatics analysis modules*<sup>87</sup> provide information on chemicals including high-quality chemical structures, experimental and predicted physicochemical properties, environmental fate and transport information, and linked toxicity data. The data allow users to search and compare a variety of chemical and hazard information to evaluate the potential health effects of chemicals. The newly released beta version of ChemExpo<sup>88</sup> is a free, publicly available search and visualization tool for exploring chemical use data relevant to exposure assessment that has been curated from public documents. The interactive web application focuses on data collected by EPA about how chemicals are used in commerce and how they occur in consumer and industrial products.

## **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

The objective of research activities under the CSS program is to inform risk-based decisions made by EPA programs, states, tribes, and others. Of particular importance are ‘chemicals of immediate and emerging concern’, such as PFAS and 6PPD-quinone, which heighten the need for rapid scientific approaches to evaluate potential chemical safety. In FY 2025, research activities will continue to support the implementation of the *PFAS Strategic Roadmap*.<sup>89</sup> With additional FY 2025 investment in TSCA, CSS will support a collaborative research program called the New Chemicals Collaborative Research Program (NCCRP). This effort with the Chemical Safety and Pollution Prevention Program is focused on modernizing the process and incorporating scientific advances in new chemical evaluations under TSCA.<sup>90</sup>

In FY 2025, research efforts also will focus on replacing, reducing, and refining the use of mammals in toxicology testing, while accelerating the pace of chemical assessment and decision-making. Agency research products will continue to use innovative *in vitro* and *in silico* (computer modeling) approaches to provide more timely and comprehensive information about chemical hazards and exposure while still providing information of equal or greater biological predictivity than current *in vivo* animal models.

Selected research areas are highlighted below for work in FY 2025.

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<sup>85</sup> For more information, please see: <https://qed.epa.gov/cts/>.

<sup>86</sup> For more information, please see: <https://www.epa.gov/chemical-research/sequence-alignment-predict-across-species-susceptibility>.

<sup>87</sup> For more information, please see: <https://www.epa.gov/chemical-research/cheminformatics>.

<sup>88</sup> For more information, please see: <https://comptox.epa.gov/chemexpo>.

<sup>89</sup> See EPA’s PFAS Strategic Roadmap at: [https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf).

<sup>90</sup> For more information on this effort, please see: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/new-chemicals-collaborative>.

- **New Approach Methods (NAMs):** EPA objectives and research activities under CSS strongly support the development of NAMs, which improve the Agency’s understanding of chemical toxicity. Additionally, research under CSS is a key component of the December 2021 NAMs Workplan.<sup>91</sup> NAMs focus on using faster, less expensive approaches that reduce the use of mammals for toxicity testing. CSS developed a method to integrate publicly available information for more than 33,000 chemical substances, including NAM data, that allows for discriminating between chemicals that have the potential to present hazard or exposure concerns and those that do not. This method is documented in a report from May 2021.<sup>92</sup> In FY 2025, CSS will continue to collaborate closely with the Chemical Safety and Pollution Prevention Program to implement the June 2018 TSCA Strategic Plan<sup>93</sup> that emphasizes the development and implementation of alternative test methods. Researchers will continue to explore approaches and models for species extrapolation in the ecotoxicology domain, and development of high-throughput exposure and toxicokinetic models.
- **High-Throughput Toxicity (HTT) Testing:** This research is focused on developing, testing, and applying NAMs to evaluate chemical hazards, with an emphasis on developmental neurotoxicology, inhalation toxicology, thyroid disruption, and methodologically challenging chemicals. These will enable EPA to make better, more timely decisions about chemicals by increasing available toxicological information for more chemicals. In addition, work under tiered toxicity testing is forming the foundation for increasing the Agency’s portfolio of chemical assessment products, through the development of the EPA Transcriptomic Assessment Product (ETAP).<sup>94</sup>
- **Rapid Exposure and Dosimetry (RED) and Ecotoxicological Assessment and Modeling (ETAM):** This research parallels work in the HTT research area to inform agency chemical risk assessment activities. Chemical exposure research also includes the continued development of advanced analytical and computational tools, such as non-targeted analysis, to detect and identify unknown chemicals in complex environmental media, biological media, and consumer products. Non-targeted analysis has been critical for the identification of previously unknown PFAS chemicals in the environment. Ecotoxicological Assessment and Modeling efforts support the Agency’s work considering the impacts on pollinators. Specifically, the research includes assessing the impacts of pesticides on honeybees and pollen bees to support pesticide assessments. In FY 2025, work under ETAM also will address the emerging contaminant 6PPD-quinone.
- **PFAS Research:**<sup>95</sup> PFAS are a class of substances of concern and EPA is committed to helping states, tribes, and local communities understand and manage risks associated with these chemicals.<sup>96</sup> For more information on agency PFAS research, please see the CSS Research Program narrative for the Superfund appropriation.
- **Improved Understanding of Biological Impacts:** This research helps decision-makers understand the significance of chemical impacts on biological systems. This is especially important as EPA seeks to understand chemical impacts on developmental and reproductive

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<sup>91</sup> For more information, please see: <https://www.epa.gov/chemical-research/new-approach-methods-work-plan>.

<sup>92</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_pra\\_view.cfm?dirEntryID=349776&Lab=CCTE](https://cfpub.epa.gov/si/si_public_pra_view.cfm?dirEntryID=349776&Lab=CCTE).

<sup>93</sup> For more information, please see: [https://www.epa.gov/sites/production/files/2018-06/documents/epa\\_alt\\_strat\\_plan\\_6-20-18\\_clean\\_final.pdf](https://www.epa.gov/sites/production/files/2018-06/documents/epa_alt_strat_plan_6-20-18_clean_final.pdf).

<sup>94</sup> For more information, please see: <https://www.epa.gov/bosc/etap-july-11-12-2023-meeting>.

<sup>95</sup> For more information, please see: <https://www.epa.gov/chemical-research/research-and-polyfluoroalkyl-substances-pfas>.

<sup>96</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-community-engagement>.

biology. This program will employ data generated from its chemical evaluation research to develop interpretive frameworks and models to place complex information into biological, chemical, and toxicological contexts. In FY 2025, data developed in the HTT and Virtual and Complex Tissue Modeling research areas will contribute to the study of adverse outcome pathways (AOPs), which link molecular initiating events at the cellular level to apical outcomes expressed at the whole animal level.

- **Delivery and Translation of Chemical Information:** The Chemical Characterization and Informatics and Integration, Translation, and Knowledge Delivery research areas will continue to provide computational, predictive tools to estimate physicochemical, toxicological, and exposure information for data-poor chemicals. In FY 2025, CSS will continue to support the collaborative efforts underway in the Agency to build program-specific applications such as RapidTox that facilitate access and use of relevant information to support different decision contexts. These applications will give risk assessors and decision-makers confidence that the new approaches, data, and tools developed under the CSS Program are both scientifically robust and relevant to environmental decision-making.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency programs and regional offices, states, and tribes and is planned with their active involvement. Each research program has developed and published the fourth generation of the StRAPs,<sup>97</sup> which will continue the practice of conducting innovative scientific research aimed at comprehensively assessing and solving the problems encountered by the Agency and its stakeholders.

EPA works with various groups, including communities, to ensure the integrity and value of its research and research planning efforts through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - The Office of Research and Development (ORD) meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>98</sup> is designed to inform states about their role within EPA and EPA's research programs and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program<sup>99</sup> which provides a forum for the interaction between tribal and agency representatives.

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<sup>97</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>98</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

<sup>99</sup> For more information, please see: <https://www.epa.gov/healthresearch/tribal-science-council>.

These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

**Performance Measure Targets:**

**(PM RD1) Percentage of ORD research products meeting partner needs.**

|                    | FY 2018               | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|-----------------------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      | No Target Established | 77      | 80      | 81      | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      | 77                    | 79      | 80      | 94      | 94      | 96      |         |         |          |
| <b>Numerator</b>   | 171                   | 154     | 120     | 60      | 77      | 278     |         |         | Products |
| <b>Denominator</b> | 222                   | 196     | 150     | 64      | 82      | 290     |         |         |          |

**(PM RD5) Number of actions implemented for EPA scientific integrity objectives.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | No Target Established | 21      | 22      | 44      | Actions |
| <b>Actual</b> |         |         |         |         | N/A                   | 24      |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,833.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$39.0) This change to fixed and other costs is an increase due to the recalculation of laboratory fixed costs.
- (+\$2,475.0 / +6.5 FTE) This investment supports a collaborative research program for new chemicals with OCSPP that is focused on modernizing the process and incorporating scientific advances in new chemical evaluations under TSCA. This increase in funding will lead to the development and translation of science to inform regulatory and policy decisions effectively and efficiently by the Agency and external partners to increase access to clean and safe air, land, and water for all communities across the Nation. This investment includes \$1.234 million in payroll.
- (+\$1,518.0 / +8.0 FTE) This program change reflects an increase to support the development and implementation of a research strategy for contaminants of emerging concern and the development of data to inform regulatory risk assessment on novel engineered microbes. This increase also will be used to apply formulations of biopesticides and anti-microbial resistance to be used by EPA Program Offices. This investment includes \$1.518 million in payroll.
- (+\$6,802.0 / +22.0 FTE) This net program change reflects an increase to the Chemical Safety for Sustainability Research Program. These FTE will assist in providing scientific

and technical approaches, information tools, and methods to better inform decision-making. This investment includes \$4.176 million in payroll.

**Statutory Authority:**

Clean Air Act §§ 103, 104; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Children’s Health Act; 21st Century Nanotechnology Research and Development Act; Clean Water Act; Federal Food, Drug, and Cosmetic Act (FFDCA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Pollution Prevention Act (PPA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); Toxic Substances Control Act (TSCA).

## Health and Environmental Risk Assessment

Program Area: Research: Chemical Safety for Sustainability  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|--|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Science &amp; Technology</i></b> | <b><i>\$40,119</i></b>   | <b><i>\$39,918</i></b>      | <b><i>\$45,746</i></b>           | <b><i>\$5,828</i></b>  |
| Hazardous Substance Superfund          | \$9,225                  | \$4,901                     | \$5,040                          | \$139  |
| Total Budget Authority                 | \$49,345                 | \$44,819                    | \$50,786                         | \$5,967  |
| Total Workyears                        | 156.6                    | 155.9                       | 179.9                            | 24.0   |

### Program Project Description:

EPA's Health and Environmental Risk Assessment (HERA) Research Program is focused on generating assessments that inform decisions made by EPA and others, including states and tribes. These assessments provide the scientific basis for decisions under an array of environmental laws, including the: Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Toxic Substances Control Act (TSCA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The HERA Research Program is multidisciplinary and aimed at leveraging scientific innovations to advance the analytic approaches and applications needed to address wide-ranging risk assessment requirements in support of these various statutes.

The current portfolio of products under HERA encompasses these two topic areas:

- Science Assessments and Translation:** The HERA Research Program produces a portfolio of assessment products that both optimizes the application of the best available science and technology and remains responsive to agency priorities and timelines. The current portfolio of 'fit-for-purpose' assessment includes both traditional assessment lines – Integrated Risk Information System (IRIS), Integrated Science Assessment (ISAs), and Provisional Peer-Reviewed Toxicity Values (PPRTVs) – as well as a wide range of other innovative assessment products. Additionally, significant emphasis is placed on providing scientific and technical support to decision-makers throughout the lifecycle of decisions, from the development to the translation and application of assessment products.
- Advancing the Science and Practice of Risk Assessment:** Research on this topic is targeted to enhance hazard characterization, expand the repertoire of dose-response methods and models, and characterize the utility of emerging data and new computational tools as applied to risk assessment. It also enhances and maintains critical assessment infrastructure such as databases, models, and software to ensure transparency and facilitate understanding and translation by agency and external partners as well as other users. Refinements to current approaches are expected to improve the accuracy, efficiency, flexibility, and utility of applications across a large landscape of assessment activities.

## Recent Accomplishments of the HERA Program include:

The HERA Research Program has developed assessment products that inform science-based decision-making, enhanced timely responses, improved screening capabilities, and augmented toxicity value derivations for use in risk assessments.

- **Portfolio of Assessment Products:** Agency researchers under HERA continue to deliver on EPA's commitment to addressing per- and poly-fluoroalkyl substances (PFAS) in the environment and released the final *IRIS Assessment for Perfluorobutanoic Acid and Related Salts*<sup>100</sup> in December 2022, the final *IRIS Assessment for Perfluorohexanoic Acid and Related Salts*<sup>101</sup> in April 2023, and the draft *IRIS Assessment for Perfluorodecanoic Acid (PFDA) and Related Salts*<sup>102</sup> and draft *IRIS Assessment for Perfluorohexanesulfonic Acid (PFHxS) and Related Salts*<sup>103</sup> in the third quarter of FY 2023. HERA provided the scientific foundation for the review of the National Ambient Air Quality Standard for Lead with the release of the draft *Integrated Science Assessment for Lead*<sup>104</sup> in March 2023. In FY 2024, EPA will continue to finalize IRIS assessments for high-priority chemicals such as formaldehyde-inhalation and hexavalent chromium.<sup>105</sup> In FY 2023, the Agency released seven PPRTV assessments. In FY 2024, EPA anticipates delivering six to nine additional high-priority PPRTV assessments to support Superfund priorities<sup>106</sup>. In FY 2023, the Agency publicly released the draft *IRIS Toxicological Review of Hexavalent Chromium*<sup>107</sup>. In FY 2024, the Agency publicly released the draft *IRIS Toxicological Review for Inorganic Arsenic*<sup>108</sup> and anticipates publicly releasing scoping and problem formulation materials such as systematic review protocols for uranium and nitrates/nitrites; and draft assessments for chloroform (inhalation) and cobalt (inhalation, cancer). In addition, HERA finalized the *Office of Research and Development (ORD) Staff Handbook for Developing IRIS Assessments*<sup>109</sup> in December 2022.
- **Innovations in Risk Assessment:** Research under the HERA Program continues to advance assessment science and modernize its assessment infrastructure through tool and model advancements. In FY 2023, continued advancements were made to the dose-response analysis tool, Benchmark Dose Software (BMDS),<sup>110</sup> as well as critical information management databases including *Health and Environmental Research Online*<sup>111</sup> and the *Health Assessment and Workplace Collaborative*,<sup>112</sup> contributing to the improvement in the science, structure, and interoperability of these critical assessment infrastructure tools. Accompanying innovations in assessment science in FY 2023, staff under the HERA Program have emphasized and coordinated training in risk assessment practice, methods, and tools for a wider audience of EPA staff and stakeholders to enhance communication, understanding, and engagement.

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<sup>100</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=356425](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=356425).

<sup>101</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=357314](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=357314).

<sup>102</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=354408](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=354408).

<sup>103</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=355410](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=355410).

<sup>104</sup> For more information, please see: <https://www.epa.gov/isa/integrated-science-assessment-isa-lead>.

<sup>105</sup> For more information, please see: <https://www.epa.gov/iris/iris-program-outlook>.

<sup>106</sup> For more information, please see: <https://www.epa.gov/pprtv>.

<sup>107</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=355226](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=355226).

<sup>108</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=343951](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=343951).

<sup>109</sup> For more information, please see: [https://cfpub.epa.gov/ncea/iris\\_drafts/recordisplay.cfm?deid=356370](https://cfpub.epa.gov/ncea/iris_drafts/recordisplay.cfm?deid=356370).

<sup>110</sup> For more information, please see: <https://www.epa.gov/bmbs>.

<sup>111</sup> For more information, please see: <https://hero.epa.gov/hero/>.

<sup>112</sup> For more information, please see: <https://hawcprd.epa.gov/>.



## **FY 2025 Activities and Performance Plan:**

Work in this Program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, the HERA Program's work will focus on efforts integral to achieving EPA priorities and informing the Agency's implementation of key environmental decisions. Specifically, the program will:

- Continue developing additional assessments of perfluorinated compounds, as well as other priority chemicals identified by EPA's Water Program, Air and Radiation Program, and Land and Emergency Management Program. These assessments include ethylbenzene, chloroform, methylmercury, mercury salts, nitrates/nitrites, uranium, and inorganic arsenic.
- Provide assessment, methodology, and modeling support to the Office of Chemical Safety and Pollution Prevention (OCSPP) on TSCA implementation for an array of chemicals, as well as support to the Air and Radiation Program, including the development of the ISA for Oxides of Nitrogen and the development of the ISA for Ozone to support review of the National Ambient Air Quality Standards (NAAQS). Additional FY 2025 investment in TSCA, HERA and the CSS research program will support a collaborative research program for new chemicals with OCSPP called the New Chemicals Collaborative Research Program (NCCRP)<sup>113</sup> that is focused on modernizing the process and incorporating scientific advances in new chemical evaluations under TSCA.
- Provide high-priority PPRTV human health assessments to support the Land and Emergency Management Program on CERCLA and Resource Conservation and Recovery Act (RCRA) implementation.
- Focus on providing support for specific decision contexts through a modernized assessment infrastructure, applying state-of-the-art science tools, databases, and models in assessment development and program management. Continue to develop and apply evidence mapping to provide a better understanding of the extent and nature of the evidence available to address the priority needs of the Agency and its partners.
- Provide the resources and workflow to two of the five Superfund technical support centers (TSCs)<sup>114</sup> to provide localized and tailored technical assistance and scientific expertise on human and ecological risk assessments to states, tribes, and EPA's program and regional offices. This includes direct support in cases of emergencies and other rapid response situations.
- Apply new and alternative approaches, methods, and data to risk assessment products, and technical support to better respond to the needs of states, tribes, and EPA's program and regional offices, in cooperation with the Chemical Safety for Sustainability (CSS) Research Program.
- Conduct research to expand the identification and consideration of information on susceptibility in assessments, advance the evaluation of chemical mixtures, and improve

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<sup>113</sup> For more information, please see: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/new-chemicals-collaborative>.

<sup>114</sup> HERA supports the Superfund Health Risk Technical Support Center (STSC) and the Ecological Risk Assessment Support Center (ERASC). For more information on EPA's five TSCs, please see: <https://www.epa.gov/land-research/epas-technical-support-centers>.

cumulative risk assessment practices to better characterize and assess health disparities in communities with environmental justice and equity concerns.

- Provide training to staff, partners, and stakeholders on risk assessment practice, assessment tool literacy, and standard operating procedures for assessment development via easy-to-access modules.

Please note that certain activities within this program could support the Administration's Cancer Moonshot Initiative.

In addition to the activities listed above, EPA also conducts research across programs in the following areas:

- **PFAS Research:** PFAS are a class of chemicals of concern in the environment, and EPA is committed to pursuing all options to address PFAS pollution and protect human health and the environment. There are still large numbers of PFAS of high interest to stakeholders which currently have no federally published, peer-reviewed toxicity values. As described in the *PFAS Strategic Roadmap*,<sup>115</sup> within the HERA Research Program, EPA is prioritizing additional PFAS for the development of peer-reviewed toxicity values. This will result in an expanded set of high-quality peer-reviewed toxicity values for use by federal, state, and tribal decision-makers in making risk assessment and management decisions. In addition, EPA is identifying, reviewing, organizing, and presenting relevant health information on PFAS through systematic evidence mapping to identify data gaps, inform prioritization and hazard characterization, and facilitate human health assessments for PFAS.
- **Lead<sup>116</sup>:** Childhood lead exposure continues to be one of the highest priorities for EPA. To advance the application of lead exposure and biokinetic models in EPA regulatory decisions and site assessments, agency research will enhance, evaluate, and apply lead biokinetic models used to estimate potential blood lead levels for regulatory determinations.<sup>117</sup> Additionally, the Exposure Factors Handbook<sup>118</sup> provides up-to-date data on various human factors, including soil and dust ingestion rates, used by risk assessors.

### Research Planning:

EPA is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes and is planned with their active involvement. Each research program has developed and published the fourth generation of the StRAPs,<sup>119</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

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<sup>115</sup> For more information, please see EPA's PFAS Strategic Roadmap at: [https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf).

<sup>116</sup> For EPA's Lead Strategy document, please visit: [https://www.epa.gov/system/files/documents/2022-11/Lead%20Strategy\\_1.pdf](https://www.epa.gov/system/files/documents/2022-11/Lead%20Strategy_1.pdf).

<sup>117</sup> For more information, please see: <https://www.epa.gov/superfund/lead-superfund-sites-software-and-users-manuals>.

<sup>118</sup> For more information, please see: <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=236252>.

<sup>119</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

ORD works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA’s state engagement<sup>120</sup> is designed to inform states about their role within EPA and EPA’s research programs and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

#### **Performance Measure Targets:**

Work under this program supports performance results in the Research: Chemical Safety for Sustainability Program under the S&T appropriation.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$561.0 / +3.0 FTE) This increase supports a collaborative research program for new chemicals with OCSPP that is focused on modernizing the process and incorporating scientific advances in new chemical evaluations under TSCA. This increase in funding will lead to the development and translation of science to inform regulatory and policy decisions effectively and efficiently by the Agency and external partners to increase access to clean and safe air, land, and water for all communities across the Nation. This investment includes \$572.0 thousand in payroll and additional changes to fixed support costs”.
- (+\$382.0 / +2.0 FTE) This program Change reflects an increase to address vulnerabilities in risk assessment capabilities and build EPA’s risk assessment portfolio. This investment includes \$382.0 thousand in payroll.
- (+\$4,885.0 / +19.0 FTE) This net program change reflects an increase for the Health and Environmental Assessment program. This increase will assist in advancing science assessments like IRIS as well as analytical approaches for the applications of risk assessments. This investment includes \$3.625 million in payroll.

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<sup>120</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**Statutory Authority:**

Clean Air Act §§ 103, 108, 109, and 112; Clean Water Act §§ 101(a)(6), 104, 105; Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) § 3(c)(2)(A); Safe Drinking Water Act (SDWA) § 1458; Toxic Substances Control Act (TSCA).

**Research: Safe and Sustainable Water Resources**

**Research: Safe and Sustainable Water Resources**  
 Program Area: Research: Safe and Sustainable Water Resources  
 Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>Science &amp; Technology</i></b> | <b><i>\$125,346</i></b>          | <b><i>\$116,141</i></b>              | <b><i>\$143,745</i></b>                   | <b><i>\$27,604</i></b>   |
| Total Budget Authority                 | \$125,346                        | \$116,141                            | \$143,745                                 | \$27,604   |
| Total Workyears                        | 356.4                            | 358.1                                | 380.1                                     | 22.0   |

**Program Project Description:**

The quality and availability of water, upon which human and ecosystem health and a robust economy depend, face multiple challenges. These challenges include aging water infrastructure, contaminants of existing and emerging concern, waterborne pathogens, antimicrobial resistance, harmful algal blooms and hypoxia, stormwater runoff, and diminished quality and loss of aquatic habitat. Many of these challenges can be exacerbated by the impacts of a changing climate, including greater frequency, duration, and intensity of precipitation, flooding, extreme heat, wildland fire, and drought. These concerns can be more prevalent in disadvantaged and rural communities.

To address these current, emerging, and long-term water resource challenges, EPA’s Safe and Sustainable Water Resources (SSWR) Research Program conducts robust research and scientific analyses to support decision-making and the development of innovative, practical solutions for the Agency and its partners to protect and restore America’s watersheds and water infrastructure.

**Recent Accomplishments of the SSWR Research Program<sup>121</sup>**

- **Per- and Polyfluoroalkyl Substances (PFAS):**
  - **PFAS Treatment in Drinking Water.** EPA’s Drinking Water Treatability Database was updated to include 66 PFAS chemicals from 197 sources. The database provides information on best practices and technologies for PFAS treatment in drinking water. Information on cost models for PFAS treatment in drinking water also was generated. ORD provided research support to the Office of Water on PFAS treatment modeling for the development of the proposed PFAS drinking water regulation.
  - **PFAS Drinking Water Treatment.** EPA completed an evaluation of 428 PFAS for which little or no treatment information is known. The published modeling work predicts that 76 to 87 percent of those PFAS can be effectively removed by granular activated carbon (GAC). These results can be used to prioritize research and treatment studies on those PFAS that are not strongly adsorbed by GAC.

<sup>121</sup> For a more complete view of accomplishments, please see: <https://www.epa.gov/research/national-research-programs>.

- **PFAS Analytical Methods.**
  - EPA completed a single lab validation for an American Society for Testing and Materials (ASTM) method for analysis of semi-volatile PFAS in non-potable waters. The method will be available to the public next year after an ASTM review.
  - ORD and the Office of Land and Emergency Management (OLEM) began to work together to develop a standard method for the total oxidizable precursor assay in aqueous and solid samples. This method will provide a ‘total’ summary of PFAS compounds that may transform into chemicals of concern.
- **Harmful Algal Blooms/Hypoxia/Excess Nutrients.** Harmful cyanobacterial blooms can produce toxins that impair freshwater ecosystems used for drinking water, recreation, and habitat for aquatic biota. To support water managers and prioritize monitoring locations in surface waters, data from the remote sensing Cyanobacteria Assessment Network (CyAN) and the National Lakes Assessments field surveys were combed to determine the risk of toxic blooms in large lakes across the United States.

#### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, the SSWR Research Program will continue to focus on:

#### **Water Infrastructure:**

- Conduct research and provide technical support to assess the distribution, composition, and potential health risks of known and emerging chemical and biological contaminants.
- Continue work with the Centers for Disease Control and Prevention (CDC) and the Ohio Network to develop appropriate methodologies and approaches for wastewater surveillance to inform public health. Assist states, communities, and utilities with stormwater and wastewater infrastructure needs through models and assistance.

#### **Climate Change Impacts/Resiliency:**

- Continue the *Coastal Community Resilience through Blue Carbon Resources* solutions-driven research project to evaluate coastal resilience capabilities of Blue Carbon resources (e.g., wetlands, tidal marshes, and seagrasses) and co-benefits (e.g., flood protection, improved water quality, habitat for sensitive and commercially valuable species).

#### **Water Reuse:**

- Expand the integrated assessment of cost, carbon footprint, and risk assessment of fit-for-purpose use of alternative water sources to include industrial reuse, potable end uses, and aquifer recharge. Results will inform the new approaches to managing water resources and mitigating drought.

**Harmful Algal Blooms/Nutrients:**

- Expand toxicity evaluation of additional planktonic cyanobacteria cells and cyanotoxins and begin new research on benthic species that can form highly toxic algal mats.
- Develop the science needed to forecast harmful algal blooms.
- Develop coastal acidification sensors and evaluate impacts for the protection of acidification-sensitive estuarine species.

**Recreational Waters and Public Health Protection:**

- Develop and characterize rapid fecal indicators, bacteriophage, microbial source tracking, and antimicrobial resistance tools for monitoring recreational waters and quick response times.
- Develop human health risk and water quality predictive modeling tools to support recreational water quality criteria development and implementation.
- Conduct a performance assessment of new recreational water quality assessment tools in sub-tropical and tropical marine waters.
- Use an applied economic benefits analysis to evaluate the economic impacts of beach closures based on different water quality monitoring technologies.

**Antimicrobial Resistance:**

- Conduct national scale and watershed-focused studies of antimicrobial-resistant bacteria and associated resistance genes in surface waters to inform risk modeling of recreational and drinking water exposures. Apply similar techniques in wastewater systems to define the best approaches for mitigating risks with discharges of wastewater effluents and solids.

**Biosolids:**

- Focus on biological and chemical contaminants and health effects by investigating the occurrence of antimicrobial-resistant *E. coli* during the treatment of Class B biosolids; assessing the human health risks of biosolids using molecular tools; developing a Voluntary Consensus Standard analytical method for the analysis of PFAS precursors in biosolids; evaluating anaerobic biotreatment of perfluorooctanoic acid (PFOA)/PFAS in wastewater biosolids; and determining the applicability of molecular techniques in treatment performance evaluation.

**Microplastics:**

- Develop and evaluate sediment and water extraction and identification methods focusing on plastic particles smaller than one micrometer for which there is less data.
- Begin developing approaches to evaluate human health and ecological effects of micro- and nano-plastics.
- Collaborate with the National Institute of Standards and Technology, American Chemistry Council, and members of the National Nanotechnology Initiative to develop essential standard reference materials needed for microplastic analyses.



In addition to the activities listed above, ORD also will conduct research across programs in the following areas:

- **PFAS Research:** ORD research will develop and validate methods for measuring different PFAS in water and water treatment residuals (*e.g.*, biosolids); review available literature on effectiveness and cost data for different water treatment technologies applied to different PFAS; conduct pilot- and bench-scale testing of the most promising technologies to further evaluate effectiveness; evaluate the bioaccumulation of PFAS in aquatic organisms and identifying the toxicity of selected PFAS (including mixtures of PFAS) to aquatic organisms EPA will increase its PFAS research efforts, with specific emphasis on implementing the *PFAS Strategic Roadmap*.<sup>122</sup>

This work is being done in collaboration with water utilities and water treatment technology suppliers. The results of this work will be posted to EPA's public Drinking Water Treatability Database and will be widely available to stakeholders.<sup>123</sup>

- **Lead:** SSWR research will focus on reliable models to estimate lead exposure from drinking water; improved sampling techniques and strategies to identify and characterize lead in plumbing materials, including lead service lines; guidance on optimizing lead mitigation strategies; testing and evaluation of treatment processes for removing lead from drinking water.

The overall impact of this research will be to provide information and tools that EPA, states, tribes, utilities, and communities can use to minimize or eliminate lead exposure in drinking water.

In addition to the activities above, the FY 2025 Budget includes an increase of \$18.3 million to purchase a new research vessel to replace the 60-year-old Lake Explorer II which is close to having to be condemned. If this new vessel investment is not supported, EPA's water quality and biological monitoring of the Great Lakes would be greatly impacted.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published its fourth generation of the StRAPs,<sup>124</sup> which continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

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<sup>122</sup> See EPA's PFAS Strategic Roadmap at: [https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf).

<sup>123</sup> For more information, please see: <https://iaspub.epa.gov/tdb/pages/general/home.do#content>.

<sup>124</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

ORD works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues.
- State Engagement
  - EPA’s state engagement<sup>125</sup> is designed to inform states about their role within EPA and EPA’s research programs and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program, which provides a forum for the interaction between tribal and agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

**Performance Measure Targets:**

**(PM RD1) Percentage of ORD research products meeting partner needs.**

|                    | FY 2018               | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|-----------------------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      | No Target Established | 77      | 80      | 81      | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      | 77                    | 79      | 80      | 94      | 94      | 96      |         |         |          |
| <b>Numerator</b>   | 171                   | 154     | 120     | 60      | 77      | 278     |         |         | Products |
| <b>Denominator</b> | 222                   | 196     | 150     | 64      | 82      | 290     |         |         |          |

**(PM RD2) Number of ORD activities related to environmental justice that involve or are designed to be applicable to tribes, states, territories, local governments, and communities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units      |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|------------|
| <b>Target</b> |         |         |         |         | No Target Established | 113     | 113     | 113     | Activities |
| <b>Actual</b> |         |         |         |         | N/A                   | 117     |         |         |            |

**(PM RD4) Percentage of ORD environmental justice-related research products meeting partner needs.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      |         |         |         |         | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |          |
| <b>Numerator</b>   |         |         |         |         | 1       | 3       |         |         | Products |
| <b>Denominator</b> |         |         |         |         | 1       | 3       |         |         |          |

<sup>125</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**(PM RD5) Number of actions implemented for EPA scientific integrity objectives.**

|               | <b>FY<br/>2018</b> | <b>FY<br/>2019</b> | <b>FY<br/>2020</b> | <b>FY<br/>2021</b> | <b>FY<br/>2022</b>       | <b>FY<br/>2023</b> | <b>FY<br/>2024</b> | <b>FY<br/>2025</b> | <b>Units</b> |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------------|--------------------|--------------------|--------------------|--------------|
| <b>Target</b> |                    |                    |                    |                    | No Target<br>Established | 21                 | 22                 | 44                 | Actions      |
| <b>Actual</b> |                    |                    |                    |                    | N/A                      | 24                 |                    |                    |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$278.0) This change to fixed and other costs is an increase due to the recalculation of laboratory fixed costs and additional changes to fixed support costs.
- (+\$18,329.0) This program increase reflects the purchase of a new vessel to replace the 60-year-old Lake Explorer II which is close to having to be condemned. If this new vessel investment is not supported, EPA’s water quality and biological monitoring of the Great Lakes would be greatly impacted.
- (+\$377.0 / +2.0 FTE) This program change reflects an increase to address skill gaps identified in EPA’s workforce. This investment includes \$377.0 thousand in payroll costs.
- (+\$8,620.0 / +20.0 FTE) This net program change reflects an increase to the Sustainable Water Research Program. This increase will help to address the challenges of aging water infrastructure, contaminants of concern, harmful algal blooms, and diminished water availability. This investment includes \$3.77 million in payroll costs.

**Statutory Authority:**

Safe Drinking Water Act (SDWA) § 1442(a)(1); Clean Water Act §§ 101(a)(6), 104, 105; Environmental Research, Development, and Demonstration Authorization Act (ERDDAA); Marine Protection, Research, and Sanctuaries Act (MPRSA) § 203; Title II of Ocean Dumping Ban Act of 1988 (ODBA); Water Resources Development Act (WRDA); Wet Weather Water Quality Act of 2000; Marine Plastic Pollution Research and Control Act of 1987 (MPPRCA); National Invasive Species Act; Coastal Zone Amendments Reauthorization Act (CZARA); Coastal Wetlands Planning, Protection and Restoration Act; Endangered Species Act (ESA); North American Wetlands Conservation Act; Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Toxic Substances Control Act (TSCA).

## **Research: Sustainable Communities**

**Research: Sustainable and Healthy Communities**

Program Area: Research: Sustainable Communities  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>Science &amp; Technology</i></b> | <b><i>\$147,279</i></b>          | <b><i>\$137,857</i></b>              | <b><i>\$149,498</i></b>                   | <b><i>\$11,641</i></b>   |
| Leaking Underground Storage Tanks      | \$292                            | \$341                                | \$356                                     | \$15   |
| Inland Oil Spill Programs              | \$785                            | \$675                                | \$683                                     | \$8  |
| Hazardous Substance Superfund          | \$18,525                         | \$16,937                             | \$17,517                                  | \$580  |
| Total Budget Authority                 | \$166,880                        | \$155,810                            | \$168,054                                 | \$12,244   |
| Total Workyears                        | 427.2                            | 421.8                                | 451.3                                     | 29.5   |

**Program Project Description:**

EPA’s Sustainable and Healthy Communities (SHC) Research Program supports and empowers communities to make science-based decisions to improve public and environmental health through: 1) developing technologies, methods, and other tools to expedite remediation and restoration of contaminated sites; 2) enhancing materials management through beneficial reuse or redirection of waste materials toward a circular economy; and 3) increasing understanding of linkages between the total environment (built, natural, and social) and public and ecosystem health. These efforts support communities revitalizing formerly contaminated sites, addressing cumulative impacts (from both chemical and nonchemical stressors), and pursuing climate resilience and Environmental Justice (EJ) goals.

The SHC Research Program provides state-of-the-science methods, models, tools, and technologies to the Office of Land and Emergency Management (OLEM) for use in programmatic guidance and to support EPA decision-makers with the variety of on-site cleanup situations they face on a regular basis. These approaches will address contaminated sediments, soil, and groundwater, as well as health risks posed by vapor intrusion and chemicals of immediate concern, such as per- and poly-fluoroalkyl substances (PFAS) and lead. To support the prevention of future land contamination problems, researchers under the SHC Program are developing life-cycle analysis tools and exploring opportunities for beneficial reuse of materials, to reduce environmental impacts.

SHC provides programs, regional partners, and local communities, including those with EJ concerns, with the research and tools they can apply to assess how they can adapt to climate change and address cumulative impacts. This community-oriented research is designed to revitalize communities, support the protection of children’s health, and address cumulative impacts on vulnerable populations. These efforts support community sustainability and increase community resilience to natural disasters, including those exacerbated by climate change. These efforts also build the methods and evidence base for doing cumulative impact assessment.

## **Recent Accomplishments of the SHC Research Program include:**

### **Development and Application of Methods for Supporting Communities in Resilience Planning with a Focus on Equity (September 2023)<sup>126</sup>**

SHC researchers developed and published a methodology and accompanying suite of resources to support communities in resilience planning with a focus on equity. The Equitable Resilience Builder (ERB) tool guides users through a process to inclusively assess local hazards, equity, and the resilience of built, natural, and social environment systems. Community planners can use the ERB assessment approach to collaboratively prioritize actions designed to build community resilience in an equitable way. The ERB was piloted in Grand Rapids, Michigan, one of EPA's Urban Waters Federal Partnership locations, and community partners used the tool to integrate equity in their Lower Grand River Watershed Resilience Plan.

### **Recommendations for Managing Food Waste to Mitigate Impacts of Food Waste on Landfill Methane Emissions (September 2023)<sup>127,128,129</sup>**

This research provides recommendations for environmentally preferable food-waste management strategies. Wasted food is the single most common material landfilled and incinerated in the United States, comprising 24 percent of landfilled municipal solid waste, where it breaks down and generates methane, a powerful greenhouse gas. This product provides a revised ranking of the eleven common wasted food pathways, called the Wasted Food Scale, which integrates the latest science, technological advances, and operational practices. It emphasizes prevention and managing food waste to avoid sewer/wastewater treatment, landfill, and incineration pathways. Regional, state, and local decision makers can use this product to develop and prioritize targeted strategies to prevent adverse health and environmental impacts associated with food waste.

## **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

The SHC Research Program will continue guiding innovative, cost-effective solutions to meet current, emerging, and long-term contaminated site clean-up and sustainable materials management challenges. This includes technical support for program and regional partners and communities as well as exploratory research that may lead to future sustainable solutions. In addition, research efforts will continue to emphasize healthy and resilient communities. Increased focus will be given to Administration priorities, such as working with communities to identify solutions to address cumulative impacts and EJ concerns, including those dealing with impacts from climate change. Other areas of increased emphasis include research addressing critical

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<sup>126</sup> For more information, please see: [www.epa.gov/emergency-response-research/equitable-resilience-builder](http://www.epa.gov/emergency-response-research/equitable-resilience-builder) and [www.sciencedirect.com/science/article/pii/S2212096323000463](http://www.sciencedirect.com/science/article/pii/S2212096323000463).

<sup>127</sup> For more information, please see: [www.epa.gov/system/files/documents/2023-10/part2\\_wf-pathways\\_report\\_formatted\\_no-appendices\\_508-compliant.pdf](http://www.epa.gov/system/files/documents/2023-10/part2_wf-pathways_report_formatted_no-appendices_508-compliant.pdf).

<sup>128</sup> For more information, please see: [www.epa.gov/system/files/documents/2023-10/part2\\_wf-pathways\\_reportappendix\\_formatted\\_508-compliant.pdf](http://www.epa.gov/system/files/documents/2023-10/part2_wf-pathways_reportappendix_formatted_508-compliant.pdf).

<sup>129</sup> For more information, please see: [www.epa.gov/system/files/documents/2023-10/food-waste-landfill-methane-10-8-23-final\\_508-compliant.pdf](http://www.epa.gov/system/files/documents/2023-10/food-waste-landfill-methane-10-8-23-final_508-compliant.pdf).

minerals and innovative strategies to reduce the generation of waste, including plastics, through recycling and reuse.

Specifically, in FY 2025 the SHC Research Program will conduct research in the following areas:

- **Advancing Remediation and Restoration of Contaminated Sites:** EPA research under this topic will primarily focus on developing and testing remedial alternatives for treating contaminated soils, sediments, groundwater sites, vapor intrusion sites, and sites with PFAS and lead contamination; along with providing technical support to OLEM, regions, tribes, and states to translate the research into usable approaches. SHC has an increased focus on the remediation of mine waste sites and potential recovery for the reuse of critical minerals from contaminated sites.
- **PFAS Research:** EPA researchers will develop methods to evaluate PFAS in wastes, soils, and sediments and investigate PFAS fate and transport in the environment to support the needs of EPA partners, states, tribes, and local communities. The research will identify and characterize PFAS concentrations and distributions at contaminated and solid waste sites. Additionally, researchers will identify locations and source contributors to high potential human PFAS exposure for children and other populations by evaluating multimedia PFAS sources and pathways for human exposure. The SHC Research Program also will investigate approaches, methodologies, and technologies to treat, remove, destroy, and dispose of PFAS in environmental matrices. This research supports the implementation of the *PFAS Strategic Roadmap*.<sup>130</sup>
- **Lead Research:**<sup>131</sup> The SHC Research Program is working to identify locations with high exposures and elevated blood lead levels, especially in children, to target lead sources for mitigation. The research program also will develop innovative methods to clean up lead at Superfund and other contaminated sites and strengthen the scientific basis of the Agency's lead-related regulatory and clean-up decisions. EPA's research in this area is essential to support ongoing agency efforts and fill in the data gaps for federal partners, tribes, states, and local communities.
- **Materials Management and Beneficial Reuse of Waste:** Research under this program aims to strengthen the scientific basis for the Nation's materials management decisions and guidance at the tribal, state, and community levels. The overall goal of this research is to increase sustainability by reducing waste and increasing support for circular economies, including supporting the implementation of the 2021 National Recycling Strategy.<sup>132</sup> Primary research efforts will focus on: 1) developing lifecycle-based assessment tools for sustainable materials management; 2) evaluating the design, application, and use of landfills, including liner material degradation, improvements to landfill monitoring strategies, and long-term landfill impacts on human health and the environment; and 3) developing waste-management methodologies that can minimize adverse impacts to human health and the environment through proposed beneficial use and reuse. Food waste and plastics are two areas of research under this topic.

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<sup>130</sup> See EPA's PFAS Strategic Roadmap at: [https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf).

<sup>131</sup> For EPA's Lead Strategy, please visit: For EPA's Lead Strategy, please see: [https://www.epa.gov/system/files/documents/2022-11/Lead%20Strategy\\_1.pdf](https://www.epa.gov/system/files/documents/2022-11/Lead%20Strategy_1.pdf).

<sup>132</sup> See EPA's National Recycling Strategy at: <https://www.epa.gov/recyclingstrategy>.

- **Integrated Systems Approach to Building Healthy and Resilient Communities:** The SHC Research Program will address the impacts of contamination, remediation, and redevelopment on the revitalization of a community. The research will address the cumulative impacts of stressors and exposures, especially in overburdened and under-resourced communities. The goal of the research is to increase community resilience by reducing potential risks, promoting health, and revitalizing communities and the environment that supports them, and increasing research translation to benefit communities. Research and development under this topic will provide data and tools to support Agency and delegated programs, such as Superfund, Brownfields, Great Lakes Restoration Initiative, civil rights, enforcement, and permitting.

Please note that certain activities within this program could have implications associated with the Administration’s Cancer Moonshot Initiative.

Also, EPA is currently a part of the working group that is exploring how to build and strengthen environmental-economic accounting capacity across the Federal statistical system where applicable. While existing resources are not sufficient to fulfill the 15-year plan, EPA is working to develop a budget estimate for FY 2026 and beyond to support this effort.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes and is planned with their active involvement. Each research program has developed and published its fourth generation of the StRAPs,<sup>133</sup> which continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA’s state engagement<sup>134</sup> is designed to inform states about their role within EPA and EPA’s research programs and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and agency representatives.

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<sup>133</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>134</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.



These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

**Performance Measure Targets:**

**(PM RD1) Percentage of ORD research products meeting partner needs.**

|                    | FY 2018               | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|-----------------------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      | No Target Established | 77      | 80      | 81      | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      | 77                    | 79      | 80      | 94      | 94      | 96      |         |         |          |
| <b>Numerator</b>   | 171                   | 154     | 120     | 60      | 77      | 278     |         |         | Products |
| <b>Denominator</b> | 222                   | 196     | 150     | 64      | 82      | 290     |         |         |          |

**(PM RD2) Number of ORD activities related to environmental justice that involve or are designed to be applicable to tribes, states, territories, local governments, and communities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units      |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|------------|
| <b>Target</b> |         |         |         |         | No Target Established | 113     | 113     | 113     | Activities |
| <b>Actual</b> |         |         |         |         | N/A                   | 117     |         |         |            |

**(PM RD4) Percentage of ORD environmental justice-related research products meeting partner needs.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      |         |         |         |         | 93      | 94      | 94      | 94      | Percent  |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |          |
| <b>Numerator</b>   |         |         |         |         | 1       | 3       |         |         | Products |
| <b>Denominator</b> |         |         |         |         | 1       | 3       |         |         |          |

**(PM RD5) Number of actions implemented for EPA scientific integrity objectives.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | No Target Established | 21      | 22      | 44      | Actions |
| <b>Actual</b> |         |         |         |         | N/A                   | 24      |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$537.0) This change to fixed and other costs is an increase due to the recalculation of laboratory fixed costs.
- (+\$908.0 / +7.0 FTE) This program change reflects an increase to support expanding work under the Community-Engaged Collaborative for Learning and Excellence model. This investment includes \$1.322 million in payroll and additional changes to fixed support costs”.
- (+\$10,196.0 / +22.5 FTE) This net program change reflects an increase to the Sustainable and Healthy Communities Research Program. This increase will help to address the acceleration of cleanup and return of contaminated sites to beneficial use, protection of

vulnerable populations, and the revitalization of vulnerable communities. This investment includes \$4.248 million in payroll.

**Statutory Authority:**

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

**Ensure Safe Water**

**Drinking Water Programs**

Program Area: Ensure Safe Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|                                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|-------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management | \$109,958                        | \$121,607                            | \$143,886                                 | \$22,279   |
| <b>Science &amp; Technology</b>     | <b>\$5,474</b>                   | <b>\$5,098</b>                       | <b>\$7,043</b>                            | <b>\$1,945</b>   |
| Total Budget Authority              | \$115,432                        | \$126,705                            | \$150,929                                 | \$24,224   |
| Total Workyears                     | 471.0                            | 539.4                                | 554.5                                     | 15.1   |

**Program Project Description:**

EPA’s Drinking Water Program is responsible for a range of activities to address drinking water contamination. The Program:

- Leads the collection of national occurrence data for unregulated contaminants in drinking water;
- Develops, evaluates, and approves analytical methods that are used to monitor drinking water contaminants accurately and reliably;
- Leads the national program under which laboratories are certified to conduct the analyses of drinking water contaminants with approved analytical methods; and
- Collaborates with states, tribes, and public water systems to implement tools that optimize treatment and improve water quality by helping systems achieve compliance and maximize technical capacity while reducing operational costs.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*. The Program also supports the Agency’s implementation of the Infrastructure Investment and Jobs Act of 2021 (IIJA).

In FY 2025, EPA’s Drinking Water Program will continue to carry out the activities listed below:

- Lead development and implementation activities for the Unregulated Contaminant Monitoring Rule (UCMR), a federal direct implementation program coordinated by EPA, as required by the Safe Drinking Water Act (SDWA).
  - The data collected pursuant to this rule support the Agency’s determination of whether to establish health-based standards for unregulated drinking water contaminants to protect public health.

- In December 2021, the Agency published the final rule for the UCMR’s fifth cycle (UCMR 5). EPA is managing UCMR 5 sampling through December 2025 and leading the data collection through 2026.
  - UCMR 5 is the first cycle of the Unregulated Contaminant Monitor Rule to implement the monitoring provisions of America’s Water Infrastructure Act of 2018 (AWIA), which requires, subject to the availability of appropriations and adequate laboratory capacity, sampling at all small public water systems (PWSs) serving between 3,300 and 10 thousand persons. AWIA also requires monitoring at a representative sample of small PWSs serving fewer than 3,300 persons. EPA implementation responsibilities have significantly expanded to address a 7.5-fold increase in the number of small-system samples as a result of AWIA.
  - EPA is responsible for managing UCMR 5 implementation at all large PWSs serving more than 10 thousand persons, all small PWSs serving between 3,300 and 10 thousand, and a representative sample of PWS serving fewer than 3,300 persons. EPA is additionally responsible for funding the required monitoring at small PWSs. Key activities for EPA include ensuring laboratories are available to perform the required analyses, managing the field sample collection and sample analysis for small systems, and managing data reporting. In addition, EPA makes the UCMR data available to state and tribal partners and to the public.
  - By conducting sampling and data collection/reporting at all small PWSs serving between 3,300 and 10 thousand persons and a representative sample of those serving fewer than 3,300 persons, the UCMR Program also supports the Agency’s implementation of the IJJA.
  - Concurrent with managing the implementation of UCMR 5 in FY 2025, EPA will be publishing the proposed rule to support the sixth cycle of UCMR (UCMR 6) monitoring.
- Lead the development, revision, evaluation, and approval of analytical methods for unregulated and regulated contaminants in drinking water to assess and ensure protection of public health (*e.g.*, per- and polyfluoroalkyl substances [PFAS]). This work supports the activities underway for the Agency’s PFAS Roadmap<sup>135</sup> and supports priorities identified by the EPA Council on PFAS.
  - Implement EPA’s Drinking Water Laboratory Certification Program,<sup>136</sup> which sets direction for oversight of state, municipal, and commercial laboratories that analyze drinking water samples. EPA will conduct regional laboratory certification program reviews and deliver laboratory certification officer training courses (chemistry and microbiology) for state and regional representatives. The FY 2025 certification program oversight activities and trainings will help ensure the quality of drinking water compliance monitoring analyses.
  - Partner with states and water systems to optimize their treatment technology and distribution systems under the drinking water Area Wide Optimization Program (AWOP).<sup>137</sup> AWOP is a highly successful technical/compliance assistance and training program that enhances the ability of public water systems to comply with existing microbial, disinfectant, and disinfection byproduct standards, and to address distribution system integrity and water quality issues

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<sup>135</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

<sup>136</sup> For more information, please see: <https://www.epa.gov/dwlabcert>.

<sup>137</sup> For more information, please see: <https://www.epa.gov/sdwa/optimization-program-drinking-water-systems>.

caused by the source, aging infrastructure, or other concerns. During FY 2025, EPA expects to work with states, tribes, and technical assistance providers to expand efforts to train and directly assist systems, including those in disadvantaged and tribal communities. This effort includes identifying performance limiting factors at public water systems and developing and applying tailored tools to help them overcome operational challenges, achieve performance and optimization levels, and address health-based compliance challenges. The technical assistance provided by AWOP can be instrumental in supporting public water systems with limited capacity to effectively address drinking water quality issues. The AWOP Program also supports the Agency's implementation of IJA.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance and requirements in the Drinking Water State Revolving Fund and Categorical Grant: Public Water System Supervision Programs under the STAG appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$88.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$200.0 / +1.0 FTE) This program change is an increase in resources and FTE to support the activities associated with the Evidence Act. This investment also includes \$190 thousand in payroll.
- (+\$1,657.0 / +3.0 FTE) This program change represents an increase of resources and FTE to support regulatory analysis, development and training, and technical assistance for state, Tribal, and local communities to address drinking water contaminants (including Lead and PFAS) in their efforts to ensure safe and affordable drinking water. This investment includes \$570.0 thousand in payroll.

**Statutory Authority:**

SDWA.

## **Congressional Priorities**

## Congressional Priorities

Program Area: Clean and Safe Water Technical Assistance Grants  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management    | \$25,700                         | \$30,700                             | \$0                                       | -\$30,700  |
| <b><i>Science &amp; Technology</i></b> | <b><i>\$23,283</i></b>           | <b><i>\$30,751</i></b>               | <b><i>\$0</i></b>                         | <b><i>-\$30,751</i></b>  |
| Total Budget Authority                 | \$48,983                         | \$61,451                             | \$0                                       | -\$61,451  |

### **Program Project Description:**

In FY 2023, Congress appropriated \$30.8 million in the Science and Technology appropriation for Congressional priorities including \$9.5 million for extramural grants. EPA was instructed by Congress to award grants on a competitive basis, independent of the Science to Achieve Results (STAR) Program, and to give priority to not-for-profit organizations that: 1) conduct activities that are national in scope; 2) can provide a 25 percent match, including in-kind contributions; and 3) often partner with the Agency. Additionally, Congress provided \$8.0 million to fund research that will help farmers, ranchers, and rural communities manage per- and polyfluoroalkyl substances (PFAS) impacts in agricultural settings and communities as well as \$13.3 million for other Congressionally Directed Projects.

### **FY 2025 Activities and Performance Plan:**

There are no resources for this Program in FY 2025.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$30,751.0) Resources are proposed for elimination for this program in FY 2025. The goals of this Program can be accomplished through core statutory programs.

### **Statutory Authority:**

Clean Air Act (CAA) 42 U.S.C. 7401 et seq. Title 1, Part A – Sec. 103 (a) and (d) and Sec. 104 (c); CAA 42 U.S.C. 7402(b) Section 102; CAA 42 U.S.C. 7403(b)(2) Section 103(b)(2); Clinger Cohen Act, 40 U.S.C. 11318; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (Superfund, 1980) Section 209(a) of Public Law 99-499; Children's



Health Act; Clean Water Act (CWA), Sec. 101 - 121; Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA); Coastal Zone Amendments Reauthorization Act (CZARA); Coastal Zone Management Act (CZMA) 16 U.S.C. 1451 - Section 302; Economy Act, 31 U.S.C. 1535; Energy Independence and Security Act (EISA), Title II Subtitle B; Environmental Research, Development, and Demonstration Authorization Act (ERDDAA), 33 U.S.C. 1251 – Section 2(a); Endangered Species Act (ESA), 16 U.S.C. 1531 - Section 2; Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. Sec. 346; Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. s/s 136 et seq. (1996), as amended), Sec. 3(c)(2)(A); Food Quality Protection Act (FQPA) PL 104-170; Intergovernmental Cooperation Act, 31 U.S.C. 6502; Marine Protection, Research, and Sanctuaries Act (MPRSA) Sec. 203, 33 U.S.C. 1443; North American Wetlands Conservation Act (NAWCA); NCPA; National Environmental Education Act, 20 U.S.C. 5503(b)(3) and (b)(11); National Environmental Protection Act (NEPA) of 1969, Section 102; National Invasive Species Act (NISA); Ocean Dumping Ban Act of 1988 (ODBA) Title II; PPA, 42 U.S.C. 13103; Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA) (1996) 42 U.S.C. Section 300j-18; SDWA Part E, Sec. 1442 (a)(1); Toxic Substances Control Act (TSCA), Section 10, 15, 26, U.S.C. 2609; U.S. Global Change Research Act (USGCRA) 15 U.S.C. 2921; Water Resources Development Act (WRDA); Water Resources Research Act (WRRRA); and Wet Weather Water Quality Act of 2000 (WWWQA).

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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

|  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|--|--------------------------------------|--------------------------------------|---|--|
| <b>Environmental Programs &amp; Management</b> |                                      |                                      |   |  |
| Budget Authority                               | \$3,077,440                          | \$3,286,330                          | \$4,406,988                               | \$1,120,658  |
| Total Workyears                                | 8,698.8                              | 9,592.7                              | 11,212.5                                  | 1,619.8  |

**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; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed \$10,000 for official reception and representation expenses, \$4,406,988,000, to remain available until September 30, 2026: Provided, That funds included under this heading may be used for environmental justice implementation and training grants, and associated program support costs: Provided further, That of the funds included under this heading—*

*(1) \$681,800,000, to remain available until expended, shall be for Geographic Programs as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);*

*(2) \$20,012,000, to remain available until expended, shall be for grants, including grants that may be awarded on a non-competitive basis, inter-agency agreements, and associated program support costs to establish and implement a program to assist Alaska Native Regional Corporations, Alaskan Native Village Corporations, federally-recognized tribes in Alaska, Alaska Native Non-Profit Organizations and Alaska Native Nonprofit Associations, and intertribal consortia comprised of Alaskan tribal entities to address contamination on lands conveyed under or pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that were or are contaminated at the time of conveyance and are on an inventory of such lands developed and maintained by the Environmental Protection Agency: Provided, That grants awarded using funds made available in this paragraph may be used by a recipient to supplement other funds provided by the Environmental Protection Agency through individual media or multi-media grants or cooperative agreements: Provided further, That of the amounts made available in this paragraph, in addition to amounts otherwise available for such purposes, the Environmental Protection Agency may reserve up to \$2,000,000*

for salaries, expenses, and administration of the program and any other grants related to such program that address contamination on lands conveyed under or pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that were or are contaminated at the time of conveyance and are on the EPA inventory of such lands; and (3) In addition to amounts otherwise available for the purposes specified in this paragraph, not to exceed \$30,000,000, to remain available until expended, shall be for addressing water emergencies, as determined by the Administrator, using the authorities under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.): Provided, That, notwithstanding section 1442(b) of the Safe Drinking Water Act (42 U.S.C. 300j-1(b)) funds available under this paragraph may be used to provide technical assistance and grants regardless of whether such assistance will be used to support actions that would not be taken without such emergency assistance: Provided further, That funds available under this paragraph may be used to provide technical assistance and grants under section 1442(b) of the Safe Drinking Water Act to any appropriate recipient, as determined by the Administrator, to assist in responding to and alleviating an emergency situation affecting a privately owned water system: Provided further, That, notwithstanding section 1431(a) of the Safe Drinking Water Act (42 U.S.C. 300i(a)), funds available under this paragraph may be used to take actions under section 1431 of the Safe Drinking Water Act (42 U.S.C. 300i) in coordination with appropriate state and local authorities, regardless of whether appropriate state and local authorities have acted: Provided further, That funds available under this paragraph may be used to take actions authorized under section 504(a) of the Federal Water Pollution Control Act (33 U.S.C. 1364) deemed by the Administrator as necessary to protect the health or welfare of persons affected by a water emergency, including other necessary actions, such as providing technical assistance and grants to assist in responding to and alleviating any water emergency.

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

| <b>Program Project</b>                     | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Alaska Contaminated Lands                  |                                  |                                      |   |  |
| Alaska Contaminated Lands                  | \$3,215                          | \$20,000                             | \$20,012                                  | \$12   |
| Brownfields                                |                                  |                                      |   |  |
| Brownfields                                | \$22,582                         | \$26,189                             | \$39,084                                  | \$12,895   |
| Clean Air and Climate                      |                                  |                                      |   |  |
| Clean Air Allowance Trading Programs       | \$17,268                         | \$16,554                             | \$30,743                                  | \$14,189   |
| Climate Protection                         | \$99,292                         | \$101,000                            | \$176,485                                 | \$75,485   |
| Federal Stationary Source Regulations      | \$29,768                         | \$30,344                             | \$47,888                                  | \$17,544   |
| Federal Support for Air Quality Management | \$134,931                        | \$147,704                            | \$258,663                                 | \$110,959  |
| Stratospheric Ozone: Domestic Programs     | \$6,358                          | \$6,951                              | \$72,282                                  | \$65,331   |
| Stratospheric Ozone: Multilateral Fund     | \$8,326                          | \$9,244                              | \$18,000                                  | \$8,756  |
| Subtotal, Clean Air and Climate            | \$295,943                        | \$311,797                            | \$604,061                                 | \$292,264  |

|  |           |           |           |           |
|--|-----------|-----------|-----------|-----------|
| Clean and Safe Water Technical Assistance Grants                 |           |           |           |           |
| Congressional Priorities   | \$25,700  | \$30,700  | \$0       | -\$30,700 |
| Compliance   |           |           |           |           |
| Compliance Monitoring  | \$104,593 | \$112,730 | \$168,474 | \$55,744  |
| Cross-Agency Coordination, Outreach, and Education               |           |           |           |           |
| Children and Other Sensitive Populations:<br>Agency Coordination | \$6,526   | \$6,362   | \$7,749   | \$1,387   |
| Environmental Education  | \$8,752   | \$9,500   | \$8,759   | -\$741    |
| Exchange Network   | \$12,165  | \$14,995  | \$14,769  | -\$226    |
| Executive Management and Operations                              | \$53,653  | \$56,160  | \$73,269  | \$17,109  |
| Small Business Ombudsman   | \$1,379   | \$2,250   | \$2,242   | -\$8      |
| Small Minority Business Assistance                               | \$2,225   | \$2,056   | \$2,018   | -\$38     |
| State and Local Prevention and Preparedness                      | \$14,124  | \$15,446  | \$24,106  | \$8,660   |
| TRI / Right to Know  | \$11,987  | \$15,052  | \$14,123  | -\$929    |
| Tribal - Capacity Building                                       | \$12,619  | \$14,715  | \$35,088  | \$20,373  |
| Subtotal, Cross-Agency Coordination, Outreach, and Education     | \$123,431 | \$136,536 | \$182,123 | \$45,587  |
| Enforcement  |           |           |           |           |
| Civil Enforcement  | \$177,860 | \$205,942 | \$256,252 | \$50,310  |
| Criminal Enforcement   | \$57,374  | \$62,704  | \$67,829  | \$5,125   |
| NEPA Implementation  | \$15,171  | \$20,611  | \$26,049  | \$5,438   |
| Subtotal, Enforcement  | \$250,405 | \$289,257 | \$350,130 | \$60,873  |
| Ensure Clean Water   |           |           |           |           |
| Marine Pollution   | \$8,081   | \$10,187  | \$12,724  | \$2,537   |
| Preparation for Water Emergencies                                | \$0       | \$0       | \$30,000  | \$30,000  |
| Surface Water Protection   | \$213,320 | \$224,492 | \$270,573 | \$46,081  |
| Water Infrastructure Finance and Innovation                      | \$0       | \$0       | \$0       | \$0       |
| Subtotal, Ensure Clean Water                                     | \$221,402 | \$234,679 | \$313,297 | \$78,618  |
| Ensure Safe Water  |           |           |           |           |
| Beach / Fish Programs  | \$1,673   | \$2,246   | \$2,391   | \$145     |
| Drinking Water Programs  | \$109,958 | \$121,607 | \$143,886 | \$22,279  |
| Subtotal, Ensure Safe Water                                      | \$111,631 | \$123,853 | \$146,277 | \$22,424  |
| Environmental Justice  |           |           |           |           |
| Environmental Justice  | \$109,347 | \$102,159 | \$317,712 | \$215,553 |



|   |           |           |           |          |
|---|-----------|-----------|-----------|----------|
| Geographic Programs   |           |           |           |          |
| Geographic Program: Chesapeake Bay                                | \$74,640  | \$92,000  | \$92,000  | \$0      |
| Geographic Program: Gulf of Mexico                                | \$22,550  | \$25,524  | \$25,600  | \$76     |
| Geographic Program: Lake Champlain                                | \$25,823  | \$25,000  | \$25,000  | \$0      |
| Geographic Program: Long Island Sound                             | \$36,429  | \$40,002  | \$40,000  | -\$2     |
| Geographic Program: Other   |           |           |           |          |
| <i>Lake Pontchartrain</i>   | \$1,899   | \$2,200   | \$2,200   | \$0      |
| <i>S.New England Estuary (SNEE)</i>                               | \$6,546   | \$7,000   | \$7,000   | \$0      |
| <i>Geographic Program: Other (other activities)</i>               | \$2,041   | \$5,000   | \$5,000   | \$0      |
| Subtotal, Geographic Program: Other                               | \$10,486  | \$14,200  | \$14,200  | \$0      |
| Geographic Program: Puget Sound                                   | \$48,317  | \$54,000  | \$54,000  | \$0      |
| Geographic Program: San Francisco Bay                             | \$45,061  | \$54,500  | \$54,500  | \$0      |
| Geographic Program: South Florida                                 | \$6,806   | \$8,500   | \$8,500   | \$0      |
| Great Lakes Restoration   | \$361,607 | \$368,000 | \$368,000 | \$0      |
| Subtotal, Geographic Programs                                     | \$631,720 | \$681,726 | \$681,800 | \$74     |
| Homeland Security   |           |           |           |          |
| Homeland Security: Communication and Information                  | \$4,592   | \$4,692   | \$6,119   | \$1,427  |
| Homeland Security: Critical Infrastructure Protection             | \$249     | \$923     | \$1,025   | \$102    |
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$6,059   | \$5,188   | \$5,158   | -\$30    |
| Subtotal, Homeland Security                                       | \$10,899  | \$10,803  | \$12,302  | \$1,499  |
| Indoor Air and Radiation  |           |           |           |          |
| Indoor Air: Radon Program   | \$2,844   | \$3,364   | \$5,147   | \$1,783  |
| Radiation: Protection   | \$8,390   | \$9,088   | \$11,748  | \$2,660  |
| Radiation: Response Preparedness                                  | \$2,111   | \$2,650   | \$3,185   | \$535    |
| Reduce Risks from Indoor Air                                      | \$13,281  | \$13,593  | \$47,570  | \$33,977 |
| Subtotal, Indoor Air and Radiation                                | \$26,627  | \$28,695  | \$67,650  | \$38,955 |
| International Programs  |           |           |           |          |
| International Sources of Pollution                                | \$7,214   | \$7,323   | \$26,183  | \$18,860 |
| Trade and Governance  | \$7,390   | \$5,510   | \$7,201   | \$1,691  |
| US Mexico Border  | \$2,512   | \$2,993   | \$5,132   | \$2,139  |
| Subtotal, International Programs                                  | \$17,116  | \$15,826  | \$38,516  | \$22,690 |
| IT / Data Management / Security                                   |           |           |           |          |
| Information Security  | \$8,188   | \$9,142   | \$23,937  | \$14,795 |
| IT / Data Management  | \$95,631  | \$91,821  | \$108,601 | \$16,780 |
| Subtotal, IT / Data Management / Security                         | \$103,819 | \$100,963 | \$132,538 | \$31,575 |

|  |           |           |           |          |
|--|-----------|-----------|-----------|----------|
| Legal / Science / Regulatory / Economic Review           |           |           |           |          |
| Administrative Law                                       | \$5,223   | \$5,395   | \$6,195   | \$800    |
| Alternative Dispute Resolution                           | \$845     | \$972     | \$2,820   | \$1,848  |
| Civil Rights Program                                     | \$10,146  | \$12,866  | \$32,227  | \$19,361 |
| Integrated Environmental Strategies                      | \$9,702   | \$11,297  | \$40,197  | \$28,900 |
| Legal Advice: Environmental Program                      | \$60,207  | \$60,061  | \$86,615  | \$26,554 |
| Legal Advice: Support Program                            | \$15,922  | \$18,957  | \$20,584  | \$1,627  |
| Regulatory/Economic-Management and Analysis              | \$16,032  | \$17,475  | \$19,526  | \$2,051  |
| Science Advisory Board                                   | \$4,219   | \$4,155   | \$4,671   | \$516    |
| Science Policy and Biotechnology                         | \$1,628   | \$1,811   | \$1,642   | -\$169   |
| Subtotal, Legal / Science / Regulatory / Economic Review | \$123,923 | \$132,989 | \$214,477 | \$81,488 |
| Operations and Administration                            |           |           |           |          |
| Acquisition Management                                   | \$33,034  | \$37,251  | \$42,085  | \$4,834  |
| Central Planning, Budgeting, and Finance                 | \$85,840  | \$87,099  | \$100,595 | \$13,496 |
| Facilities Infrastructure and Operations                 | \$275,614 | \$283,330 | \$308,134 | \$24,804 |
| Financial Assistance Grants / IAG Management             | \$28,225  | \$30,188  | \$34,745  | \$4,557  |
| Human Resources Management                               | \$51,882  | \$51,261  | \$68,124  | \$16,863 |
| Regional Science and Technology                          | \$1,879   | \$1,554   | \$7,287   | \$5,733  |
| Subtotal, Operations and Administration                  | \$476,474 | \$490,683 | \$560,970 | \$70,287 |
| Pesticides Licensing                                     |           |           |           |          |
| Pesticides: Protect the Environment from Pesticide Risk  | \$45,217  | \$48,704  | \$75,963  | \$27,259 |
| Pesticides: Protect Human Health from Pesticide Risk     | \$59,740  | \$62,125  | \$66,281  | \$4,156  |
| Pesticides: Realize the Value of Pesticide Availability  | \$5,774   | \$7,637   | \$8,316   | \$679    |
| Subtotal, Pesticides Licensing                           | \$110,731 | \$118,466 | \$150,560 | \$32,094 |
| Protecting Estuaries and Wetlands                        |           |           |           |          |
| National Estuary Program / Coastal Waterways             | \$38,790  | \$40,000  | \$32,611  | -\$7,389 |
| Wetlands   | \$19,656  | \$21,754  | \$26,995  | \$5,241  |
| Subtotal, Protecting Estuaries and Wetlands              | \$58,446  | \$61,754  | \$59,606  | -\$2,148 |
| Research: Chemical Safety for Sustainability             |           |           |           |          |
| Research: Chemical Safety for Sustainability             | \$153     | \$0       | \$0       | \$0      |

|   |                    |                    |                    |                    |
|---|--------------------|--------------------|--------------------|--------------------|
| Resource Conservation and Recovery Act (RCRA)           |                    |                    |                    |                    |
| RCRA: Corrective Action                                 | \$37,176           | \$40,512           | \$42,105           | \$1,593            |
| RCRA: Waste Management                                  | \$70,129           | \$75,958           | \$91,500           | \$15,542           |
| RCRA: Waste Minimization & Recycling                    | \$9,375            | \$10,252           | \$15,799           | \$5,547            |
| Subtotal, Resource Conservation and Recovery Act (RCRA) | \$116,681          | \$126,722          | \$149,404          | \$22,682           |
| Toxics Risk Review and Prevention                       |                    |                    |                    |                    |
| Endocrine Disruptors                                    | \$6,010            | \$7,614            | \$7,701            | \$87               |
| Pollution Prevention Program                            | \$12,568           | \$12,987           | \$29,193           | \$16,206           |
| Toxic Substances: Chemical Risk Management              | -\$2               | \$0                | \$0                | \$0                |
| Toxic Substances: Lead Risk Reduction Program           | \$11,777           | \$14,359           | \$14,597           | \$238              |
| Toxic Substances: Chemical Risk Review and Reduction    | \$91,216           | \$82,822           | \$131,900          | \$49,078           |
| Subtotal, Toxics Risk Review and Prevention             | \$121,568          | \$117,782          | \$183,391          | \$65,609           |
| Underground Storage Tanks (LUST / UST)                  |                    |                    |                    |                    |
| LUST / UST  | \$11,034           | \$12,021           | \$14,604           | \$2,583            |
| <b>TOTAL EPM</b>  | <b>\$3,077,440</b> | <b>\$3,286,330</b> | <b>\$4,406,988</b> | <b>\$1,120,658</b> |

## **Alaska Contaminated Lands**

**Alaska Contaminated Lands**

Program Area: Alaska Contaminated Lands  
Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$3,215</b>                   | <b>\$20,000</b>                      | <b>\$20,012</b>                           | <b>\$12</b>  |
| Total Budget Authority                                | \$3,215                          | \$20,000                             | \$20,012                                  | \$12   |
| Total Workyears                                       | 1.5                              | 5.0                                  | 5.0                                       | 0.0  |

**Program Project Description:**

The Alaska Contaminated Lands Program supports President Biden’s Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*<sup>1</sup> and seeks to address environmental injustices regarding the 44 million acres transferred from federal ownership to Alaska Native corporations as part of the Alaska Native Claims Settlement Act (ANCSA).<sup>2</sup> Many of these lands were contaminated while not under Alaska Native ownership, and the contaminants on some of these lands – arsenic, asbestos, lead, mercury, pesticides, polychlorinated biphenyls (PCBs), and other petroleum products – pose health concerns to Alaska Native communities, negatively impact subsistence resources, and hamper economic activity.

EPA has initiated a whole-of-government approach to help advance the cleanup of contaminated ANCSA lands through the Arctic Executive Steering Committee. The work continues with the Department of the Interior, Department of Defense, and other federal agencies.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will:

- Maintain a contaminated ANCSA sites inventory and maintain a public-facing dashboard to provide site information, including cleanup status.
- Continue to engage with the State of Alaska, Alaska Native Corporations, Alaska Native Organizations, and other federal agencies to further develop, modify, and implement the comprehensive approach to advancing cleanup efforts.

<sup>1</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

<sup>2</sup> For additional information, please refer to: <https://www.epa.gov/r10-tribal/contamination-ancsa-conveyed-lands#background>.

- Manage the Contaminated ANCSA Lands Grant Program to facilitate assessment and cleanup work at contaminated ANCSA lands.
- Oversee and manage grants awarded under the Contaminated ANCSA Lands Grant Program.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$12.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Consolidated Appropriations Act, 2023, Pub. L. 117-328.

## **Brownfields**

## **Brownfields**

Program Area: Brownfields

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$22,582</i></b>           | <b><i>\$26,189</i></b>               | <b><i>\$39,084</i></b>                    | <b><i>\$12,895</i></b>   |
| Total Budget Authority                                | \$22,582                         | \$26,189                             | \$39,084                                  | \$12,895   |
| Total Workyears                                       | 110.6                            | 129.5                                | 187.5                                     | 58.0   |

### **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 sites can be found in the heart of America's main streets and former economic centers. The Brownfields Program supports efforts to revitalize these sites by awarding grants and providing technical assistance to states, tribes, local communities, and other stakeholders to work together to plan, inventory, assess, safely clean up, and reuse brownfields sites. Approximately 160 million people (roughly 48 percent of the U.S. population) live within three miles of a brownfields site that receives EPA funding.<sup>3</sup> Similarly, within a half mile of a brownfields site receiving EPA funding, 20 percent of people live below the national poverty level, 16 percent have less than a high school education, 54 percent are people of color, and seven percent are linguistically isolated. As of December 2023, grants awarded by the Program have led to over 10,800 properties made ready for productive use and over 270 thousand jobs and over \$40.4 billion leveraged.<sup>4</sup>

The Brownfields Program directly supports the goals of the Administration's Justice40 initiative. 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) providing contractor supported technical assistance to non-grantee communities with brownfields sites; 6) collaborating with other agency programs; 7) operating the Assessment Cleanup and Redevelopment Exchange System (ACRES) online grantee reporting tool; 8) assisting communities to explore land reuse opportunities under the Land Revitalization Program; and 9) developing guidance and tools that clarify potential environmental cleanup liabilities.

<sup>3</sup> U.S. EPA, Office of Land and Emergency Management, 2023. Data collected includes: 1) Brownfields site information from ACRES as of the end of FY 2022; 2) Population data from the 2017-2021 American Community Survey.

<sup>4</sup> From ACRES as reported by grantees.



## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

Today, there are more than one thousand active Brownfields cooperative agreements (CAs) and hundreds of land revitalization projects, targeted assessments, financial planning, and visioning sessions taking place, funded by regular appropriations and by the historic investment from the Infrastructure Investment and Jobs Act (IIJA). All are supported and invigorated by the Brownfields Program's best tool – community development specialists. Specialists are the backbone of the success of the Agency broadly, and they bring unique technical and program management experience, as well as public and environmental health expertise, to individual brownfields communities. The communities that the Program works with have made significant progress, but without the skilled guidance of EPA community development specialists, the Program would not have had the success that characterizes its history at the nexus between environmental revitalization and community development.

To continue to build on these successes, along with the historic investment from IIJA, the Agency proposes to invest an additional \$12.9 million and 58.0 FTE in FY 2025. In FY 2022, a detailed Workload Model Analysis identified a significant barrier to engaging with communities related to the availability of on-the-ground resources to conduct outreach and communication. This investment of regional FTE will provide expanded technical assistance and build capacity in small, rural, Environmental Justice (EJ), and other historically disadvantaged communities and support the Program as it implements a responsive, expansive, and innovative environmental and economic community redevelopment program. Prior to infrastructure funding, approximately 80 people managed more than 1,100 open cooperative agreements across the country. It is estimated that the program will have approximately 2,700 open cooperative agreements to manage by FY 2027. Without additional FTE resources, EPA will not be able to sustain and responsibly manage the unprecedented infrastructure investments in the Brownfields Program.

In FY 2025, community development specialists will continue to manage approximately 1,000 assessment, cleanup, Revolving Loan Fund (RLF), multi-purpose, and Environmental Workforce Development and Job Training (EWDJT) CAs, as well as state and tribal assistance agreements. In addition, EPA will be managing training, research, and technical assistance agreements; Targeted Brownfields Assessments; and land revitalization projects. The Brownfields Program also will continue to foster federal, state, tribal, and public-private partnerships to return properties to productive economic use, including in historically disadvantaged communities and communities with EJ concerns.

In addition, IIJA invests \$1.5 billion to scale up community-led brownfields revitalization from FY 2022 through FY 2026. This work includes \$1.2 billion in direct grants and technical assistance to assess and clean up brownfields sites, train and place people in environmental jobs, and assist hundreds of communities in identifying equitable reuse options to cultivate healthy, resilient, and livable neighborhoods. An additional \$300 million will support State and Tribal Response programs that can provide necessary funds to states and territories and over one hundred tribes to

grow their brownfields programs. EPA will continue to manage an estimated four hundred cooperative agreements funded under IJA.

In FY 2025, the Brownfields Program will support the following activities:

- **Completing and Awarding New Cooperative Agreements:** Review, select, and award an estimated 170 new cooperative agreements, which will lead to approximately \$2.3 billion and 12,135 jobs leveraged in future years.
- **Oversight and Management of Existing Cooperative Agreements:** Continue federal fiduciary responsibility to manage approximately one thousand existing brownfields CAs funded under regular appropriations while ensuring the terms and conditions of the agreements are met, as well as provide limited technical assistance. The Program also will 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, analysis, and support for community-led planning workshops. 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:** Work collaboratively with our partners at the state, tribal, and local levels on innovative approaches to help achieve land reuse. The Program, in collaboration with EPA's Office of Enforcement and Compliance Assurance, 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. In addition, the Program 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, as well as 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 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,315.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes an increase for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$10,580.0 / +58.0 FTE) This increase is for community development specialists to manage land revitalization projects, provide one-on-one financial planning support, and educate tribal, rural, and EJ communities on how to address brownfields sites. This investment includes \$10.5 million for payroll.

**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.

## **Clean Air**

## Clean Air Allowance Trading Programs

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$17,268</i></b>   | <b><i>\$16,554</i></b>      | <b><i>\$30,743</i></b>           | <b><i>\$14,189</i></b>                                       |
| Science & Technology                                  | \$6,578                  | \$7,117                     | \$19,987                         | \$12,870   |
| Total Budget Authority                                | \$23,846                 | \$23,671                    | \$50,730                         | \$27,059   |
| Total Workyears                                       | 63.8                     | 66.7                        | 86.1                             | 19.4   |

### Program Project Description:

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. The programs are designed to control emissions of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>), key precursors of both fine particulate matter (PM<sub>2.5</sub>) and ozone (O<sub>3</sub>). These programs include Title IV (the Acid Rain Program (ARP)) of the Clean Air Act, the Cross-State Air Pollution Rule (CSAPR), the CSAPR Update, the revised CSAPR Update, and the Good Neighbor Plan. The infrastructure for the Clean Air Allowance Trading Programs also supports implementation of other state and federal programs to control SO<sub>2</sub>, hazardous air pollutants, and greenhouse gases.

The Clean Air Allowance Trading Programs establish a total emission limit across affected emission sources, which must hold allowances as authorizations to emit one ton of the regulated pollutant(s) in a specific emission control period. The owners and operators of affected emission sources may select among different methods of compliance—installing pollution control equipment, switching fuel types, purchasing allowances, or other strategies. By offering the flexibility to determine how the sources comply, the programs lower the overall cost, making it feasible to pursue greater emission reductions. These programs are managed through a centralized database system operated by EPA.<sup>5</sup> Data collected under these programs are made available to the public through EPA’s Clean Air Markets Program Data (CAMPD) website,<sup>6</sup> which provides access to both current and historical data collected as part of the Clean Air Allowance Trading Programs through charts, reports, and downloadable datasets. To implement these programs, EPA operates an emission measurement and reporting program, market operations program, environmental monitoring programs, and a communication and stakeholder engagement program.

In 2022, the eighth year of operation of the CSAPR SO<sub>2</sub> programs, sources in both the CSAPR SO<sub>2</sub> annual programs and the ARP together reduced SO<sub>2</sub> emissions by 14.9 million tons (95 percent) from 1990 levels (before implementation of the ARP), and 9.4 million tons (92 percent)

<sup>5</sup> Clean Air Act § 403(d).

<sup>6</sup> For additional information, please refer to <https://www.epa.gov/airmarkets/data-resources>.

from 2005 levels (before implementation of the Clean Air Interstate Rule (CAIR)<sup>7</sup> and the CSAPR). All ARP and CSAPR sources together emitted a total of 852,000 tons of SO<sub>2</sub> in 2022.

In 2022, the eighth year of operation of the CSAPR NO<sub>x</sub> annual program, sources in both the CSAPR NO<sub>x</sub> annual program and the ARP together emitted 749,000 tons, a reduction of 5.7 million tons (88 percent reduction) from 1990 levels, and 2.9 million tons (79 percent reduction) from 2005 levels.

The Part 75 monitoring program requires almost 4,300 affected sources to monitor and report emission and operation data.<sup>8</sup> The Part 75 monitoring program requires high degrees of accuracy and reliability from continuous emission monitoring systems (CEMS) or approved alternative methods at the affected sources. EPA provides the affected emission sources with technical assistance to facilitate compliance with the monitoring requirements, and software—the Emissions Collection and Monitoring Plan System (ECMPS)—to process, quality assure, and report data to EPA. To assess the quality of the data, the Agency conducts electronic audits, desk reviews, and field and virtual audits of the emission data and monitoring systems. EPA also conducts a Protocol Gas Verification Program (PGVP) in cooperation with National Institute of Standards and Technology (NIST) to ensure calibration gases used for CEMS quality assurance/quality control are of high quality. In addition to the Clean Air Allowance Trading Programs, the emission measurement program and ECMPS software support several state and federal emission control and reporting programs, including the Texas SO<sub>2</sub> Trading Program, Regional Greenhouse Gas Initiative (RGGI), Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units, and Mercury and Air Toxics Standards (MATS). It also interfaces with the Greenhouse Gas Reporting Program (GHGRP), ensuring the Part 75 data is seamlessly transferred to that program’s infrastructure (Electronic Greenhouse Gas Reporting Tool (eGGRT)).

EPA’s centralized market operation system (the allowance tracking system) manages accounts and records allowance allocations and transfers.<sup>9</sup> At the end of each compliance period, working directly with and supporting stakeholders, EPA reconciles allowances against reported emissions to determine compliance for every facility with affected emission sources. For over 25 years, the affected facilities have maintained near-perfect compliance under the trading programs.<sup>10</sup> The market operation system also supports several state and federal emission control and reporting programs, including the Texas SO<sub>2</sub> Trading Program, RGGI, and MATS.

The Clean Air Act’s Good Neighbor provision<sup>11</sup> requires states or, in some circumstances the Agency, to reduce interstate pollution that significantly contributes to nonattainment or interferes with maintenance of the National Ambient Air Quality Standards (NAAQS). Under this authority, EPA issued CSAPR, which requires 27 states in the eastern U.S. to limit their state-wide emissions of SO<sub>2</sub> and/or NO<sub>x</sub> to reduce or eliminate the states’ contributions to PM<sub>2.5</sub> and/or ground-level ozone non-attainment of the NAAQS in downwind states. The emission limitations are defined in terms of maximum statewide “budgets” for emissions of annual SO<sub>2</sub>, annual NO<sub>x</sub>, and/or ozone-

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<sup>7</sup> CAIR addressed regional interstate transport of fine particulate matter and ozone. CAIR was replaced by the Cross-State Air Pollution Rule, as of January 1, 2015.

<sup>8</sup> Clean Air Act § 412; Clean Air Act Amendments of 1990. P.L. 101-549 § 821.

<sup>9</sup> Clean Air Act § 403(d).

<sup>10</sup> For more information, please refer to: <http://www3.epa.gov/airmarkets/progress/reports/index.html>.

<sup>11</sup> Clean Air Act § 110(a)(2)(D); also refer to Clean Air Act § 110(c).

season NO<sub>x</sub> emissions from certain large stationary sources in each state. In 2016, EPA issued the CSAPR Update to address interstate transport of ozone for the 2008 ozone NAAQS in the eastern United States. EPA revised the CSAPR Update on March 15, 2021, to address a ruling of the U.S. Court of Appeals for the D.C. Circuit. In 2022, EPA proposed the Good Neighbor Plan to address interstate transport of ozone for the 2015 ozone NAAQS and included a proposed ozone-season NO<sub>x</sub> trading program for EGUs in 25 states. The Good Neighbor Plan was finalized in spring 2023 and went into effect during the 2023 ozone season. In addition, EPA is supporting state efforts to address regional haze including best available retrofit technology and reasonable progress, as well as interstate air pollution transport contributing to downwind nonattainment of NAAQS as those obligations relate to emissions from electricity generating units.<sup>12</sup> EPA is conducting environmental justice (EJ) analyses of the distribution of these emissions and associated public health impacts on overburdened communities.

EPA manages the Clean Air Status and Trends Network (CASTNET), a rural ambient air monitoring program supporting NAAQS determinations, model validation, and ecological impacts. CASTNET measures ambient ozone and nitrogen and sulfur particles and gases to evaluate air quality effects on human health and environmental loadings. In addition, EPA participates in the National Atmospheric Deposition Program, which monitors wet deposition of sulfur, nitrogen, and mercury, as well as ambient concentrations of mercury and ammonia. Data from these air quality and environmental monitoring programs, in conjunction with SO<sub>2</sub>, NO<sub>x</sub>, mercury, and CO<sub>2</sub> emissions data from the Part 75 monitoring program and mercury emissions data from the MATS reporting 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 results achieved by the ARP, CSAPR, the CSAPR Update, and the Revised CSAPR Update, and pollution controls installed and emissions reductions achieved by MATS.<sup>13</sup> Required by Congress since FY 2019 in the appropriations reports, these annual progress reports highlight reductions in SO<sub>2</sub> and NO<sub>x</sub> emissions, and impacts of these reductions on air quality (*e.g.*, ozone and PM<sub>2.5</sub> levels), acid deposition, surface water acidity, forest health, and other environmental indicators.

EPA produces several tools to inform the public and key stakeholders about power sector emissions, operations, and environmental data. The Emissions & Generation Resource Integrated Database (eGRID)<sup>14</sup> is a comprehensive source of data on the environmental characteristics of almost all electric power generated in the U.S. Data from eGRID are used by other EPA programs, state energy and air agencies, and researchers. Between 2015 and 2021, eGRID was cited by more than 1,600 academic papers. Power Profiler<sup>15</sup> is a web application where electricity consumers can see the fuel mix and air emissions rates of their region's electricity and determine the air emissions associated with their electricity use. In keeping with the Agency's renewed commitment to energy equity and EJ, EPA published the Power Plants and Neighboring Communities web application<sup>16</sup> where consumers and advocates can find information about the demographics of communities

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<sup>12</sup> Clean Air Act § 110 and § 169A; refer to 40 CFR 52.2312.

<sup>13</sup> To view the progress reports, please refer to: <http://www3.epa.gov/airmarkets/progress/reports/index.html>.

<sup>14</sup> To view eGRID, please refer to <https://www.epa.gov/egrid>.

<sup>15</sup> To view Power Profiler, please refer to <https://www.epa.gov/egrid/power-profiler>.

<sup>16</sup> To view the Power Plants and Neighboring Communities, please refer to <https://www.epa.gov/airmarkets/power-plants-and-neighboring-communities>.

located near power plants. EPA is developing analytical tools to better understand and communicate the impact of electricity generation on low-income communities and communities of color. EPA also operates several initiatives to engage key stakeholders, including working closely with tribal governments to build tribal air monitoring capacity through partnerships with the CASTNET Program. The EmPOWER Air Data Challenge<sup>17</sup> encourages academic researchers to propose how to integrate the EPA emissions and/or environmental data in their research. The Ask Clean Air Markets Division (CAMD) webinars provide an opportunity for stakeholders to ask EPA about the Clean Air Allowance Trading Programs, Part 75 emission reporting program, and the emission and environmental data programs.

EPA also develops multiple models and tools to project future emissions from the power sector to inform EPA's air quality modeling, as well as water and land regulations affecting power plants. The Integrated Planning Model (IPM) is a state-of-the-art, peer-reviewed, dynamic linear programming model that EPA applies to project power sector behavior under future business-as-usual conditions and to examine prospective air pollution control policies throughout the contiguous United States for the entire electric power system. EPA uses IPM, along with the National Energy Modeling System (NEMS) and the Regional Energy Deployment System (ReEDS), to estimate future electricity market conditions and associated pollutant emissions scenarios resulting from legislative and regulatory policies under consideration by Congress and the Administration. The National Electric Energy Data System (NEEDS) includes geographic, operating, air emissions, and other data on existing and planned grid-connected electric generating units across the contiguous United States. EPA updates and publishes NEEDS on a quarterly basis to inform emission modeling projections and to provide timely information to air quality planners and policymakers developing regulations to address power sector pollution. EPA is augmenting these power sector models and tools to include important information pertinent to EJ analyses and community-level impacts.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to operate the Clean Air Allowance Trading Programs and the systems to assess compliance with the Programs' regulatory requirements and 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 emission control programs and for legal defense of regulatory actions. The Programs will continue to support emission reporting for other state and federal programs, including RGGI, MATS, and GHGRP.<sup>18</sup> In FY 2025, EPA anticipates work on regulatory development and implementation related to power plants including greenhouse gas emission guidelines for existing power plants (replacing the previously promulgated Clean Power Plan and the Affordable Clean Energy Rule); interstate ozone transport obligations under the 2015 ozone standard; and the risk and technology review for

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<sup>17</sup> For more information about the challenge, refer to <https://www.epa.gov/airmarkets/empower-air-data-challenge>.

<sup>18</sup> Refer to, 40 C.F.R. Part 63, Subpart UUUUU (*National Emission Standards for Hazardous Air Pollutants: Coal and Oil Fired Electric Utility Steam Generating Units*) and 40 C.F.R. Part 98, Subpart D (*Mandatory Greenhouse Gas Reporting: Electricity Generation*).



MATS. If finalized, the programmatic, operational, and/or data collection and management requirements will be expanded. EPA will continue to update power sector model inputs and capabilities to most accurately reflect changes and inform power sector investments driven by the Inflation Reduction Act and Infrastructure Investment and Jobs Act (IIJA).

This request also expands EPA's ability to perform advanced power sector analyses to tackle the climate crisis, including developing EJ tools to consider the distributional impacts of emissions on overburdened communities.

#### Allowance tracking and compliance assessment

EPA will allocate SO<sub>2</sub> and NO<sub>x</sub> allowances to affected emission sources and other account holders as established in the Clean Air Act<sup>19</sup> and state and federal CSAPR implementation plans. These allowance holdings and subsequent allowance transfers will be maintained in an allowance tracking system (*i.e.*, central database).<sup>20</sup> EPA will annually reconcile each facility's allowance holdings against its emissions to ensure compliance for all affected sources.<sup>21</sup>

#### Emission measurement, data collection, review, and publication

EPA will operate the Part 75 emission measurement program to collect, verify, and track emissions of air pollutants and air toxics from approximately 4,300 fossil-fuel-fired electric generating units.<sup>22</sup> In FY 2025, EPA also will implement several new regulatory actions, including the MATS e-reporting rule<sup>23</sup> and the Good Neighbor Plan and Part 75 regulatory update.<sup>24</sup> These new regulatory actions expand emission and compliance data collection. These emissions, operations, and compliance data will be maintained in an emissions tracking system (*i.e.*, central database) and made publicly available.<sup>25</sup>

#### Program assessment and communication

EPA will continue to monitor ambient air, deposition, and other environmental indicators through the CASTNET Program, contribute to the National Atmospheric Deposition Program, publish the power sector progress reports required by Congress, and produce additional information to communicate the extent of the progress made by the Clean Air Allowance Trading Programs.<sup>26</sup> EPA will publish emissions, environmental, and EJ-related demographic data on our expanded eGRID website. The expanded eGRID website will integrate new data available from the Energy Information Agency (EIA) and provide visualizations and contextual information to describe the emissions changes in the power sector.

#### Redesign system applications

EPA will continue the redesign of its markets operation system (CAMD Business System, CBS) and ECMPS software. These mission critical systems support the trading programs, as well as other emissions reporting programs operated by the states (*e.g.*, RGGI) and EPA (*e.g.*, MATS,

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<sup>19</sup> Clean Air Act §§ 110 and 403.

<sup>20</sup> Clean Air Act §§ 110 and 403.

<sup>21</sup> Clean Air Act §§ 110 and 404-405, and state CSAPR implementation plans.

<sup>22</sup> Clean Air Act § 412; Clean Air Act Amendments of 1990. P.L. 101-549 § 821; and 40 C.F.R. Part 63, Subpart UUUUU.

<sup>23</sup> 40 C.F.R. Part 63, Subpart UUUUU.

<sup>24</sup> 40 C.F.R. Part 75.

<sup>25</sup> Clean Air Act § 412; Clean Air Act Amendments of 1990. P.L. 101-549 § 821.

<sup>26</sup> Government Performance and Results Act § 1115.

GHGRP). Reengineering these decade-old systems will enable EPA to enhance the user experience, comply with EPA security and technology requirements, consolidate software systems, and reduce long-term operation and maintenance costs. EPA released the CAMPD website in FY 2022 to enhance the public’s access to the emission and allowance data. ECMPS modules were released in FY 2023 with additional functionality added in FY 2024.

Assistance to states

EPA will work with states to develop emission reduction programs to comply with the Clean Air Act Good Neighbor Provision and Regional Haze program requirements.<sup>27</sup> As part of the emission measurement, data collection, review, and publication, EPA will provide a web portal for states with delegated authority for MATS to access and review emissions and compliance data.

CASTNET will continue to support states in meeting their minimum monitoring requirements and assist with developing exceptional event demonstrations, as needed. Additionally, CASTNET will continue to provide data that can be used for permitting and ecological assessments within state boundaries (e.g., Colorado).

Stakeholder engagement

EPA will continue to engage our stakeholder communities through efforts to maintain and strengthen current tribal air monitoring partnerships and build new ones to the extent possible. In addition, EPA has new efforts underway to identify how power plant pollution impacts historically marginalized and underserved communities, and how EPA air rules can mitigate those impacts. EPA also seeks to communicate information about power plant emissions and the contributions to low-income communities and communities of color and encourage the use of the Clean Air Allowance Trading Programs’ data for scientific analysis and communication through various programs and tools, such as Power Plants and Neighboring Communities, EmPOWER Air Data Challenge and Ask CMD Webinars.

Policy and regulatory development

EPA will contribute multi-pollutant and multi-media (i.e., air, water, land) power sector analyses informing EPA’s policy agenda to tackle the climate crisis and protect public health and the environment, including EJ analyses to consider the distributional impacts of emissions on overburdened communities. Analytic and policy topics addressing climate change and air pollution that could be analyzed include a wide range of power sector actions under the CAA, as well as analysis of interactions between alternative vehicle electrification futures and associated changes in electric power generation.

**Performance Measure Targets:**

**(PM NOX) Tons of ozone season NOx emissions from electric power generation sources.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         |         | 355,000 | 344,000 | 332,000 | 332,000 | Tons  |
| <b>Actual</b> | 443,764 | 389,170 | 341,082 | 359,124 | 324,285 | 293,519 |         |         |       |

<sup>27</sup> Clean Air Act § 110(a)(2)(D).

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$14,189.0 / +17.7 FTE) This program change is an increase in support for emissions trading programs, including associated data systems, that protect human health and the environment by delivering substantial emissions reductions in the power sector of SO<sub>2</sub>, NO<sub>x</sub>, and hazardous air pollutants. This proposal expands EPA's ability to perform advanced power sector analyses to tackle the climate crisis, including developing environmental justice tools to consider the distributional impacts of emissions on overburdened communities. This investment includes \$3.248 million in payroll and additional changes to fixed support costs.

**Statutory Authority:**

Clean Air Act.

## Climate Protection

Program Area: Clean Air and Climate

Goal: Tackle the Climate Crisis

Objective(s): Reduce Emissions that Cause Climate Change

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$99,292</i></b>           | <b><i>\$101,000</i></b>              | <b><i>\$176,485</i></b>                   | <b><i>\$75,485</i></b>   |
| Science & Technology                                  | \$9,968                          | \$8,750                              | \$10,800                                  | \$2,050  |
| Total Budget Authority                                | \$109,260                        | \$109,750                            | \$187,285                                 | \$77,535   |
| Total Workyears                                       | 195.9                            | 216.1                                | 256.7                                     | 40.6   |

### **Program Project Description:**

EPA’s Climate Protection Program is working to tackle the climate crisis at home and abroad through an integrated approach of regulations, partnerships, and technical assistance. This Program takes strong action to limit carbon dioxide (CO<sub>2</sub>) and methane emissions as well as working to reduce high-global warming potential greenhouse gases (GHG), like hydrofluorocarbons (HFCs), that will help the U.S. realize near-term climate benefits. Through this program, EPA works with federal, state, tribal, local government agencies, and key GHG emitting sectors to tackle the climate crisis and deliver environmental and public health benefits for all Americans. EPA builds partnerships, provides tools, and verifies and publishes GHG data, economic modeling, and policy analysis, all of which increase the understanding of climate science, impacts, and protection. EPA also extends this expertise internationally and plays critical roles in shaping and advancing international agreements and solutions. This international collaboration helps to both improve public health and air quality in the United States and level the global playing field for American businesses.

#### Greenhouse Gas Reporting Program:

EPA implements the U.S. Greenhouse Gas Reporting Program under the Clean Air Act. 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 8,100 facilities from 41 industrial source categories, including suppliers (*e.g.*, producers, importers, and exporters of GHGs), and uses this data to: 1) improve estimates included in the *Inventory of U.S. Greenhouse Gas Emissions and Sinks*; 2) support federal and state-level policy and regulatory development; 3) share GHG emissions; and 4) share data with state and local governments, tribes, community groups, industry stakeholders, academia, the research community, and the general 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 U.S. Senate, EPA prepares the annual *Inventory of U.S. Greenhouse Gas Emissions and Sinks (Inventory)*. The *Inventory* provides information on total

annual U.S. emissions and removals by source, economic sector, and GHG. The *Inventory* is used to inform U.S. policy and for tracking progress towards the U.S. Nationally Determined Contribution under the Paris Agreement. EPA leads the interagency process of preparing the *Inventory*, working with technical experts from numerous federal agencies, including the Department of Energy's (DOE) Energy Information Administration, Department of Agriculture (USDA), 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 CAA to ensure a smooth transition away from ozone-depleting substances (ODS) to safer alternatives. Applying a comparative risk assessment, the Significant New Alternatives Policy (SNAP) Program evaluates the health and environmental effects of alternatives in the sectors and subsectors where ODS and high-global warming potential HFCs are used, providing additional substitute options in key sectors such as refrigeration and air conditioning.

#### Phasing Down HFCs:

EPA implements the American Innovation and Manufacturing (AIM) Act, enacted to address climate-damaging HFCs by phasing down their production and consumption; maximizing reclamation and minimizing releases of HFCs and their substitutes from equipment; and facilitating the transition to next-generation technologies through sector-based restrictions. This phasedown will decrease the production and import of HFCs in the United States by at least 85 percent by 2036, resulting in significant climate benefits.

#### ENERGY STAR:

ENERGY STAR is the national symbol for energy efficiency, recognized by more than 90 percent of American households, and is a critical tool to fight the climate crisis. ENERGY STAR addresses barriers in the market so that consumers and businesses can make informed decisions to reduce energy use, save money, and reduce harmful air pollutants. By reducing energy use, ENERGY STAR lowers costs for states and local governments as they design and implement plans to meet their air quality and climate goals.

ENERGY STAR achieves significant and growing GHG reductions by promoting the adoption of cost-effective, energy-efficient, and efficient electric technologies and practices in the residential, commercial, and industrial sectors. The Program yields significant environmental and economic results through its network of thousands of partners. In 2020 alone, ENERGY STAR and its partners helped American families and businesses save more than 520 billion kilowatt-hours of electricity and avoid \$42 billion in energy costs. These savings resulted in emission reductions of more than 400 million metric tons of GHGs (roughly equivalent to more than five percent of U.S. total GHG emissions) and more than 440 thousand tons of criteria air pollutants (SO<sub>2</sub>, NO<sub>x</sub>, PM<sub>2.5</sub>). ENERGY STAR's criteria pollutant reductions are estimated to result in \$7 billion to \$17 billion in public health benefits.<sup>28</sup> These investments in turn drive job creation across the economy. More than 750 thousand Americans are employed in manufacturing or installing ENERGY STAR certified equipment alone – roughly 35 percent of all energy

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<sup>28</sup> For more information on ENERGY STAR's environmental, human health, and economic impacts, please see here: <https://www.energystar.gov/about/impacts>. For more information on ENERGY STAR calculation methods, see the Technical Notes, available here: <https://www.energystar.gov/sites/default/files/asset/document/Technical%20Notes%202022.pdf>.

efficiency jobs in 2022, with energy efficiency accounting for 40 percent of all energy sector jobs overall.<sup>29</sup>

EPA manages the ENERGY STAR Program with clearly defined support from the DOE. Specifically, EPA manages and implements the specification development process for more than 75 product categories and the ENERGY STAR Most Efficient recognition program; the ENERGY STAR Residential New Construction Program for single-family homes, manufactured homes, and multifamily buildings; and the ENERGY STAR commercial and industrial programs. This work includes activities such as certification monitoring and verification; setting performance levels for building types; managing and maintaining the ENERGY STAR Portfolio Manager tool to measure and track energy use in buildings; and managing the integrity of the ENERGY STAR brand.

ENERGY STAR's IT portfolio is the foundation for program operation, partner communications, data collection, and analysis. The portfolio includes Portfolio Manager, which is the backbone of roughly 50 mandatory local benchmarking programs across the country; the qualified products exchange, the repository of information on ENERGY STAR products; the ENERGY STAR website, which is the program's primary means of communication with partners and citizens and receives over eight million visits per year; and ES Connect, a customer database used to track and communicate with thousands of stakeholders. All of these resources are supported by a robust cloud-based IT infrastructure to ensure performance, reliability, and security for ENERGY STAR stakeholders.

ENERGY STAR also supports equitable energy solutions by promoting broader access to energy-saving products and home improvements among disadvantaged households. A key focus of the ENERGY STAR Home Upgrade is to facilitate innovative financing approaches designed to address barriers faced by the most energy burdened. The Program prioritizes outreach to low-income populations on products that have the greatest opportunity to save energy and dollars. The ENERGY STAR Program also looks for affordable alternatives to products that may be cost-prohibitive, such as replacement windows (e.g., storm windows). In the residential new construction sector, a quarter of active home builders that partner with ENERGY STAR work in the affordable housing space, including 675 Habitat for Humanity affiliates who have built more than 19,500 ENERGY STAR certified homes and apartments. Over 150 manufactured housing plant partners have constructed more than 155,000 ENERGY STAR certified manufactured homes. Within the multifamily sector, more than 75 percent of ENERGY STAR certified multifamily high-rise buildings are identified as affordable housing.<sup>30</sup>

#### Renewable Energy Programs:

EPA works with industry and other key groups to promote climate leadership and encourage efficient, clean technologies. For example, EPA's Green Power Partnership drives voluntary participation in the U.S. green power market. This Program provides information, technical assistance, and recognition to companies that use green power at or above minimum partnership benchmarks. At the end of calendar year 2021, more than 700 EPA Green Power Partners reported

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<sup>29</sup> U.S. Department of Energy. (2023). U.S. Energy and Employment Report. <https://www.energy.gov/policy/us-energy-employment-jobs-report-useer> (link is external). The survey does not account for retail employment.

<sup>30</sup> For more information on ENERGY STAR's residential program, including affordable new construction, please visit: [https://www.energystar.gov/about/how\\_energy\\_star\\_works/why\\_epa](https://www.energystar.gov/about/how_energy_star_works/why_epa) and [https://cmadmin.energystar.gov/partner\\_resources/residential\\_new](https://cmadmin.energystar.gov/partner_resources/residential_new).

the collective use of more than 85 billion kilowatt-hours of green power annually. This amount of green power use represents nearly 35 percent of the U.S. voluntary green power market (that goes beyond required purchases under state renewable portfolio standards). Since 2001, the Program has helped prevent more than 375 million metric tons of GHG emissions.<sup>31</sup> In addition, EPA's Green Power Partnership also recognizes more than 120 EPA Green Power Communities nationwide that advance green power access and use to their community members. EPA also establishes norms of climate leadership by encouraging organizations with emerging climate objectives to identify and achieve cost-effective GHG emission reductions, while helping more advanced organizations drive innovations in reducing their greenhouse gas impacts in their supply chains and beyond.

#### State, Tribal and Local Climate and Energy Programs:

EPA works with state, tribal, and local governments to identify and implement cost-effective programs that reduce GHG emissions, save energy, and improve air quality. EPA provides the necessary tools, data, and technical expertise to help subnational governments implement energy efficiency and clean energy policies and programs that reduce emissions, maximize co-benefits, and prioritize low-income and vulnerable communities. Through trainings, webinars, outreach, and technical assistance, the Programs help dozens of state and local governments develop emissions inventories and analyze the emissions impacts and health benefits of energy efficiency and clean energy strategies. Many more subnational governments use the Programs' resources and policy guidebooks to discover best practices for emissions reductions. These programs also highlight best practices on how to deliver inclusive climate programs that benefit low-income communities and improve energy justice.

#### SmartWay Transport:

Launched in 2004, SmartWay is the only voluntary program working across the entire freight system to comprehensively address economic and environmental goals related to sustainability. Nearly 4,000 businesses that receive, ship, or carry freight rely upon SmartWay supply chain accounting tools and methods to assess, track, and reduce transportation-related carbon, energy use, and air emissions. By accelerating deployment of cleaner, more efficient technologies and operational strategies across supply chains, SmartWay partners have avoided significant amounts of pollution, helping to address the climate crisis and contributing to healthier air for underserved and overburdened communities living close to freight hubs and routes. Improving supply chain efficiency also helps grow the economy and protect and create jobs while contributing to energy security. Participants in this economic sector are increasingly looking towards zero emission technologies as options to improve environmental performance associated with their activities.

EPA is the SmartWay brand manager and is responsible for the specification process for hundreds of product and vehicle categories, including both family (passenger) vehicles and commercial (heavy-duty freight truck and trailer) vehicles, and the SmartWay Partnership and SmartWay Affiliate recognition programs. EPA's technology verification program enables manufacturers to voluntarily demonstrate fuel saving and emission reduction performance using standard testing protocols. SmartWay partner fleets as well as others in the trucking industry use EPA's verified technology lists to identify products that have been demonstrated to save fuel and reduce

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<sup>31</sup> For more information on EPA's Green Power Partnership's environmental, human health, and economic impacts, please visit: <https://www.epa.gov/greenpower/green-power-partnership-program-results>.

emissions. SmartWay also provides relevant information about fleet best practices and new technologies to help program participants determine best approaches to managing their fleets.

#### Partnerships to Reduce Methane Emissions:

EPA operates several partnership programs that promote cost-effective reductions of methane by working collaboratively with industry. Methane programs offer excellent opportunities for reducing the concentration of GHGs in the atmosphere and providing an energy resource in the process. Methane is a significant source of GHG emissions and has a relatively short atmospheric lifetime of about 9 to 15 years, which means that reductions made today will yield positive results in the near term.

Unlike other GHGs, methane is an important energy resource that allows for cost-effective mitigation. There are many opportunities to recover and re-use or sell methane from the agriculture (manure management), coal mining, oil and gas, and landfill sectors. The AgSTAR Program, which is a collaboration between EPA and USDA, focuses on methane emission reductions from livestock waste management operations through biogas recovery systems. The Coalbed Methane Outreach Program promotes opportunities to profitably recover and use methane emitted from coal mining activities. The Landfill Methane Outreach Program promotes abatement and energy recovery of methane emitted from landfills. The Natural Gas STAR Methane Challenge program spurs the adoption of cost-effective technologies and practices that reduce methane emissions from the oil and natural gas sector through collaborative partnerships with companies.

EPA also manages the implementation of the Global Methane Initiative (GMI), a U.S. led international public-private partnership that brings together over 45 partner governments and over 700 private sector and non-governmental organizations to advance methane recovery and use. GMI builds on the success of EPA's domestic methane programs and focuses on advancing methane reductions from agriculture, coal mines, landfills, oil and gas systems, and municipal wastewater. With assistance from several agencies—particularly EPA and U.S. Department of State—the U.S. Government has supported identification and implementation of more than 1,100 methane mitigation projects since 2005. These projects have reduced methane emissions by about 500 million tonnes of carbon dioxide equivalent (MMTCO<sub>2e</sub>), including approximately 39 MMTCO<sub>2e</sub> in 2021. Since 2005, U.S. efforts under the auspices of GMI leveraged more than \$650 million for project implementation and training and provided trainings for more than 50,000 people in methane mitigation.<sup>32</sup>

#### Partnerships to Reduce Fluorinated Greenhouse Gas Emissions:

EPA operates partnership programs that promote cost-effective reductions of fluorinated greenhouse gases (FGHG) by working collaboratively with industry. EPA's FGHG partnership programs continue to make significant reductions in potent GHG emissions, such as perfluorocarbons, HFCs, nitrogen trifluoride, and sulfur hexafluoride. Through its partnership programs, EPA works closely with participating industries to identify cost-effective emissions reduction opportunities, recognize industry accomplishments, and facilitate the transition toward environmentally friendlier technologies and chemicals and best environmental practices. Although

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<sup>32</sup>For more information on the Global Methane Initiative's environmental, human health, and economic impacts, please visit: <https://www.epa.gov/gmi/us-government-global-methane-initiative-accomplishments>.



FGHGs account for a small portion of total U.S. GHG emissions, they have very high global warming potentials.

#### Science, Economic, and Technical Analyses:

EPA conducts a range of economic, scientific, and technical analyses for CAA regulatory actions and to support the Administration's efforts to address climate change. These efforts include the communication of the science of climate change to the public by providing information on the indicators of climate change, climate risks, and actions that can be taken to mitigate the impacts. EPA applies an analytical framework to evaluate avoided risk and economic impacts of GHG mitigation. These efforts also include the development of multiple models and tools to project future multipollutant emissions (including GHGs) from the power sector to inform EPA's air quality modeling and air, water, and land regulations affecting power plants. EPA applies modeling tools and expertise across a wide range of high priority work areas, including supporting U.S. participation in the Paris Agreement, providing analysis and technical expertise to the U.S. Special Presidential Envoy for Climate and other interagency partners to support U.S. engagement with foreign governments on climate change, renewable fuel climate assessments, and conducting legislative analyses as requested by Congressional staff. Furthermore, EPA provides critical, world-renowned non-CO<sub>2</sub>, agriculture, and forestry analyses and participates in the interagency process to improve and apply the models and analyses as needed. Moreover, EPA is expanding its ability to conduct equity and Environmental Justice (EJ) analyses to identify policy implications and improve collaboration with underserved and frontline communities.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 1/Objective 1.1, Reduce Emissions that Cause Climate Change in the *FY 2022 - 2026 EPA Strategic Plan*. Work in this program also directly supports progress toward the FY 2024-2025 Agency Priority Goal: Phase down the production and consumption of hydrofluorocarbons (HFCs). By September 30, 2025, annual U.S. consumption of HFCs will be 40 percent below the baseline of 302.5 million metric tons of carbon dioxide equivalent (MMTCO<sub>2</sub>e) consistent with the HFC phasedown schedule in the American Innovation and Manufacturing (AIM) Act and codified in the implementing regulations.

In FY 2025, EPA is requesting resources to help reduce greenhouse gas emissions while also addressing EJ through an integrated approach of regulations, partnerships, and technical assistance. This request enables EPA to take strong action on CO<sub>2</sub> and methane as well as high-global warming potential climate pollutants such as HFCs; restores the capacity of EPA's climate partnership programs to provide essential contributions to our Nation's climate, economic, and justice goals; and strengthens EPA's capacity to apply its modeling tools and expertise across a wide range of high priority work areas, including supporting U.S. participation in the Paris Agreement.

EPA will continue to implement the Greenhouse Gas Reporting Program, which currently covers a total of 41 sectors with approximately 8,100 reporters. In FY 2025, additional resources are requested to implement regulations in FY 2025 to update global warming potentials and enhance reporting of emissions from U.S. industrial sectors, including methane emissions from the oil and natural gas sector. In FY 2025, EPA will verify at least 98 percent of Annual Greenhouse Gas

Reports from these sectors prior to the anticipated data publication during the first week of October. Focus areas for the Program will include:

- Implementing recent regulatory amendments to update, streamline, and enhance the scope and quality of the Greenhouse Gas Reporting Program across multiple sectors, GHG emissions data from the oil and gas sector, as well as carbon capture projects;
- Aligning the electronic greenhouse gas reporting tool (e-GGRT) with those regulatory amendments and performing system enhancements to accommodate HFC supply data submitted by industry to meet the reporting requirements of the AIM Act regulations;
- Conducting a verification process through a combination of electronic checks, staff reviews, and follow up with facilities;
- Publishing reported data while enhancing the Facility Level Information on Greenhouse Gases Tool (FLIGHT) mapping feature to visually display the distribution of GHG emissions and sources of GHG supply in areas of the country of EJ and equity concern;
- Continuing the review and decision making on the increased number of Carbon Capture and Storage Monitoring Reporting and Verification plans that are submitted to the GHG Reporting Program due to changes in the IRS 45Q tax code; and
- Implementing administrative actions, including one or more rulemakings, using Inflation Reduction Act (IRA) supplemental funds to revise the GHGRP subpart W (requiring reporting of GHG emissions from Petroleum and Natural Gas Systems) and implementing the Waste Emissions Charge.

In addition, EPA will work to complete the annual *Inventory of U.S. Greenhouse Emissions and Sinks (Inventory)*. In FY 2025, additional resources are requested to enhance the data collection, reporting and publication processes, while also supporting reconciliation and convergence of bottom-up and top-down approaches to measuring methane emissions, ensuring EPA continues to meet the legally binding treaty obligations. Focus areas will include:

- Continuing improvements to inventory methodologies in areas such as oil and gas, land-use, and waste, consistent with Intergovernmental Panel on Climate Change guidelines, and to meet upcoming Paris reporting requirements;
- Disaggregating the national *Inventory* to the state level and publishing the results annually through the online Data Explorer tool;
- Furthering work to make use of advanced observation technologies, including through developing the capacity to publish an annual gridded methane inventory, which is essential for use by atmospheric researchers and as input to other studies;
- Integrating the GHG emission calculator into Portfolio Manager to help users fully comply with accounting protocols and local mandates;
- Enhancing GHG inventory tools and technical assistance to states, local governments, and tribes; and,
- In coordination with National Aeronautics and Space Administration (NASA) and other partners, EPA will continue to study and prototype capabilities for a greenhouse gas monitoring and information system that will integrate data from a variety of sources, with a goal of making data more accessible and usable to federal, state, and local governments, researchers, the public, and other users.

In FY 2025, EPA will continue to implement the ENERGY STAR Program, partnering with nearly 840 utilities (representing an annual collective investment of \$7.6 billion in energy efficiency programs) plus state and local governments and nonprofits. These partners leverage ENERGY STAR in their efficiency programs to achieve GHG reductions in major economic sectors, consistent with national commitments. In FY 2025, ENERGY STAR also will continue to modernize its IT infrastructure, including moving existing software to open-source, cloud-based solutions to improve system performance and reliability while also reducing operational costs. ENERGY STAR will further prioritize usability of its web-based tools and resources for both partners and the general public.

More than 50 cities and states have developed mandatory energy requirements for existing commercial and multifamily buildings (*e.g.*, benchmarking, disclosure, and energy or climate performance) that rely on EPA's Portfolio Manager (EPA's online tool for building managers to measure and track energy and water consumption, as well as greenhouse gas emissions) and work with EPA on implementation.

EPA also will support the IRA's expanded incentives – including tax credits and/or rebates for consumers, businesses, and owners of commercial and multifamily buildings that explicitly rely on ENERGY STAR – through both an information hub and targeted outreach and technical assistance to potential users of these incentives.

Under a Memorandum of Understanding (MOU) with DOE, EPA has an obligation to review and update ENERGY STAR specifications on a regular cycle. Failure to update these specifications undermines EPA's commitments under this MOU and risks a situation where ENERGY STAR specifications would be less rigorous than DOE's regulatory standards, or national model energy codes and advanced state-level codes for new construction, which introduces the possibility of legal risk to the Agency. In FY 2025, the Agency is requesting additional resources to address the growing backlog of ENERGY STAR specifications that are overdue for review and update.

ENERGY STAR will work in the Residential Sector to enable and accelerate the adoption of energy efficiency. In FY 2025, the Program will:

- Update up to five product specifications for ENERGY STAR-labeled products to ensure top efficiency performance and complete development of a specification for up to one new product type;
- Further amend up to two ENERGY STAR specifications in response to changes in DOE minimum efficiency standards and test procedures;
- Complete the stakeholder process across all relevant residential and commercial product specifications to prioritize labeling of efficient, electric products;
- Administer third-party certification to ensure consumer confidence in more than 75 categories for ENERGY STAR labeled products, which includes overseeing 500 recognized laboratories worldwide and more than 20 certification bodies;
- Further drive long-term climate goals by advancing the cutting edge of the current and future market through the ENERGY STAR Emerging Technology Awards and the ENERGY STAR Most Efficient recognition program, which recognizes over 2,500 product

models from nearly 350 manufacturers;

- Leverage the market power of the ENERGY STAR brand through the ENERGY STAR Home Upgrade to quickly scale home energy retrofits featuring the high impact, broadly applicable measures (*e.g.*, heat pumps and heat pump water heaters) that are critical to efficiently decarbonizing the residential sector;
- Target energy-saving resources to underserved and energy burdened households with expanded efforts to leverage the ENERGY STAR market power to advance utility-scale uptake of equitable financing approaches for home energy upgrades, a key opportunity to support environmental justice goals;
- Continue to develop and implement critical updates of program requirements for EPA’s ENERGY STAR Residential New Construction programs in response to newly-developed and adopted national model codes and unique states codes, such as California, to ensure that the Program continues to deliver at least 10 percent energy savings; and
- Provide support for the implementation of the Section 45L tax credit for energy-efficient new homes, including coordination with other federal agencies (*e.g.*, Treasury and DOE), as well as providing technical assistance for builders and energy rating companies to ensure maximum uptake of available credits that promote increased efficiency in residential new construction.

In addition, ENERGY STAR will continue to partner with businesses and public-sector organizations to advance energy efficiency in the commercial sector. In FY 2025, the program will:

- Continue to operate and maintain ENERGY STAR Portfolio Manager, as well as deliver critical enhancements to accommodate the more than 300 commercial software vendors and utilities that use the tool, and add reporting and tracking functionality and enhanced data quality checks to increase support to corporate and federal, state and local government users;
- Update and expand ENERGY STAR building scores, used to understand how a building’s energy consumption compares with similar buildings nationwide;
- Verify the efficiency of more than 7,000 buildings with EPA’s ENERGY STAR label, including conducting approximately 250 spot audits;
- Provide guidance and technical assistance to the many local governments and states that are exploring or have adopted building performance standards, as well as continue to support jurisdictions that have adopted mandatory or voluntary energy benchmarking and disclosure policies that rely on EPA’s ENERGY STAR Portfolio Manager and related tools; and
- Deploy in marketplace the new ENERGY STAR-based certification program that was launched in FY 2024 to recognize the next generation of existing commercial and multifamily buildings that demonstrate achievement of top efficiency plus low carbon emissions through efficient electrification and use of renewable energy.

ENERGY STAR will continue to work with partners in the industrial sector to improve efficiency and reduce costs while protecting the environment. In FY 2025, the Program will:

- Continue to support ENERGY STAR industrial partners across 33 diverse industrial sectors through webinars, focus industry meetings, company-to-company mentoring, and recognition of efficient plants;
- Update and develop new Energy Performance Indicators to incorporate key factors that impact energy use in the plant and convert electricity inputs to source energy;
- Work with, review, and audit an expected 200 industrial plants applications registered to achieve the ENERGY STAR Challenge for Industry in which industrial sites commit to reducing their energy intensity by 10 percent within five years; and
- Deploy scalable guidance and technical assistance to increase efficiency in lower-resourced small and medium sized industries.

EPA will implement the Green Power Partnership and other activities to accelerate the transition to a carbon-pollution free electricity sector. In FY 2025, the Program will:

- Update and develop new resources, educational tools, and recognition of actions and leadership to incentivize all sectors of Green Power Partners;
- Foster market leadership through the Green Power Leadership Awards that focus on the aggressive actions of Partners to facilitate use of green power within their own operations, supply chains, underserved communities, and among Partner employees;
- Partner with over 130 Green Power Communities to encourage local efforts to increase their use of and investment in renewable electricity, including underserved communities that have traditionally lacked adequate access to green power;
- Promote cost-effective corporate GHG management practices that support the measurement and management of corporate-wide emissions; and
- Maintain and update widely utilized tools, such as the Emissions Factor Hub, that are key to ensuring accurate and credible estimations of corporate greenhouse gas emissions and reporting practices in the measurement and management of greenhouse gas emissions.

In FY 2025, EPA will implement the State and Local Climate and Energy Program to support state, local, and tribal actions that are essential to tackling the climate crisis, reducing pollution, and promoting equity and environmental justice in clean energy programs. Focus areas of the Program will include:

- Providing technical support to dozens of state, tribal, and local governments as they implement climate and clean energy policies for efficiency, renewables, and efficient electrification and provide increased support on equity and environmental justice in clean energy policy design;
- Updating major analytical tools to enable state, tribal and local governments to develop and analyze GHG inventories, pollutant emissions reductions, and public health co-benefits of efficiency, renewables, and efficient electrification;
- Conducting outreach and training on tools to hundreds of state and local officials as well as increased collaboration with other EPA offices and regions with focus on energy efficiency and efficient electrification analytics; and

- Providing best practices to states and local governments on energy efficiency and efficient electrification program design through webinars and convenings for state and local policymakers.

In FY 2025, EPA will continue to mitigate domestic methane and fluorinated greenhouse gases emissions by implementing partnership outreach programs focused on providing technical information on best practices and cost-effective technologies in the petroleum and natural gas systems, municipal solid waste landfills, livestock manure anaerobic digestion and biogas systems, coal mining, and electric power transmission sectors. EPA's GreenChill Partnership Program will continue to work with key sectors transitioning from ODS and HFCs to promoting lower global warming potential and improved more energy-efficient technologies. The Responsible Appliance Disposal Program partners achieve emissions reductions by collecting and disposing of refrigerated appliances containing ODS and HFCs. Regulatory controls under the AIM Act will further phase down HFCs.

EPA also will continue implementing and promoting global methane mitigation opportunities across multiple sectors (oil and gas, coal mining, municipal solid waste, wastewater, agriculture/manure management) in support of the GMI by:

- Running the secretariat of the GMI, coordinating and organizing overall activities;
- Providing technical leadership across multiple sectors;
- Coordinating with key methane-focused initiatives such as United Nations Economic Commission for Europe, Climate & Clean Air Coalition, and the International Energy Agency; and
- Serving Administration-level priorities, such as the Global Methane Pledge.

In FY 2025, EPA will maintain and enhance the climate change website by updating scientific material and further developing web products that reach the American public and effectively communicate the causes and effects of climate change and Administration priorities. EPA also will support the State Department as the technical lead in developing both current and additional measure projections and compiling information on GHG mitigation policies and measures to assess our progress towards meeting our Nationally Determined Contribution goal. These projections and actions will be included in the upcoming first U.S. Biennial Transparency Report, as required by the United Nations Framework Convention on Climate Change and its Paris Agreement.

EPA will continue its United Nations Framework Convention on Climate Change engagement by serving as negotiators on U.S. delegations, for example, on transparency and markets, and working to assess mitigation potential and information from other countries. EPA also will review national inventory and related reports submitted by other countries, including other major economies such as Brazil, Germany, and China.

EPA will continue to improve work on climate change impacts modeling including how risks and economic impacts can be reduced under mitigation and adaptation scenarios by:

- Advancing the scientific literature on climate impacts through the Climate Change Impacts and Risk Analysis project by publishing and applying sectoral impact

methodologies and the FrEDI reduced complexity tool to improve analytical and communication capability;

- Quantifying and monetizing the disproportionate risks of climate change on socially vulnerable populations;
- Continuing to make the Climate Change Indicators more accessible through enhanced products and visualization tools; and
- Collaborating with the interagency U.S. Global Change Research Program through participation in the National Climate Assessment and other key Program activities.

EPA also will analyze program data on GHG emissions from petroleum and natural gas facilities and support the Agency by:

- Developing more detailed oil and gas projections to support the nationally determined contributions under the Paris Agreement; and
- Performing technical analyses, regulatory development, and regulatory impact analyses.

EPA also will analyze program data on greenhouse gas emissions from power plants by:

- Developing regulations, conducting regulatory impact analyses, and model emission projections to address criteria and toxic air pollutants as well as greenhouse gases from the power sector;
- Providing economic analyses and power sector modeling to inform a holistic picture of multipollutant and multimedia regulation of the sector; and
- Conducting detailed analytics and extensive public engagement to integrate environmental justice into policy development for power sector rules.

Also in FY 2025, EPA will continue to achieve significant reductions in climate and other harmful emissions from freight transportation by expanding SmartWay efforts to:

- Develop and refine GHG accounting protocols for freight carriers and their customers;
- Continue to provide expertise and serve as a technical test bed in support of the Agency's efforts to reduce GHG emissions, including activities related to zero emission technologies;
- Continue to transition SmartWay partner tools to an online platform making it easier to benchmark and track performance and expand access to SmartWay for smaller businesses;
- Encourage adoption of SmartWay approaches globally under international frameworks and agreements, including co-administering SmartWay with Canada and continuing a SmartWay pilot in Mexico;
- Contribute to the dissemination and implementation of an International Organization for Standardization (ISO) standard to calculate GHG emissions from transportation operations; and,
- Update GHG requirements for federal purchases of passenger vehicles under the Energy Independence and Security Act as needed.

**Performance Measure Targets:**

**(PM CPP) Million metric tons of carbon dioxide equivalent reduced annually by EPA’s climate partnership programs.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022            | FY 2023            | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|--------------------|--------------------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | 486.9              | 500.7              | 513.9   | 509.3   | MMTCO2e |
| <b>Actual</b> | 505.6   | 518.6   | 529.6   | 469.9   | Data Avail 11/2024 | Data Avail 11/2025 |         |         |         |

**(PM REP) Percentage of Annual Greenhouse Gas Emission Reports verified by EPA before publication.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <b>Target</b>      | 65      |         |         |         | 98      | 98      | 98      | 100     | Percent |
| <b>Actual</b>      | 97      | 96      | 95      | 99      | 97      | 97      |         |         |         |
| <b>Numerator</b>   | 7,821   | 7,867   | 7,722   | 7,935   | 7,877   | 7,891   |         |         | Reports |
| <b>Denominator</b> | 8,061   | 8,165   | 8,126   | 8,029   | 8,141   | 8,130   |         |         |         |

**(PM HFC) Remaining U.S. consumption of hydrofluorocarbons (HFCs).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | 273.5   | 273.5              | 181.5   | 181.5   | MMTCO2e |
| <b>Actual</b> |         |         |         |         | 253.4   | Data Avail 11/2024 |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$190.0 / +1.0 FTE) This program change increases FTE to support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements.
- (+\$65,295.0 / +37.3 FTE) This program change is an increase to advance work to reduce greenhouse gas emissions and advance environmental justice through an integrated approach of regulations, partnerships, and technical assistance. The increase would enable EPA to take strong action on CO<sub>2</sub> and methane as well as high-global warming potential climate pollutants such as HFCs, as directed by the AIM Act; restore the capacity of EPA’s climate partnership programs to provide essential contributions to our nation’s climate, economic, and justice goals; and strengthen EPA’s capacity to apply its modeling tools and expertise across a wide range of high priority work areas including supporting U.S. participation in the Paris Agreement and the Climate-Macro Interagency Technical Working Group. This investment includes \$7.3 million in payroll and additional changes for fixed support costs. This also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$5,000.0) This program change is an increase for EPA, in coordination with NASA, to study and prototype capabilities for a greenhouse gas monitoring and information system



that will integrate data from a variety of sources with a goal of making data more accessible and usable to federal, state, and local governments, researchers, the public, and other users.

- (+\$5,000.0) This program change is an increase to support implementation of the Greenhouse Gas Reduction Fund under the Inflation Reduction Act. The administrative set aside provided for the fund was less than two tenths of one percent.

**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; American Innovation and Manufacturing (AIM) Act.

## Federal Stationary Source Regulations

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$29,768</i></b>   | <b><i>\$30,344</i></b>      | <b><i>\$47,888</i></b>           | <b><i>\$17,544</i></b>                                       |
| Total Budget Authority                                | \$29,768                 | \$30,344                    | \$47,888                         | \$17,544   |
| Total Workyears                                       | 113.2                    | 124.5                       | 165.3                            | 40.8   |

### Program Project Description:

The Clean Air Act (CAA) requires EPA to take action to improve and protect air quality and limit emissions of harmful air pollutants from a variety of sources. The CAA directs EPA to set National Ambient Air Quality Standards (NAAQS) for six “criteria” pollutants considered harmful to public health and the environment. The criteria pollutants are particulate matter (PM), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), and lead (Pb). The CAA requires EPA to review the science upon which the NAAQS are based and the standards themselves every five years. 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.

Sections 111, 112, and 129 of the CAA direct EPA to take actions to control air emissions of toxic, criteria, and other pollutants from stationary sources. Specifically, to address air toxics, the CAA Section 112 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 CAA Section 111 program requires issuing, reviewing, and periodically revising, as necessary, New Source Performance Standards (NSPS) for certain pollutants from listed categories of 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 through issuance and periodic review and revision of control technique guidelines. The CAA Section 129 program further requires EPA to develop and periodically review standards of performance and emissions guidelines covering air emissions from waste combustion sources.

Sections 169A and 169B of the CAA 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 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA is requesting additional resources to propose federal plans to implement rules to limit GHG emissions from new and existing sources in the power sector and new and existing facilities in the oil and gas sector, and to propose or finalize actions with court-ordered or court-enforceable deadlines occurring in FY 2025, as well as other priority air quality actions. This increase also implements a strategy to meet statutory deadlines for Risk and Technology Reviews of Maximum Achievable Control Technology (MACT) standards, per corrective action commitments made in response to OIG recommendations in FY 2022 which include requesting required resources.<sup>33</sup>

### NAAQS

EPA strengthened the PM<sub>2.5</sub> annual standard on February 7, 2024<sup>34</sup>. EPA also is under a consent decree to issue a proposed rulemaking for the secondary NAAQS for sulfur oxides, nitrogen oxides, and particulate matter by April 9, 2024, and to finalize the decision by December 10, 2024. In FY 2025, EPA will advance the review of the 2020 Ozone NAAQS, will continue its review of the lead NAAQS and anticipates reviewing the primary nitrogen oxides NAAQS under a consent decree schedule. EPA has requested resources commensurate to support these reviews. Each review involves a comprehensive reexamination, synthesis, and evaluation of 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.

With FY 2025 resources, EPA will continue a multi-phased process for improving air pollution health benefits analysis methods to improve the science it uses to quantify health benefits from air quality regulations. This is one of the learning priority areas as part of the Agency's Learning Agenda in the *FY 2022-2026 EPA Strategic Plan*. EPA will finalize a health benefits guidelines document outlining best practices for incorporating new scientific information into methods for health benefits analysis. This will be followed by additional annual reviews and necessary updates of specific methods and applications in the guidelines document. This effort will help ensure

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<sup>33</sup> The EPA Needs to Develop a Strategy to Complete Overdue Residual Risk and Technology Reviews and to Meet the Statutory Deadlines for Upcoming Reviews. March 30, 2022. Pages: At-A-Glance, 6, 8, 11, 12, 14, 25, 26, & 27.

[https://www.epa.gov/system/files/documents/2022-03/epaig\\_20220330-22-e-0026.pdf](https://www.epa.gov/system/files/documents/2022-03/epaig_20220330-22-e-0026.pdf).

<sup>34</sup> For additional information, please see: <https://www.epa.gov/system/files/documents/2024-02/pm-naaqs-final-frn-pre-publication.pdf>.

transparency and confidence in the process for selecting and applying the latest science in health benefits analysis. EPA also will improve tools and approaches to enable more robust analysis of program impacts on vulnerable communities. EPA will work to achieve and maintain compliance with any existing standards. These include the ozone standards established in 2015, 2008, 1997, and 1979; the 1987 PM<sub>10</sub> standards; the 2012, 2006, and 1997 PM<sub>2.5</sub> standards; the 2008 and 1978 lead standards;<sup>35</sup> the 2010 NO<sub>2</sub> standard;<sup>36</sup> the 1971 CO standard; and the 2010 SO<sub>2</sub> standard.<sup>37</sup> EPA also will work to complete initial area designations for the 2024 PM<sub>2.5</sub> standard, as well as any other outstanding designation actions for other NAAQS. EPA, in close collaboration with states and tribes, will work to improve air quality in areas not in attainment with the NAAQS, including assisting states and tribes in developing CAA-compliant pollution reduction plans.

### 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 compiling information and data already available to the Agency; 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 review the risk that remains after the implementation of MACT standards within eight years of promulgation. In addition, Section 112 requires EPA to periodically review, and, where appropriate, revise both the list of air toxics subject to regulation and the list of source categories for which standards must be developed. The CAA Section 129 Program further requires EPA to develop and periodically review standards of performance and emissions guidelines covering air emissions from waste combustion sources.

In FY 2025, EPA will undertake multiple CAA reviews and associated rulemakings. The air toxics program will prioritize conducting reviews of NESHAP and CAA Section 129 rules, many of which are subject to court-ordered or court-entered dates, or are actions otherwise required by courts. EPA expects to propose or promulgate more than 41 air toxics rules in FY 2025. If EPA receives the resources requested as part of its commitment to the OIG concerning corrective action measures for the Air Toxics Program, EPA also will expect to propose or finalize an additional 48 air toxics rules in FY 2025 – a total of 89 air toxics actions. EPA will enhance risk assessment capabilities to better identify and determine impacts of exposures to air toxics on communities. The Program will prioritize its work, as resources allow, with an emphasis on meeting court-ordered deadlines, and incorporating environmental justice (EJ) considerations as part of the decision-making process. FY 2025 funds also will be used to provide outreach, training, technical assistance, and capacity building to communities and small businesses that may be affected by the rules we promulgate.

As called for in the Administrator's April 27, 2021, *Memorandum Regarding Per- and Polyfluoroalkyl Substances*,<sup>5</sup> EPA will take actions to address PFAS pollution. The EPA Council on PFAS will continue to collaborate on cross-cutting strategies; advance new science; develop coordinated policies, regulations, and communications; and engage with affected states, tribes, communities, and stakeholders. The Agency's PFAS Strategic Roadmap outlined a whole-of-

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<sup>35</sup> In September 2016, EPA completed the review of the 2008 Lead NAAQS and retained the standards without revision.

<sup>36</sup> In April 2018, EPA completed the review of the 2010 NO<sub>2</sub> NAAQS and retained the standards without revision.

<sup>37</sup> In February 2019, EPA completed the review of the 2010 SO<sub>2</sub> NAAQS and retained the standards without revision.

agency approach to addressing PFAS contamination. In the Roadmap, the Office of Air and Radiation (OAR) committed to “evaluate mitigation options, and/or pursuing other regulatory and non-regulatory approaches.” This includes consideration of appropriate actions using existing CAA authorities.

As called for in the Administrator’s April 27, 2021, *Memorandum Regarding Per- and Polyfluoroalkyl Substances*,<sup>5</sup> EPA will take actions to address PFAS pollution. The EPA Council on PFAS will continue to collaborate on cross-cutting strategies; advance new science; develop coordinated policies, regulations, and communications; and engage with affected states, tribes, communities, and stakeholders. The Agency’s PFAS Strategic Roadmap outlined a whole-of-agency approach to addressing PFAS contamination. In the Roadmap, the Office of Air and Radiation (OAR) committed to “evaluate mitigation options, and/or pursuing other regulatory and non-regulatory approaches.” This includes consideration of appropriate actions using existing CAA authorities.

As part of a forward-looking air toxics strategy, EPA will address these regulatory and emerging issues and improve access to air toxics data. The Agency will continue its transition to an approach that develops and shares air toxics data faster and more regularly to the public, allowing for increased transparency and the ability to see trends and exposure risks over time. In 2025 EPA will report the most current air toxics data available each year in the annual Air Trends Report and an online interactive tool (AirToxScreen) instead of the previous three to four - year cycle for toxics data reporting and provide that data at increased spatial resolution. EPA will continue providing information annually for communities on health risks from exposures to air toxics through the AirToxScreen, which enables the public to identify existing and emerging air toxics issues.

### NSPS

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 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. Under CAA Section 111, EPA must establish emission guidelines for existing sources for which air quality criteria have not been issued, are not included in the list published under Section 108(a), or are emitted from a source category that is regulated under Section 112, but to which a standard of performance would apply if such an existing source were a new source.

In meeting the requirements of Executive Order 13990 and as part of the Administration’s comprehensive approach to tackling the climate crisis, EPA also will continue its work to reduce GHGs from fossil-fuel fired power plants and from sources in the oil and natural gas industry. These sources are the two largest categories of stationary sources of GHG emissions in the U.S.<sup>38</sup> EPA issued a notice of proposed rulemaking for fossil-fuel fired power plants in May 2023 to revise new source performance standards for natural gas-fired combustion turbines and to establish emission guidelines for existing steam electric generating units and certain existing natural gas-fired combustion turbines. EPA also issued a notice of proposed rulemaking for the oil and natural

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<sup>38</sup> EPA (2023) Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2021. U.S. Environmental Protection Agency, EPA 430-R-23-002. <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2021>.

gas sector in November 2021 and a supplemental proposal in December 2022 to revise new source performance standards and to establish emission guidelines for existing sources. These proposals were informed by extensive engagement with states, tribal nations, communities, and a broad range of stakeholders, as well as a fresh look at pertinent policies, technology, and data. EPA issued a final rule addressing GHGs from new and existing sources in the oil and natural gas industry in fall 2023 and intends to issue a final rule addressing GHGs from new and existing fossil fuel-fired power plants in spring 2024.

In FY 2025, EPA plans to implement new source performance standards and emission guidelines applicable to power plants and to the oil and gas sources that EPA will have finalized under Section 111. As part of this effort, EPA also will provide support for implementation of the final new source performance standards and support to states in the development of state plans to meet oil and natural gas emission guidelines and power plant emission guidelines. EPA also intends to develop proposed federal plans for existing oil and natural gas sources and power plants not covered by a respective state or tribal plan. These actions are key steps toward EPA’s commitment to deliver public health protections from these pollutants for communities across America.

In addition, in FY 2025, EPA will work to fulfill the CAA’s Section 111 requirements for approximately 11 source categories in multiple rulemaking actions, many of which are subject to court or executive orders or are in litigation.

EPA also will undertake other projects, such as those required by statute or executive order; overdue NSPS and area source technology reviews related to source categories in addition to those described above. EPA will continue work on case-by-case regional and national NESHAP and NSPS applicability determinations.

**Performance Measure Targets:**

**(PM NAAQS) Percentage of air quality improvement in counties not meeting current NAAQS.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | 7       | 8                  | 9       | 10      | Percent |
| <b>Actual</b> | 3       | 7       | 8       | 10      | 8       | Data Avail 11/2024 |         |         |         |

**(PM NAAQS2) Percentage of people with low SES living in areas where the air quality meets the PM2.5 NAAQS.**

|                    | FY 2018    | FY 2019    | FY 2020    | FY 2021    | FY 2022    | FY 2023            | FY 2024 | FY 2025 | Units   |
|--------------------|------------|------------|------------|------------|------------|--------------------|---------|---------|---------|
| <b>Target</b>      |            |            |            |            | 90         | 93                 | 97      | 100     | Percent |
| <b>Actual</b>      | 82         | 82         | 81         | 85         | 83         | Data Avail 11/2024 |         |         |         |
| <b>Numerator</b>   | 52,044,172 | 51,560,102 | 48,678,558 | 50,304,779 | 49,634,175 |                    |         |         | People  |
| <b>Denominator</b> | 63,150,683 | 62,687,368 | 60,053,454 | 59,241,268 | 59,614,742 |                    |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands)**

- (+\$1,132.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$13,648.0 / +38.8 FTE) This program change is an increase to support the regulation of stationary sources of air pollution through developing and implementing emissions standards, regulations, and guidelines. This includes resources to implement rules to limit GHG emissions from new and existing sources in the power sector and new and existing facilities in the oil and gas sector and to meet statutory and court-ordered legal deadlines. This increase also is necessary to meet statutory deadlines for Risk and Technology Reviews of Maximum Achievable Control Technology standards, per corrective action commitments made to OIG. This investment includes \$7.3 million for payroll.
- (+\$2,764.0 / +2.0 FTE) This program change is an increase in support of implementation of the Foundations for Evidence-Based Policymaking Act of 2018, to help the Agency identify, prioritize, and undertake evidence-building activities and develop evidence building capacity to inform policy and decisions. This investment includes \$358.0 thousand for payroll.

**Statutory Authority:**

Clean Air Act.

## Federal Support for Air Quality Management

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$134,931</i></b>          | <b><i>\$147,704</i></b>              | <b><i>\$258,663</i></b>                   | <b><i>\$110,959</i></b>  |
| Science & Technology                                  | \$8,950                          | \$11,343                             | \$10,754                                  | -\$589   |
| Total Budget Authority                                | \$143,881                        | \$159,047                            | \$269,417                                 | \$110,370  |
| Total Workyears                                       | 824.3                            | 879.3                                | 1,079.7                                   | 200.4  |

### **Program Project Description:**

The Federal Support for Air Quality Management Program assists state, tribal, 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 helps reduce haze and improve visibility in some of America’s largest national parks and wilderness areas.

Under this program, EPA develops federal measures and regional strategies that help to reduce emissions from stationary and mobile sources. Delegated 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 quality and emissions data. EPA, working with states, tribes, and local air agencies, develops methods for estimating and measuring air emissions and monitoring air quality 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.

### NAAQS Development

The Clean Air Act (CAA) requires EPA to set the NAAQS for six “criteria” pollutants considered harmful to public health and the environment. The criteria pollutants are particulate matter (PM), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), and lead (Pb). 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 are set at a level requisite to protect public welfare from any known or anticipated adverse effects, such as decreased visibility and damage to animals, crops, vegetation, and buildings. The CAA requires EPA to review the science upon which the NAAQS are based and the standards themselves every five years. These national standards form the foundation for air quality management and establish goals that protect public health and the environment.



### Air Pollution Information Tracking

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.

### Air Quality Management Planning

Under CAA Section 110, EPA develops regulations and guidance to clarify requirements for state and local air agencies for developing State Implementation Plans (SIPs) for implementing the NAAQS. SIPs are the plans that ensure attainment and maintenance of the NAAQS. EPA works with state and local governments to ensure the technical integrity of emission source controls in 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.

### New Source Review (NSR) Preconstruction Permit Program

The 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 program, described in Section 165 of the CAA, and the Nonattainment NSR program, described in various parts of the CAA, including Sections 173 and 182.

### Outer Continental Shelf (OCS) Air Permit Program

Section 328 of the CAA establishes requirements for managing and minimizing air pollution through the permitting of activities located offshore of the United States along the Pacific, Arctic (except the North Slope Borough of Alaska), and Atlantic Coasts, and in certain parts of the Gulf Coast. Additional specific requirements are codified in rulemaking. To support the Nation's transition to clean energy, EPA is developing policy and guidance applicable to offshore wind projects being constructed on the OCS and will devote increased resources to this work to support the Administration's goal of deploying 30 gigawatts of offshore wind power by 2030 as part of the federal government's efforts to tackle climate change.

### Protection of Visibility in Class I Areas

Sections 169A and 169B of the CAA 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 that 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.

### Control of Air Toxics

Toxic air pollutants are known to cause or are suspected of causing increased risk of cancer and other serious health effects, such as neurological damage and reproductive harm. EPA assists state, tribal, and local air pollution control agencies in characterizing the nature and scope of their air toxics issues through modeling, emission inventories, monitoring, and assessments. For example, EPA maintains updated air toxic emission and exposure data, incorporating current

toxicity data to provide recent information on air toxics risks from a national perspective and at a local scale, where possible. EPA also supports programs that reduce inhalation risk and multi-pathway risk posed by deposition of air toxics to water bodies and ecosystems, facilitates international cooperation to reduce transboundary and intercontinental air toxics pollution, develops and improves risk assessment methodologies for toxic air pollutants, and provides training for air pollution professionals.

The provisions of the CAA that address the control of air toxics are located primarily in Section 112 and 129. Section 112 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. EPA has promulgated rules for approximately 180 source categories to control air toxics under Section 112 and is continually engaged in their periodic review and revision. EPA will enhance risk assessment capabilities to better identify and determine impacts of exposures to air toxics on communities, including communities impacted by environmental justice (EJ) issues.

The Program prioritizes its work, as resources allow, with an emphasis on meeting court-ordered deadlines and incorporating EJ considerations as part of the decision-making process, as well as implementing a strategy to meet statutory deadlines for Risk and Technology Reviews of Maximum Achievable Control Technology standards, per corrective action commitments made in response to OIG recommendations in FY 2022.<sup>39</sup> Section 129 of the CAA requires a similar approach to review regulations applicable to solid waste incinerators, as well as issuance of new source performance standards and emission guidelines pursuant to CAA Section 111, the review of state plans to implement those guidelines, and development of federal plans to do so if necessary. EPA has promulgated rules for approximately six categories of solid waste incineration units to control air toxics and criteria pollutants under Section 129, and EPA is continually engaged in their periodic review and revision. In addition to this regulatory work, EPA also provides determinations to states and industry seeking information about source-specific applicability of these regulations.

### Climate Change

The President has prioritized action to tackle climate change with a focus on an equitable transition to clean energy. These plans call for cuts in greenhouse gas (GHG) pollution to reduce the contribution of human activities to climate change and its impacts on public health, while investing in communities that are on the front line of impacts. EPA issues regulations to limit GHGs and assists states, tribes, and local air pollution control agencies in the development, implementation, and evaluation of programs to reduce GHG pollution. The Program also supports the Agency's work with international partners to combat short-lived climate pollutants. These air pollutants, including black carbon (a component of PM), methane, and tropospheric

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<sup>39</sup> The EPA Needs to Develop a Strategy to Complete Overdue Residual Risk and Technology Reviews and to Meet the Statutory Deadlines for Upcoming Reviews. March 30, 2022. [https://www.epa.gov/system/files/documents/2022-03/epa\\_oig\\_20220330-22-e-0026.pdf](https://www.epa.gov/system/files/documents/2022-03/epa_oig_20220330-22-e-0026.pdf).

ozone, are contributing to and accelerating the impacts of climate change. In addition, wildfire smoke is expected to increase because of a changing climate, and this will impact an increasingly greater number of people. The Program will support agency efforts to address the public health impacts of wildland fire smoke and help communities prepare for and respond to wildfire/smoke events.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA is requesting \$110.9 million in additional resources to support critical work to implement climate and clean air regulations and programs both at headquarters and in regional offices. This includes activities such as reviewing and taking action on state plans required under forthcoming GHG standards, priority NAAQS work, taking timely action on SIPs, reducing the SIP backlog, air monitoring and analysis, and EJ activities. EPA also will be undertaking the initial area designations process for the 2024 PM<sub>2.5</sub> NAAQS, and processing associated exceptional events demonstrations. Also, the EPA's Office of Inspector General (OIG)<sup>40,41,42,43</sup> and the Government Accountability Office (GAO)<sup>44</sup> have documented several programmatic goals that are not being fulfilled due to insufficient resources year after year in both EPA Headquarters and Regions. EPA's corrective actions commit the Agency to seeking resources for these activities as contained in the President's Budget requests.

This request includes resources to support the implementation of emission guidelines for GHGs from oil and gas operations as well as power plants under Section 111(d) of the CAA. Section 111(d) of the CAA provides states with a lead implementing role and considerable flexibility, and the development and implementation of the emission guidelines will require extensive work to develop program implementation infrastructure; engage states, tribes, and communities; assess EJ impacts; evaluate state plans; and ensure consistent application of the emissions guidelines nationwide. Resources will be used to continue developing a standard reporting system for states to use, or adapt as needed, for submitting plans and tracking their compliance data, and ensuring that communities have access to that data.

The request also includes additional support for NAAQS review work and implementation activities, many of which are increasingly complex. Critical to successful implementation is timely issuance of rules and guidance documents, ongoing outreach to states and other entities as well as

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<sup>40</sup> EPA Has Reduced Its Backlog of State Implementation Plans Submitted Prior to 2013 but Continues to Face Challenges in Taking Timely Final Actions on Submitted Plans. June 14, 2021. [https://www.epa.gov/sites/default/files/2021-06/documents/epaig\\_20210614-21-e-0163\\_0.pdf](https://www.epa.gov/sites/default/files/2021-06/documents/epaig_20210614-21-e-0163_0.pdf).

<sup>41</sup> EPA's Title V Program Needs to Address Ongoing Fee Issues and Improve Oversight. January 12, 2022. Pages: At-A-Glance, 15, 19, 22, & 25. [https://www.epa.gov/system/files/documents/2022-01/epaig\\_20220112-22-e-0017.pdf](https://www.epa.gov/system/files/documents/2022-01/epaig_20220112-22-e-0017.pdf).

<sup>42</sup> The EPA Needs to Develop a Strategy to Complete Overdue Residual Risk and Technology Reviews and to Meet the Statutory Deadlines for Upcoming Reviews. March 30, 2022. Pages: At-A-Glance, 6, 8, 11, 12, 14, 25, 26, & 27. [https://www.epa.gov/system/files/documents/2022-03/epaig\\_20220330-22-e-0026.pdf](https://www.epa.gov/system/files/documents/2022-03/epaig_20220330-22-e-0026.pdf).

<sup>43</sup> EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames. April 22, 2020. Pages: At-A-Glance, 9, 15, 16, 24, & 31. [https://www.epa.gov/sites/default/files/2020-04/documents/epaig\\_20200422-20-p-0146.pdf](https://www.epa.gov/sites/default/files/2020-04/documents/epaig_20200422-20-p-0146.pdf).

<sup>44</sup> AIR POLLUTION: Opportunities to Better Sustain and Modernize the National Air Quality Monitoring System. November 12, 2020. <https://www.gao.gov/assets/gao-21-38.pdf>.

development of NAAQS implementation and permitting-related tools. EPA will engage with states and tribes to develop guidance to assist air programs with meeting implementation deadlines. These critical resources also will support efforts to reduce the SIP backlog as well as ensure timeliness of review of incoming SIPs, permitting needs (both NAAQS and GHG-related, onshore and offshore), and air quality monitoring and analysis needs. This increase also will enhance EPA's abilities to forecast where smoke will impact people; identify and communicate when and where smoke events are occurring through monitoring and AirNow's Fire and Smoke Map; build community capacity to be Smoke Ready and reduce smoke exposure; and strengthen internal as well as state, local, and tribal capacity to better coordinate and communicate regarding wildfire smoke and address related regulatory activities. During a 2023 air quality episode originating from wildfires in Canada, the AirNow website received more than 10 million page views on June 8<sup>th</sup>, 2023 and was the most-visited federal government website that day.<sup>45</sup>

### Addressing Climate Change

EPA expects to take action in FY 2025 for rules finalized in FY 2024 in accordance with Executive Order 13990, which directed EPA to revise and address as appropriate the regulation of GHGs from fossil-fuel fired power plants and the oil and gas sector, the two principal sources of industrial GHG emissions.<sup>46</sup> In FY 2025, EPA plans to propose federal plans to implement amended new source performance standards and emission guidelines applicable to power plants and the oil and gas sector that it will have finalized under Section 111 in FY 2024. Additionally, EPA expects to review rules covering emissions from municipal solid waste landfills, the third-largest U.S. source of anthropogenic methane emissions<sup>47</sup> and propose the results of that review in FY 2025.

EPA will continue to work with other countries to take action to address climate change. EPA will consider the results of a range of international assessments to address the climate impacts of short-lived climate pollutants. Reducing emissions of these pollutants can create near-term climate and public health benefits. EPA will continue to identify the most significant domestic and international sources of black carbon and ozone precursor emissions by working with the multilateral Climate and Clean Air Coalition (CCAC), the Arctic Council, the Convention on Long-Range Transboundary Air Pollution (LRTAP), and other related international efforts. Based on these findings and enhanced analytical capabilities, EPA will pursue effective steps for reducing these emissions. For instance, EPA is scaling up online tools and resources focused on assisting low-and middle-income countries to implement best practices for addressing air pollution in ways that achieve climate co-benefits.

In FY 2025, the Agency will provide on-the-ground resources to assist overburdened and underserved communities as they work to engage on EPA's regulatory efforts and address the impacts of climate change. These community resource coordinators will work with external partners, such as community stakeholder organizations, other federal agencies, state, local and regional governments, private sector entities, academic institutions, and foundations to assist communities as they begin to plan for climate change and implement actions to increase resilience to climate impacts.

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<sup>45</sup> According to <https://analytics.usa.gov/>.

<sup>46</sup> EPA (2023) Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2021. U.S. Environmental Protection Agency, EPA 430-R-23-002. <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2021>.

<sup>47</sup> EPA (2023) Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2021. U.S. Environmental Protection Agency, EPA 430-R-23-002. <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2021>.

Finally, in FY 2025 EPA is requesting an increase of \$1.1 million, including payroll, and one FTE to support implementation of EPA's Climate Adaptation Action Plan. This increase will support priority commitments, such as actions to integrate climate adaptation into EPA programs, policies, and processes, efforts to address climate adaptation science and data needs, and efforts to consult and partner with outside stakeholders.

### Improving Air Quality

In FY 2025, EPA requests increased resources to support efforts to maintain and rebuild programmatic capabilities that focus on protecting clean air. Air quality has improved significantly for communities across the country since passage of the CAA in 1970 (with amendments in 1977 and 1990). Between 1990 and 2022, for example, national average levels have decreased by 22 percent for O<sub>3</sub>, 34 percent for coarse PM, 90 percent for SO<sub>2</sub>, and since 2010, national average levels for Pb have decreased 88 percent.<sup>48</sup> In FY 2025, 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 agencies. This includes activities in key nonattainment areas along the U.S.-Mexico border as part of U.S. commitments under the *Border 2025* agreement.

### NAAQS Review

In FY 2025 EPA will continue its CAA-mandated responsibilities to review the science upon which the NAAQS are based and the standards themselves. Periodic review of the NAAQS requires significant resources and analysis of scientific and technical information to ensure for each NAAQS that public health is protected with an adequate margin of safety, considering at-risk populations.

EPA strengthened the PM<sub>2.5</sub> annual standard on February 7, 2024.<sup>49</sup> EPA also is under a consent decree to issue a proposed rulemaking for the secondary NAAQS for SO<sub>2</sub>, NO<sub>x</sub>, and PM by April 9, 2024, and to finalize the decision by December 10, 2024. In FY 2025, EPA will advance the review of the 2020 O<sub>3</sub> NAAQS, will continue its review of the Pb NAAQS, and anticipates reviewing the primary NO<sub>x</sub> NAAQS under a consent decree schedule. EPA has requested resources commensurate to support these reviews. Each review involves a comprehensive reexamination, synthesis, and evaluation of 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 to administer the NAAQS by reviewing SIPs and decisions consistent with statutory obligations; taking federal oversight actions, such as action on SIP and TIP submittals; and 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 federal rulemakings and guidance documents to support state and tribal efforts to meet CAA SIP/TIP requirements, in alignment with capacity and priorities. EPA will provide technical and policy assistance to states and tribes developing or revising SIPs/TIPs. To

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<sup>48</sup> For additional information on air quality trends, please see the Air Quality -National Summary at: <https://www.epa.gov/air-trends/air-quality-national-summary> and at *Our Nation's Air: Status and Trends Through 2021*.

<sup>49</sup> For additional information, please see: <https://www.epa.gov/system/files/documents/2024-02/pm-naaqs-final-frn-pre-publication.pdf>.

the extent that the above-referenced NAAQS reviews result in a change to the standards, air quality designations related activities for the changed standard(s) would be required. For example, EPA will be working on initial area designations for the 2024 PM<sub>2.5</sub> standard. The timing of any additional initial area designations, or other designations, work would depend on when the final NAAQS are promulgated.

#### NAAQS Nonattainment Areas

EPA, in close collaboration with states and tribes, will work to improve air quality in areas not in attainment with the NAAQS, including identifying and, where necessary, redesignating to nonattainment areas that previously were in attainment. The Agency will continue to implement changes to improve the efficiency and effectiveness of the SIP process, with a goal of maximizing the timely processing of state-requested SIP actions and reducing the backlog. The Agency also will act on redesignation requests of nonattainment areas to attainment in a timely manner. EPA will maximize use of its comprehensive, online State Planning Electronic Collaboration System (SPeCS) to promote efficiencies for states to submit SIP revisions to EPA, and for EPA to track and process state submittals. Since it launched in January 2018, more than 1,900 SIP submittals (about 90 percent official submissions and 10 percent draft submittals) have come through SPeCS, and more than 400 users have registered from all 50 states and eight air districts. EPA also will complete its re-platforming of SPeCS to improve system integrity and functionality and work to provide additional transparency to the public about NAAQS nonattainment areas, state SIP requirements, and related EPA actions.

#### SIPs for Regional Haze

In FY 2025, EPA will continue reviewing and taking action on regional haze SIP revisions for the second planning period (and working on any remaining first planning period obligations). EPA will continue to work on any outstanding SIP matters and continue providing technical assistance to ensure that states are making reasonable progress towards their visibility improvement goals, consistent with statutory obligations. Consistent with this, EPA may be undertaking work on Federal Implementation Plans (FIPs) as needed to fully implement the Regional Haze requirements. Under the Regional Haze Rule, states are required to submit updates to their plans to demonstrate how they have and will continue to make progress towards achieving their visibility improvement goals. EPA also has indicated its intent to undertake a notice-and-comment rulemaking process to address future planning periods.

#### Fulfilling Legal Obligations

One of EPA's priorities is to fulfill its statutory and court-ordered obligations. Section 112 of the CAA sets deadlines for EPA to review and update, as necessary, all NESHAP every eight years, accounting for developments in practices, processes, and technologies related to those standards. Section 112 also requires that EPA conduct risk assessments within eight years of promulgation of each MACT-based NESHAP to determine if it appropriately protects public health and to revise it as needed, and that EPA review and revise, as appropriate, the list of hazardous air pollutants. Sections 111 and 129 similarly require review of rules promulgated under those programs to address air pollution. In FY 2025, EPA will undertake these required reviews and associated rulemakings. EPA will enhance risk assessment capabilities to better identify and determine impacts on communities. The Program will prioritize conducting reviews of NESHAP and rules issued under Sections 111 and 129, many of which are subject to court-ordered or court-entered

dates or are actions otherwise required by courts and incorporating EJ considerations as part of the decision-making process. From this work, EPA expects to propose or promulgate more than 51 rules in FY 2025. Additionally, if EPA receives the funding requested to implement its strategy to meet statutory deadlines for reviewing air toxics rules, per corrective action commitments made in response to OIG recommendations in FY 2022, EPA expects to take action on another 48 air toxics rules in FY 2025.

#### Technical Assistance to External Government Partners

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 undertaking activities in nonattainment and maintenance areas to ensure that the emissions caused by their activities will conform to the SIP.

In FY 2025, EPA also will continue to provide training and technical assistance to state, local, and tribal air agencies for NSR, OCS, 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. Where EPA is the permitting authority for wind energy projects located on the OCS, the Agency will prioritize timeliness in providing guidance, feedback, and review of permit applications consistent with CAA and Fixing America's Surface Transportation (FAST) Act (Title 41) requirements. EPA's Electronic Permitting System and Title V petition submittal portal will improve EPA interaction with state, local, and tribal air agencies and the general public, and improve data availability and transparency.

In FY 2025, EPA will continue to assist state, tribal, and local air agencies with various technical activities. EPA develops and provides a broad suite of analytical tools and associated technical guidance, 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; fence-line monitoring techniques, source-specific dispersion, and regional-scale photochemical air quality models; and augmented cost/benefit tools to assess control strategies.<sup>50</sup> 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, efficient, and comprehensive air quality management by state, local, and tribal agencies.

In FY 2025, EPA will continue providing information and assistance to tribes, states, and communities through documents, websites, webinars, and training sessions on tools to help them build capacity and to provide input into EJ assessments that can inform risk reduction strategies for air toxics. The Agency will continue to communicate and effectively collaborate with communities to address a myriad of environmental concerns.

In FY 2025, EPA will provide support for critical response to the growing number of wildfire smoke events through real-time, accessible air quality information, as well as supporting communication documents and websites. The Agency also will enhance its partnerships across the

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<sup>50</sup> For additional information, please see: <https://www.epa.gov/technical-air-pollution-resources>.

federal government, such as with the Center for Disease Control and the U.S. Forest Service, to ensure a consistent and coherent response and deployment of technical assistance to address the public health impacts of wildland fire smoke. EPA expects this work to support tribal, state, local, and community needs to prepare for an increasing number of wildfires and the impacts those fires have on public health across the country, building capacity for “smoke ready” communities.

In FY 2025, state and local air agencies will continue to lead the implementation of the National Air Toxics Trends Sites (NATTS). The NATTS Program is designed to capture the impacts of widespread air toxics and is comprised of long-term monitoring sites throughout the Nation.<sup>51</sup> EPA will continue to consult on priority data gaps to improve the assessment of population exposure to toxic air pollution.

#### Maintaining Analytical Capabilities and Continuing Data Management

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 to characterize the future air quality changes that inform estimates of public health and environmental impacts of our rules and policy actions. Resources from the Science and Technology appropriation component of this program support the scientific development of these capabilities.

The Inflation Reduction Act (IRA) provided EPA supplemental appropriations under numerous provisions including, but not limited to, fence-line monitoring (60105(a)), multipollutant monitoring (60105(b)), sensors (60105(c)), wood heaters (60105(d)), and methane monitoring (60105(e)). EPA will work on the planning, awarding, and implementation of these funds in FY 2025.

EPA, using resources from the IRA, will begin a multi-year project to develop a new information technology infrastructure. The new information technology infrastructure will allow access to air quality, emissions, and regulatory information for communities, environmental agencies, and other stakeholders. Access to this information will enable the development and implementation of strategies to improve air quality and reduce emissions of climate pollutants. During the requirements analysis and gathering phase of the project, the development team will look to incorporate the business processes so that one or more of the following legacy Agency systems and applications can be retired once the infrastructure is operational: Air Quality System (AQS), AirNow, Emissions Inventory System (EIS), Electronic Reporting Tool (ERT), Compliance and Emissions Data Reporting Interface (CEDRI), Combined Air Emission Reporting System (CAERS), Web Factor Information Retrieval System (WebFIRE), State Planning Electronic Collaboration System (SPeCS), Exceptional Events Submission and Tracking System (EETS), and Petitions to Object to Title V Permits (POTVP). Additionally, during the requirements analysis and gather phase of the project, EPA will investigate the feasibility of incorporating other business processes supported by other existing tools/applications. While funding of operations and maintenance for legacy systems will still be required as the new infrastructure is being developed,

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<sup>51</sup> For additional information, please see: <https://www.epa.gov/amtic/air-toxics-ambient-monitoring>.



EPA's intent is that once the new infrastructure is operational, existing funding from these legacy systems will be shifted to support the new infrastructure.

In FY 2025, EPA will develop the new information technology infrastructure, and continue to operate and maintain the Air Quality System (AQS) and AirNow, which houses the Nation's regulatory ambient air quality data. EPA also will continue to support the AQS Data Mart, which provides that same ambient air quality data to the scientific community and the general public. The Agency's national real-time ambient air quality data system, AirNow, will maintain baseline operations. The public increasingly relies on AirNow for ambient air quality information during wildfires. In FY 2025, EPA will continue integrating the Fire and Smoke map by engaging tribal, state, and local agencies for input to provide information that millions of people rely on during periods of smoke from wildfires.

EPA will continue to operate and maintain baseline operations of the Emissions Inventory System (EIS), which quality assures and stores current and historical emissions inventory data and supports the development of the National Emissions Inventory (NEI). EPA, states, and others use the NEI to aid in state and local air agency SIP development, serve as a vital input to air quality modeling, help analyze public health risks from air toxics, develop strategies to manage those risks, and support multi-pollutant analysis for air emissions. As needed, the Agency will enhance EIS to support the revised Air Emissions Reporting Requirements (AERR) rule and other user-focused needs.

In FY 2025, as EPA develops the new information technology infrastructure, the Agency will continue to streamline emissions data reporting for multiple agency programs through the Combined Air Emissions Reporting System (CAERS). This system is a central hub that takes a single submission of data in a single format and sends it to the appropriate EPA program system. When fully developed, CAERS is expected to reduce the cost to industry by only reporting emissions data for multiple agency programs to one system and to the government by better managing emissions data and making that data available in a timely fashion. EPA will enhance CAERS to support the revised AERR rule and continue to onboard state, local, and tribal air agencies.

In FY 2025, EPA will continue a multi-phased process for strengthening air pollution health benefits analysis methods to improve the science it uses to quantify health benefits from air quality regulations. EPA will finalize a health benefits guidelines document outlining best practices for incorporating new scientific information into methods for health benefits analysis. This will be followed by additional annual reviews and necessary updates of specific methods and applications in the guidelines documents. This effort will help ensure transparency and confidence in the process for selecting and applying the latest science in health benefits analysis. EPA also will improve tools and approaches to enable more robust analysis of program impacts on communities with EJ concerns and vulnerable populations.

As part of a forward-looking air toxics strategy, EPA will address regulatory and emerging issues and improve access to air toxics data. The Agency will continue implementation of a new approach that develops and shares air toxics data faster and more regularly to the public, allowing for increased transparency and the ability to see trends and exposure risks over time. In 2025, EPA will continue reporting the most current air toxics data each year in the annual Air Trends Report

and an online interactive tool, instead of the previous three to four-year cycle for reporting air toxics data, and providing that data at an increased spatial resolution. EPA will continue providing information annually for communities on health risks from exposures to air toxics through the Air Toxics Screening Assessment (AirToxScreen), so that the public can more easily identify existing and emerging air toxics issues.

**Performance Measure Targets:**

**(PM NAAQS) Percentage of air quality improvement in counties not meeting current NAAQS.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | 7       | 8                  | 9       | 10      | Percent |
| <b>Actual</b> | 3       | 7       | 8       | 10      | 8       | Data Avail 11/2024 |         |         |         |

**(PM NAAQS2) Percentage of people with low SES living in areas where the air quality meets the PM2.5 NAAQS.**

|                    | FY 2018    | FY 2019    | FY 2020    | FY 2021    | FY 2022    | FY 2023            | FY 2024 | FY 2025 | Units   |
|--------------------|------------|------------|------------|------------|------------|--------------------|---------|---------|---------|
| <b>Target</b>      |            |            |            |            | 90         | 93                 | 97      | 100     | Percent |
| <b>Actual</b>      | 82         | 82         | 81         | 85         | 83         | Data Avail 11/2024 |         |         |         |
| <b>Numerator</b>   | 52,044,172 | 51,560,102 | 48,678,558 | 50,304,779 | 49,634,175 |                    |         |         | People  |
| <b>Denominator</b> | 63,150,683 | 62,687,368 | 60,053,454 | 59,241,268 | 59,614,742 |                    |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$17,219.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes \$1.1 million to support critical agencywide infrastructure for Executive order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$92,640.0 / +193.4 FTE) This program change is an increase to support critical work to implement climate and clean air regulations and programs. This includes activities such as reviewing and taking action on state plans required under forthcoming GHG standards, priority NAAQS work, taking timely action on SIPs and reducing the SIP backlog, air monitoring and analysis, and EJ activities. Total includes \$36.4 million for payroll.
- (+\$1,100.0 / +1.0 FTE) This program change is an increase to support implementation of the EPA Climate Adaptation Action Plan. In particular, this increase is to support priority commitments, such as actions to integrate climate adaptation into EPA programs, policies, and processes, efforts to address climate adaptation science and data needs, and efforts to consult and partner with outside stakeholders. This investment includes \$187.0 thousand for payroll.

**Statutory Authority:**

Clean Air Act.

## Stratospheric Ozone: Domestic Programs

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$6,358</b>           | <b>\$6,951</b>              | <b>\$72,282</b>                  | <b>\$65,331</b>  |
| Total Budget Authority                                | \$6,358                  | \$6,951                     | \$72,282                         | \$65,331   |
| Total Workyears                                       | 20.6                     | 28.2                        | 52.2                             | 24.0   |

### Program Project Description:

EPA’s stratospheric ozone protection program implements provisions of the Clean Air Act (CAA) which facilitates a global phaseout of ozone-depleting substances (ODS); the American Innovation and Manufacturing (AIM) Act of 2020 to phase down climate-damaging hydrofluorocarbons (HFCs); and the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol). These actions help protect both the climate system and the stratospheric ozone layer, which shields all life on Earth from harmful solar ultraviolet (UV) radiation.

Scientific evidence demonstrates that ODS used around the world destroy the stratospheric ozone layer,<sup>52</sup> which raises the incidence of skin cancer, cataracts, and other illnesses through overexposure to increased levels of UV radiation.<sup>53</sup> Based on EPA’s peer-reviewed Atmospheric and Health Effects Framework model, the Montreal Protocol is expected to prevent approximately 443 million cases of skin cancer, 2.3 million skin cancer deaths, and 63 million cases of cataracts for people in the United States born in the years 1890–2100.<sup>54</sup> EPA developed this model to better understand the benefits to public health of stratospheric ozone protection. As a result of global action to phase out ODS, the ozone layer is expected to recover to its pre-1980 levels by mid-century.

The AIM Act addresses the climate impact of HFCs by phasing down their production and consumption, maximizing reclamation and minimizing releases of HFCs and their substitutes from equipment, and facilitating the transition to next-generation technologies through sector-based

<sup>52</sup> World Meteorological Organization (WMO). Scientific Assessment of Ozone Depletion: 2022, GAW Report No. 278, 509 pp.; WMO: Geneva, 2022.

<sup>53</sup> Ross J. Salawitch (Lead Author), Laura A. McBride, Chelsea R. Thompson, Eric L. Fleming, Richard L. McKenzie, Karen H. Rosenlof, Sarah J. Doherty, David W. Fahey, Twenty Questions and Answers About the Ozone Layer: 2022 Update, Scientific Assessment of Ozone Depletion: 2022, 75 pp., World Meteorological Organization, Geneva, Switzerland, 2023.

This report is available on the internet at: <https://www.csl.noaa.gov/assessments/ozone/2022>.

<sup>54</sup> U.S. Environmental Protection Agency (EPA). Updating the Atmospheric and Health Effects Framework Model: Stratospheric Ozone Protection and Human Health Benefits. EPA: Washington, DC. May 2020. Available on the internet at: [https://www.epa.gov/sites/production/files/2020-04/documents/2020\\_ahef\\_report.pdf](https://www.epa.gov/sites/production/files/2020-04/documents/2020_ahef_report.pdf).

restrictions. A global phasedown of HFCs is expected to prevent up to 0.5 °C of global warming by 2100.<sup>55</sup>

EPA uses a combination of regulatory and partnership programs to implement Title VI of the CAA and the AIM Act and to further the protection of the ozone layer and climate system. Title VI provides for a phaseout 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. Title VI also prohibits venting ODS and 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.

The AIM Act provides for a phasedown of production and consumption of HFCs in the United States by 85 percent, supports industry's transition to next-generation technology, and requires management of HFCs and their substitutes. EPA has established an allowance allocation program to implement the phasedown, as well as robust compliance assurance and enforcement mechanisms to provide a level playing field for producers and importers of HFCs and ensure the program delivers the intended environmental benefits. EPA also works with the Department of Homeland Security, including U.S. Customs and Border Protection, to manage an interagency task force to prevent and deter illegal trade in HFCs and support enforcement of the phasedown.

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. In 2007, with U.S. leadership, the Parties to the Montreal Protocol agreed to a more aggressive phaseout for ozone-depleting hydrochlorofluorocarbons (HCFCs) equaling a 47 percent reduction in overall emissions during the period 2010 – 2040. The adjustment in 2007 also called on Parties to the Montreal Protocol to promote the selection of alternatives to HCFCs that minimize environmental impacts, in particular impacts on climate.<sup>56</sup> The CAA provides the necessary authority to ensure EPA can collect and validate data, and where appropriate, report data on production and consumption of ODS on behalf of the United States. The Parties to the Montreal Protocol also agreed to the Kigali Amendment in 2016,<sup>57</sup> which seeks to globally phase down the production and consumption of HFCs consistent with the AIM Act. The United States ratified the Kigali Amendment on October 31, 2022. The AIM Act and EPA's existing HFC allocation regulations provide EPA with the authority to collect and validate data and report data on production and consumption of HFCs on behalf of the United States.

Partnership programs are designed to increase benefits by focusing on specific areas where the Agency has identified the most significant opportunities. The Responsible Appliance Disposal

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<sup>55</sup> World Meteorological Organization, Scientific Assessment of Ozone Depletion: 2018, World Meteorological Organization, Global Ozone Research and Monitoring Project—Report No. 58, 588 pp., Geneva, Switzerland, 2018. Available on the internet at: <https://ozone.unep.org/sites/default/files/2019-05/SAP-2018-Assessment-report.pdf>.

<sup>56</sup> *Montreal Protocol Decision XIX/6: Adjustments to the Montreal Protocol with regard to Annex C, Group I, substances (hydrochlorofluorocarbons)*.

<sup>57</sup> Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Kigali 15 October 2016, found at: <https://treaties.un.org/doc/Publication/CN/2016/CN.872.2016-Eng.pdf>.

(RAD) Program<sup>58</sup> is a partnership that protects the ozone layer and reduces emissions of greenhouse gases through the recovery of ODS and HFCs from old refrigerators, freezers, window air conditioners, and dehumidifiers prior to disposal. RAD has approximately 50 partners and affiliates, including manufacturers, retailers, utilities, and state governments. The GreenChill Partnership Program<sup>59</sup> helps supermarkets transition to environmentally friendlier refrigerants, reduce harmful refrigerant emissions, and move to advanced refrigeration technologies, strategies, and practices that lower the industry's impact on the ozone layer and climate. The Program includes stores in all 50 states and represents over 30 percent of the United States' supermarkets. GreenChill partners are reducing refrigerant leak rates to half the estimated national average and developing annual plans for further improvements.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*. Work in this program also directly supports progress toward the FY 2024-2025 Agency Priority Goal: Phase down the production and consumption of hydrofluorocarbons (HFCs). By September 30, 2025, annual U.S. consumption of HFCs will be 40 percent below the baseline of 302.5 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) consistent with the HFC phasedown schedule in the AIM Act and codified in the implementing regulations.

In FY 2025 an additional \$65 million and 24 FTE are requested to implement provisions in the American Innovation and Manufacturing Act to phase down the use of HFCs, to facilitate U.S. entry to the Kigali amendment to the Montreal Protocol, and to restore staff capacity around efforts to tackle the climate crisis.

#### Title VI of the Clean Air Act and Montreal Protocol Activities

In carrying out the requirements of the CAA and the Montreal Protocol in FY 2025, EPA will continue to meet its ODS consumption caps and work toward the required gradual reduction in production and consumption of ODS. To meet the FY 2026 long-term performance goal for lowering consumption of HCFCs to 76.2 tons per year of ozone depletion potential,<sup>60</sup> EPA will issue allowances 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 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. The FY 2022 result for this goal is -6.36 metric tons of HCFCs. This result is negative because exports and destruction together exceeded production and imports in calendar year 2022. In FY 2025, EPA anticipates proposing a rule on feedstock uses of ODS. EPA also will implement a rule on reporting of process agent use and emissions that is expected to be finalized in FY 2024. EPA also will prepare and submit the annual report under Article 7 of the Montreal Protocol on U.S. consumption and production of ODS and

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<sup>58</sup> For more information, please visit: <https://www.epa.gov/rad>.

<sup>59</sup> For more information, please visit: <http://www.epa.gov/greenchill>.

<sup>60</sup> The HCFC consumption cap of 15,240 ODP-weighted metric tons for the U.S. was effective January 1, 1996, and became the U.S. consumption baseline for HCFCs.

HFCs consistent with the treaty.<sup>61</sup>

In FY 2025, EPA will continue to implement the CAA Section 608 and 609 refrigerant management requirements related to the use and emission of ODS, HFCs, and other substitutes.

CAA Section 612 requires continuous review of alternatives for ODS through EPA's Significant New Alternatives Policy (SNAP) program to both find those that pose less overall risk to human health and the environment and ensure a smooth transition to safer alternatives.<sup>62</sup> Through these evaluations, SNAP generates lists of acceptable and unacceptable substitutes for approximately 50 end-uses across eight industrial sectors. In FY 2025, EPA expects to list through notice as well as a notice-and-comment rulemaking substitutes that would expand the list of acceptable lower-GWP alternatives, particularly for end-uses where there is an urgent need for more options such as certain air-conditioning and refrigeration applications as well as fire suppression, which also will support implementation of the AIM Act. EPA also will continue to work towards ensuring the uptake of safer alternatives and technologies, while supporting innovation, and ensuring adoption of alternatives through support for changes to industry codes and standards. EPA also anticipates finalizing a rule in FY 2025 that would address court decisions concerning the extent to which manufacturers must replace HFCs with substitute substances.

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 will continue to review available market and reported data to monitor availability of recycled and reclaimed ODS where production and import of new material is phased out to support this need. In addition, EPA will continue to implement a petition process to allow for the import of used ODS, primarily halon for fire suppression purposes. EPA also will implement other provisions of the Montreal Protocol, including exemption programs to allow for a continued smooth phaseout of ODS, particularly for laboratory and analytical uses, feedstock, process agents,<sup>63</sup> and HCFCs used consistent with the servicing tail.

### AIM Act Implementation Activities

In FY 2025, the Agency will continue to implement the AIM Act HFC phasedown through an allowance allocation program established in FY 2021, and this work also will support implementation of EPA's FY 2024-2025 Agency Priority Goal. In FY 2025, resources are requested to promulgate rulemakings to establish requirements for the management of HFCs and HFC substitutes in equipment, distribute grants to support technology transition, equipment transition, and to provide program support for and coordination of implementation efforts within EPA and working with other federal agencies.

The Agency will continue to implement and administer an electronic HFC reporting system, which will begin collecting new reports required by regulations finalized in FY 2023 and FY 2024, and develop additional tracking, review, and data tools to better ensure compliance with the phasedown

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<sup>61</sup> The Article 7 report prepared by EPA on behalf of the United States contains chemical-specific production, import and export data. The data included in the report is aggregated and available at: <https://ozone.unep.org/countries/profile/usa>.

<sup>62</sup> For more information, please visit: <https://www.epa.gov/snap>.

<sup>63</sup> EPA will implement a rule on process agents that was finalized in FY2024.

regulations, and work with other agencies to prevent illegal imports. In FY 2025, resources are requested to implement innovative IT solutions, such as database integration across EPA and Customs and Border Patrol databases. Specifically, EPA will ensure that the phasedown is not undermined by illegal imports; implement a regulation expected to be finalized in FY 2024 to establish requirements for the management of HFCs and HFC substitutes in equipment servicing, repair, disposal, or installation, as appropriate; distribute grants to small businesses to support technology transition; support enforcement by EPA and across the government by continuing to lead the interagency HFC taskforce; and stand up new protocols for rules finalized in FY 2023 addressing products containing HFCs. EPA also will educate stakeholders on HFC phasedown requirements. EPA will implement a regulation finalized in FY 2023 to issue allowances for HFC production and consumption for calendar years 2024 through 2028. The Agency also will complete a review required by the AIM Act and finalize a rulemaking to be proposed in FY 2024 on whether to reauthorize the issuance of application-specific allowances for the six uses of HFCs identified in subsection (e)(4)(B) beyond 2025, which include:

- a propellant in metered-dose inhalers;
- defense sprays;
- structural composite preformed polyurethane foam for marine use and trailer use;
- the etching of semiconductor material or wafers and the cleaning of chemical vapor deposition chambers within the semiconductor manufacturing sector;
- mission-critical military end uses, such as armored vehicle engine and shipboard fire suppression systems and systems used in deployable and expeditionary applications; and
- onboard aerospace fire suppression.

Under subsection (h) of the AIM Act, in FY 2025, EPA will begin implementing a rule expected to be finalized in FY 2024 that will control certain practices, processes, or activities regarding: 1) the servicing, repair, disposal, or installation of equipment that involves a regulated substance; 2) a substitute for a regulated substance; 3) the reclaiming of a regulated substance used as a refrigerant; or 4) the reclaiming of a substitute for a regulated substance used as a refrigerant.

Under subsection (i) of the AIM Act, in FY 2025 the Agency will continue to implement regulations finalized in FY 2023 to restrict use of HFCs in products and equipment within certain sectors or subsectors where HFCs are used, promoting a transition to next-generation technologies. EPA will implement new reporting tools, upgrade existing data systems, and develop additional compliance mechanisms to implement this regulation. Other activities under subsection (i) include granting and/or denying petitions for sector-based restrictions on HFCs. In FY 2025, EPA anticipates proposing a rule that would implement AIM subsection (i)(5) which provides EPA authority to assess substitutes under the AIM Act.

The AIM Act also authorizes EPA to establish a grant program for small businesses for purchase of recycling, recovery, or reclamation equipment for HFC substitutes, including for servicing motor vehicle air conditioners. In FY 2025, additional funding is requested to fund distribution of grants to support technology transition already underway and equipment transition. This builds off EPA's FY 2024 request to initiate a grant program for small businesses for purchase of recycling, recovery, or reclamation equipment for HFC substitutes, including for servicing motor vehicle air conditioners.



In FY 2025, EPA will continue to provide technical expertise for the Montreal Protocol’s Technology and Economic Assessment Panel and its Technical Options Committees, advancing reductions of ODS and HFC consumption and ensuring U.S. interests are represented.

In FY 2025, EPA will continue to conduct its essential work to support a level playing field for companies operating legally under the CAA and AIM Act regulations and those that have transitioned to alternatives for ODS and HFCs. Under both the AIM Act and the Montreal Protocol, in FY 2025 EPA will be implementing a 40 percent reduction in HFCs from historic levels. EPA exchanges data with U.S. Customs and Border Protection and the Department of Homeland Security on ODS and HFC importers and exporters to determine admissibility and target illegal shipments entering the United States, as well as reviews and approves imports flagged in the Automated Commercial Environment. With the significant reduction of available HFC allowances in FY 2025, this data exchange will increase in importance as accurate data will be needed on a real-time basis. EPA also will continue to work with partner agencies, including through the Interagency Task Force on Illegal HFC Trade, to detect, deter, and disrupt attempts to illegally import or produce HFCs in the United States, as well as work with State Department and other Departments to carry out the Administration’s whole-of-government approach. These efforts also include EPA’s work to support federal sector management and transition from HFCs through continued cooperation with organizations such as Department of Defense and the General Services Administration.

**Performance Measure Targets:**

**(PM HCFC) Remaining U.S. consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, in ozone depletion potential (ODP)-weighted metric tons.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units       |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|-------------|
| <b>Target</b> |         |         |         |         | 76.2    | 76.2               | 76.2    | 76.2    | Metric Tons |
| <b>Actual</b> | 434.1   | 224.2   | -110.8  | -20.8   | -6.36   | Data Avail 10/2024 |         |         |             |

**(PM HFC) Remaining U.S. consumption of hydrofluorocarbons (HFCs).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | 273.5   | 273.5              | 181.5   | 181.5   | MMTCO2e |
| <b>Actual</b> |         |         |         |         | 253.4   | Data Avail 11/2024 |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$648.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$64,683.0 / +24.0 FTE) This program change is an increase to implement provisions in the American Innovation and Manufacturing Act to phase down the use of HFCs, to support

U.S. entry to the Kigali amendment to the Montreal Protocol, and to build staff capacity around efforts to tackle the climate crisis. This investment includes \$4.4 million for payroll.

**Statutory Authority:**

Title VI of the Clean Air Act and the American Innovation and Manufacturing Act.

**Stratospheric Ozone: Multilateral Fund**

Program Area: Clean Air and Climate

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$8,326</b>                   | <b>\$9,244</b>                       | <b>\$18,000</b>                           | <b>\$8,756</b>   |
| Total Budget Authority                                | \$8,326                          | \$9,244                              | \$18,000                                  | \$8,756  |

**Program Project Description:**

The *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol) is the international treaty designed to protect the stratospheric ozone layer by facilitating a global phaseout of ozone-depleting substances (ODS) and since 2016, phasing down climate-damaging hydrofluorocarbons (HFCs) under its Kigali Amendment. EPA is phasing down ODS under Title VI of the Clean Air Act and HFCs under the American Innovation and Manufacturing (AIM) Act of 2020. As a result of global action to phase out ODS, the ozone layer is expected to recover to its pre-1980 levels by mid-century. A global phasedown of HFCs is expected to prevent up to 0.5 °C of global warming by 2100.

The *Multilateral Fund for the Implementation of the Montreal Protocol* (Multilateral Fund) was created by the Parties to the Montreal Protocol to provide funds that enable developing countries to comply with their obligations following agreed upon schedules. The United States and other developed countries contribute to the Multilateral Fund. The United States holds a permanent seat on the Multilateral Fund’s governing body (the Executive Committee) and can help focus efforts on cost-effective assistance and encourage climate-friendly transitions. The U.S. contribution to the Multilateral Fund is split between EPA and the Department of State.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA’s contributions to the Multilateral Fund in FY 2025 will primarily continue to support cost-effective projects designed to build capacity and eliminate ODS production and consumption in over 140 developing countries and provide support for the global phasedown of HFCs. Through 2022, the Multilateral Fund supported over 9,175 activities in 145 countries that have phased out 292,732 ozone-depletion potential (ODP) metric tons, 305,336 carbon dioxide equivalent metric tons of consumption of controlled substances, and 205,377 ODP metric tons of production of controlled substances. Additional projects will be submitted, considered, and approved in accordance with Multilateral Fund guidelines.

In FY 2025, the United States will continue to promote developing country transitions to climate-friendly alternatives and will support projects to phase down HFCs under the Kigali Amendment. A small number of demonstration projects aimed at furthering climate projection are anticipated. These projects will concern either planning for reclaim, recycling, and refrigerant disposal or energy efficiency upgrades. The United States also will support preparatory activities such as establishing HFC baselines, phasedown starting points, and Kigali HFC Implementation Plans to phase down HFCs in developing countries, as well as projects to reduce HFC-23 byproduct emissions, ensuring that the global HFC phasedown will leverage the expertise and experience gained during the 30-year history with phasing out ODS. Taken together, this work will support developing countries' compliance with Protocol obligations.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8,756.0) This program change reflects an increase to help fund additional activities associated with the adoption of the Kigali Amendment and developing country phase down of HFCs while continuing to support ODS phaseout activities.

**Statutory Authority:**

Title VI of the Clean Air Act.

## **Compliance**

## Compliance Monitoring

Program Area: Compliance

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$104,593</i></b>  | <b><i>\$112,730</i></b>     | <b><i>\$168,474</i></b>          | <b><i>\$55,744</i></b>                                       |
| Inland Oil Spill Programs                             | -\$5                     | \$649                       | \$2,154                          | \$1,505  |
| Hazardous Substance Superfund                         | \$1,377                  | \$1,017                     | \$1,036                          | \$19   |
| Total Budget Authority                                | \$105,966                | \$114,396                   | \$171,664                        | \$57,268   |
| Total Workyears                                       | 441.1                    | 478.9                       | 544.6                            | 65.7   |

### Program Project Description:

The Compliance Monitoring Program is a key component of EPA’s Office of Enforcement and Compliance Assurance (OECA) that supports both compliance with federal environmental laws and identifies noncompliance. Compliance monitoring activities, such as inspections and investigations, or review of self-reported compliance monitoring information and other forms of offsite compliance monitoring, are conducted by EPA and other co-regulators (states, federally recognized tribes, and territories) to determine if regulated entities are complying with environmental statutes, applicable regulations, and permit conditions. A robust inspection, compliance assistance and enforcement program are essential to advancing the promise of clean air, land, and water to many communities across the country, including those that are vulnerable and overburdened, and for implementing Executive Order 14008 on *Tackling the Climate Crisis at Home and Abroad*.<sup>64</sup>

Compliance information gathered from these activities is reported into EPA’s data systems for analyses and inspection or enforcement targeting. A variety of data is available to co-regulators and the public to increase compliance with EPA statutes and to identify programs and sectors with high noncompliance in order to focus resources through National Enforcement and Compliance Initiatives (NECIs).<sup>65</sup> The NECIs can help identify conditions that may present an imminent and substantial endangerment to human health and the environment and thereby warrant immediate attention. The Compliance Monitoring Program further supports each NECI with specific and robust targeting and data analysis (including developing dashboards and data integration systems to allow EPA, states, and tribes to analyze national compliance datasets).

Given the large number of regulated entities, effective targeting of compliance monitoring and analysis of compliance data plays a critical role in achieving the goals EPA has set forth for

<sup>64</sup> For additional information, please visit: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>65</sup> For additional information, please visit: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00500.pdf>.

protecting health and the environment. The Compliance Monitoring Program utilizes a number of tools and approaches to carry out its work, including:

- **Compliance Program Data Management and Electronic Reporting:** 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 is a critical infrastructure tool used by the Agency, state, tribal, local, and territorial governments as well as the regulated community and other federal agencies, to track compliance and enforcement of environmental statutes. States are a major user of this resource. For instance, twenty-one state governments depend on ICIS to directly manage their clean water permitting and compliance activities. EPA utilizes ICIS enforcement and compliance data and other information technology tools to: 1) Identify potential violations of federal environmental laws; 2) Facilitate efficient enforcement; and 3) Promote compliance with these requirements. ICIS data is available to the public via the internet-accessible Enforcement and Compliance History Online (ECHO) system as well as the companion data change notification tool ECHO Notify. Using ICIS and ECHO to electronically track its civil enforcement work allows EPA to better ensure that its enforcement resources are used to facilitate transparency and address the most significant noncompliance problems, including noncompliance affecting overburdened or vulnerable communities and noncompliance that leads to climate impacts. EPA, through the National Targeting Center (NTC), utilizes the data in ECHO to help identify the worst problem areas to align inspections and enforcement activities. EPA collaborates with state, local, federal, tribal, and industry partners, through the E-Enterprise initiative, to leverage technologies such as promoting electronic reporting and permitting. EPA and states implement the National Pollution Discharge Elimination System (NPDES) Electronic Reporting Rule through ICIS, the NPDES eReporting Tool (NeT), and the Network Discharge Monitoring Report (NetDMR). These are key tools for improving the availability of clean water compliance data to EPA, states, and the public.<sup>66</sup>
- **Support for the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) Program:** The Agency will continue to implement Phases 1 and 2 of the NPDES Electronic Reporting Rule which covers electronic discharge monitoring reports, Notices of Intent to discharge in compliance with a general permit and data sharing requirements for EPA and states that includes permit and compliance monitoring data. EPA will continue to work with states to ensure complete and high-quality data acquisition from permits and from compliance and enforcement data. The Program will evaluate and prioritize the development of additional electronic reporting tools that support states. EPA will continue to provide tools and support for tracking, interpreting, and reducing their NPDES noncompliance rate and will provide support to states to strengthen their NPDES compliance programs. In FY 2023, the percentage of permittees in significant noncompliance with their NPDES permits was 9.3 percent, down from a FY 2018 baseline of 20.3 percent. For federal facilities in FY 2023, the percentage of permittees in significant noncompliance with their NPDES permits was 4.0 percent, which is a 74 percent reduction for federal facilities from their FY 2018 baseline.

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<sup>66</sup> For more information, please visit: <https://www.epa.gov/compliance/npdes-ereporting>.

- Building Capacity in the Compliance Assurance Program’s Inspector Cadre for EPA, State, Tribal and Local Governments and Restoring EPA’s National Enforcement Training Institute as the premier National Enforcement Training Center in the United States:** To ensure the quality of compliance monitoring activities, EPA develops national policies, updates inspection manuals, establishes training requirements for inspectors, and issues inspector credentials. The Pollution Prosecution Act of 1990 required the establishment of the National Enforcement Training Institute (NETI) to provide training to federal, state, and local lawyers; inspectors; civil and criminal investigators; and technical experts in the enforcement of the Nation's environmental laws. The Agency will build capacity in EPA’s inspector cadre and restore NETI, both of which are critical to advancing the *FY 2022 -2026 EPA Strategic Plan* “Goal 3: Enforce Environmental Laws and Ensure Compliance.” This includes OECA’s goal to conduct 55 percent of annual inspections at facilities affecting vulnerable or overburdened communities by September 30, 2026, an estimated 25 percent increase over EPA’s historical average. The Compliance Monitoring Program uses inspectors on the ground to help identify public health concerns and environmental regulatory violations throughout the United States, including in communities with Environmental Justice (EJ) concern. In FY 2023, EPA outperformed and achieved over 60 percent of on-site inspections in overburdened communities and is on target to continue this rate in FY 2024. EPA delivers critical in-person and online training courses to new and experienced federal, state, tribal, and local inspectors to ensure the integrity of the national Compliance Monitoring Program. EPA hosts several in-person inspector training programs, such as the annual CWA NPDES Technical Inspector Workshop, the Safe Drinking Water Act (SDWA) Public Water System Supervision (PWSS) Advanced Inspector Training, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Pesticide Inspector Residential Training Program.
- Compliance Assistance:** Compliance assistance is a valuable tool to assist regulated facilities in understanding their compliance obligations and achieving and maintaining compliance. EPA provides compliance assistance by working with third-party organizations and federal agencies to support 17 web-based, sector-specific compliance assistance centers and other web-based assistance resources. In addition, the Agency develops webinars, compliance advisories, and other assistance materials to help EPA, state regulators, and the regulated community to understand compliance rules and obligations. EPA also provides through the Compliance Advisors for Sustainable Water Systems Program, facility specific technical assistance to regulated entities under the CWA and SDWA programs and the polychlorinated biphenyl program.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an increase of \$41.4 million and 56.2 FTE in Compliance Monitoring resources to implement the NEICs and continue to rebuild the inspector cadre. A robust inspection and enforcement program is essential to advancing the promise of clean air, land, and water to many communities across the country. Increased staffing can identify public health



concerns and potential environmental regulatory violations. This is critical to protect communities, including those that are vulnerable and overburdened.

In FY 2025, NETI will increase staffing and continue in its effort to re-establish its role as the premier National Enforcement Training Center in the United States by building training capacity (including for the NECIs), establishing inspector internship, cross-regional training, and mentorship programs; creating a digital training hub; and educating the future workforce in the enforcement of environmental laws in accordance with its statutory mandate.

EPA's inspection programs have been under-resourced for over a decade leading to a loss of agency expertise and a decline in the numbers of inspections. To meet EPA's EJ goals and the mission to protect human health and the environment, EPA must rebuild and strengthen its inspection program with increased hiring and training of new and existing inspectors, including in-person basic inspector training for the following programs: Clean Air Act (CAA); SDWA; CWA; Resource Conservation and Recovery Act (RCRA); FIFRA; and Toxic Substances Control Act (TSCA). Additionally, the Agency is requesting additional funding to purchase health, safety, and inspection monitoring equipment. Some of the equipment include the following: Forward Looking InfraRed (FLIR) cameras, Data Acquisition Real-Time (DART), flame ionization detectors/photo ionization detectors, fence line monitors, and Smart Tools software and hardware for inspectors.

EPA will continue its customer-focused, evidence-based targeting approaches to help inspectors find environmental problems by utilizing software and technical assistance from the National Targeting Center (NTC). The NTC works with media-specific communities of practice to collaborate with EPA, regions, state, tribal partners, and builds and maintains relationships with academic data science labs to develop training and tools. ECHO (and ECHO Gov) serves as the data integration hub used by the NTC for developing models, publishing tools, and providing a means for accessing the results of these efforts.

EPA will continue to implement its comprehensive action plan for integrating EJ and climate change considerations throughout all aspects of the Program, including a performance measure tracking the percentage of inspections affecting communities with potential EJ concerns. This effort answers the President's call to "strengthen enforcement of environmental violations with disproportionate impact on overburdened or vulnerable communities through the Office of Enforcement and Compliance Assurance".<sup>67</sup> This work includes, but is not limited to, multi-state/multi-regional matters, issues of national significance, complex contamination at and from federal facilities, and emergency situations.

In addition, EPA will provide targeted oversight and support to state, local, tribal, and other federal agency programs. To accomplish this objective, the Agency will prioritize work with states to

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<sup>67</sup> For additional information on the Executive Order on *Tackling the Climate Crisis at Home and Abroad*, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

develop methods that successfully leverage advances in both monitoring and information technology.

In FY 2025, EPA is requesting an increase of approximately \$3.0 million and 5.0 FTE to continue its modernization efforts which was started with IRA funding.<sup>68</sup> EPA will continue to improve ICIS and ECHO, including future integration of the data collected using Smart Tools, which will facilitate better access to compliance data and community information (*e.g.*, EPA’s EJ screening tool) for EPA, states, tribes, other federal agencies, and the public. The Agency will continue to modernize its national enforcement and compliance data system as it expands its compliance monitoring and technical assistance efforts to address EJ issues (including the Compliance Advisors for Sustainable Water Systems Program), per- and poly-fluoroalkyl substances (PFAS), and climate change concerns including resilience and reduction in the use of hydrofluorocarbons (HFCs).

In FY 2025, EPA requests an increase of \$2.0 million to expand the Program’s software solutions for field inspectors to improve the effectiveness and efficiency of compliance inspections conducted by EPA and authorized states. In FY 2020 and 2021, EPA rolled out its Smart Tools for inspectors in the RCRA Hazardous Waste Program and the CWA - NPDES Program. Smart Tools software makes the process of documenting field inspections and preparing inspection reports more efficient. This tool allows the Program to use its compliance monitoring resources more efficiently, including monitoring for noncompliance. It also allows the Agency to make inspection reports more readily and timely available to the regulated entities and the public. The work on the design and development of software for additional inspection programs (*e.g.*, Underground Storage Tanks, CAA Risk Management Program, TSCA lead-based paint, FIFRA Good Laboratory Practices Standards) will continue through FY 2025 and beyond.

Additionally, in FY 2025, EPA requests an increase of \$1.1 million and 2.0 FTE to strengthen EPA’s Drinking Water Agenda. EPA will increase its implementation of the Evidence Act through the “Drinking Water Systems Out of Compliance” priority area in EPA’s Learning Agenda.<sup>69</sup> Safe drinking water is critical to the health of communities and each year thousands of community water systems violate one or more health-based drinking water standards. Drinking water noncompliance is greatest in small, under-resourced communities and may be higher than EPA data suggests due to under reporting. In FY 2025, EPA will continue to collect new information and conduct studies under this learning priority area to evaluate the efficacy of policy instruments. EPA will define potential metrics of public water systems’ technical, managerial, and financial capacity for early identification of at-risk drinking water systems. The analysis will test existing and new predictive analytic tools designed to identify at-risk systems. EPA will continue to work with states, tribes, and academic experts to implement OECA’s Compliance Learning Agenda. The agenda will improve the effectiveness of enforcement and compliance programs, approaches, and tools by prioritizing the most pressing programmatic questions; planning evidence-based studies to address these questions; and identifying effective and innovative approaches for improving compliance. The first two priority projects identified through this effort will focus on assessing the effectiveness of offsite compliance monitoring and identifying the root causes of municipal noncompliance.

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<sup>68</sup> OECA is working with the CIO to refine cost estimates for ICIS modernization.

<sup>69</sup>Foundations for Evidence-Based Policymaking Act (Public Law 115–435):  
<https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf>.

In FY 2025, EPA also is requesting an increase of \$2.0 million to support the Agency's Compliance Advisors for Sustainable Water Systems Program (previously called the Circuit Riders Program), which reduces noncompliance at small public water systems (PWSs) and small wastewater treatment facilities (WWTFs) by providing hands-on technical assistance. Many small drinking water and wastewater systems are under-resourced, in overburdened or vulnerable communities, and unable to achieve and maintain compliance due to lack of technical, managerial, and financial capacity. These communities are impacted by factors such as aging infrastructure, workforce shortages, and declining rate bases. These challenges are the root cause of most violations of the SDWA and CWA. Part trainer and part consultant, Compliance Advisors troubleshoot issues, develop plans to return systems to compliance, and increase the technical capacity of operators. The Compliance Advisors may revisit systems as needed, promoting sustainable compliance.

Through FY 2023, Compliance Advisors have provided technical assistance to approximately 232 small PWSs and 61 WWTFs in under-resourced communities nationwide, across all Regions – covering 25 states, Puerto Rico, and seven tribes. There are thousands more small systems and facilities that need technical support to help them achieve and stay in compliance. In general, the systems supported by the Compliance Advisor Program are small (serving populations of less than 10,000). Approximately 84 percent are in overburdened or vulnerable communities.<sup>70</sup> Compliance Advisors have completed work at 24 wastewater systems and 130 drinking water systems and provided more than 1,000 standard operating procedures, checklists, and other tools to help these small systems return to sustained compliance. In order to meet the significant demand for targeted technical assistance, this investment will bolster other agency technical assistance efforts. The regions working with states, tribes and territories will continue to identify and nominate systems to receive Compliance Advisor help to return to and sustain compliance.

In FY 2025, EPA will continue to support inspections and fund compliance monitoring efforts to support development of civil enforcement cases. The Agency will use compliance monitoring funds to continue supporting enforcement and compliance inspections adhering to CAA requirements including for motor vehicles, engines and fuels, stationary sources, chemical accident prevention, wood heaters, municipal solid waste landfills, and stratospheric ozone; CWA requirements for permitted discharges, preventing and addressing oil spills and spills of sewage or other hazardous substances, wetlands protection, and biosolids use and disposal; TSCA requirements for new and existing chemicals, lead based paint in target housing including privatized military housing, and PCBs; FIFRA requirements for pesticide registration; Emergency Planning and Community Right to Know Act requirements for emergency planning and Toxics Release Inventory reporting; American Innovation and Manufacturing (AIM) Act requirements to reduce the harmful effects of climate-change causing chemicals like HFCs; RCRA requirements for hazardous and non-hazardous solid waste; and SDWA requirements for public water systems.

In FY 2025, EPA proposes to hire additional inspectors for federal facility investigations to increase sampling capabilities to identify regulatory violations and threats to public health and the environment. These resources will help ensure that EPA meets the RCRA statutory requirement of annual inspections of federal facility treatment, storage, and disposal facilities. This investment

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<sup>70</sup> OECA protocols for identifying Areas of Potential EJ Concern.

will assist in dispute resolution and case development against federal agencies that are responsible for contamination (e.g., PFAS), thereby protecting military families and the public health of surrounding communities affected by these contaminants, particularly those communities with EJ concerns.

In FY 2025, the Agency is requesting an increase of \$3.0 million to support EPA’s PFAS Strategic Roadmap and EPA’s PFAS NECI. Resources will be used to actively investigate and identify releases of PFAS to the air, land, and water from large manufacturers, processing facilities, waste disposal facilities, and federal facilities where PFAS are suspected of contaminating various environmental media. This investment will support case development and issuance of information requests, including the potential identification of imminent and substantial endangerment issues under CWA, SDWA, or RCRA.

In addition, resources will be used to continue the operation and development of the PFAS Analytic Tools, a data integration platform currently used by the Agency, states, and researchers to analyze national PFAS data sets. The funding will provide enhancements including increasing data availability to the public, including communities with potential EJ concerns. Compliance monitoring funds will advance protection of communities by supporting investigations into PFAS contamination, including activities associated with EPA’s PFAS NECI, and assisting with the identification of areas for compliance assistance to ensure nearby facilities adhere to regulations designed to protect vulnerable populations. The increased funding will help create and expand programs to further environmental protections and increase monitoring capabilities.<sup>71</sup>

**Performance Measure Targets:**

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

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                     |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------------|
| <b>Target</b> | 10,000  | 10,000  | 10,000  | 10,000  | 10,000  | 10,000  | 11,000  | 12,000  | Inspections & Evaluations |
| <b>Actual</b> | 10,600  | 10,300  | 8,500   | 10,800  | 13,900  | 13,100  |         |         |                           |

**(PM 444) Percentage of EPA inspection reports sent to the facility within 70 days of inspection.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <b>Target</b>      |         |         |         | 75      | 75      | 75      | 75      | 75      | Percent |
| <b>Actual</b>      |         |         | 83      | 85      | 83      | 77      |         |         |         |
| <b>Numerator</b>   |         |         | 4,177   | 1,940   | 4,362   | 5,521   |         |         | Reports |
| <b>Denominator</b> |         |         | 5,037   | 2,287   | 5,237   | 7,129   |         |         |         |

<sup>71</sup> For additional information, please see: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7530144/pdf/nihms-1627933.pdf>.

**(PM 450) Percentage of EPA inspections at facilities affecting communities with potential environmental justice concerns.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| <b>Target</b>      |         |         |         |         | 45      | 50      | 50      | 55      | Percent     |
| <b>Actual</b>      |         |         |         |         | 57      | 61      |         |         |             |
| <b>Numerator</b>   |         |         |         |         | 3,333   | 4,700   |         |         | Inspections |
| <b>Denominator</b> |         |         |         |         | 5,861   | 7,750   |         |         |             |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,346.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$41,357.0 / +56.2 FTE) This program increase will focus compliance monitoring resources on implementation of the National Enforcement Compliance Initiatives, including continued efforts to rebuild EPA’s inspector cadre. Additional funding will build capacity for inspections, case development, and to supplement the Program’s training budget by providing FTE to restore the NETI. This funding will enhance EPA’s compliance monitoring programmatic capabilities to improve efforts to address pollution in overburdened and vulnerable communities and increase compliance. This investment includes \$10.16 million for payroll.
- (+\$2,000.0) This program increase will allow the Compliance Advisor Program to provide critical technical assistance to an additional 80-100 systems to achieve and maintain compliance. This investment also will be used to support inspections and case development in the regional offices. The available funds will be used to support vulnerable and overburdened communities identified by EPA and States as having concerns because of lead Action Level exceedances.
- (+\$3,000.0) This program increase will allow EPA to actively investigate and identify releases of PFAS to the air, land, and water from large manufacturers, processing facilities, federal facilities, and waste disposal facilities where PFAS are suspected of contaminating various environmental media. In addition, these funds will allow EPA to continue operation and development of the PFAS Analytic Tools, a data integration platform currently used by EPA and states to analyze national PFAS data sets.
- (+\$2,954.0 / +5.0 FTE) This program increase will support the modernization efforts of ICIS and enhance its communication integration (internet-based services) with ECHO. This modernization process will enhance EPA’s efforts to address compliance data exchange concerns in disadvantaged or vulnerable communities. This investment includes \$904.0 thousand for payroll.

- (+\$2,000.0) This program increase will allow EPA to advance work on the Smart Tools for Field Inspectors to develop tools for some of the smaller Agency programs that have more of a direct impact for EJ communities such as the TSCA lead-based paint programs.
- (+\$1,061.0 / +2.0 FTE) This program increase will allow EPA to evaluate the Drinking Water Learning Agenda, developed under the Evidence Act, and thereby test the efficacy of policies to address drinking water noncompliance. The increase will allow the program to conduct studies with broader participation with more partners (*e.g.*, states and tribes,) to test the effectiveness of inspection and enforcement approaches to improve compliance in the drinking water program. This investment includes \$361.0 thousand for payroll.
- (+\$645.0 / +0.5 FTE) This program increase will support implementation of OECA's Climate Adaptation Implementation Plan. Resources will support completion of priority actions including continued staff training to build climate change knowledge and consideration of climate change in all aspects of the Agency's enforcement program. This investment includes \$90.0 thousand for payroll.
- (+\$381.0 / +2.0 FTE) This program increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$361.0 thousand for payroll.

**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); American Innovation and Manufacturing 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; Oil Pollution Act; Resource Conservation and Recovery Act; Rivers and Harbors Act; Safe Drinking Water Act; Toxic Substances Control Act.

## **Cross-Agency Coordination, Outreach, and Education**

## Children and Other Sensitive Populations: Agency Coordination

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$6,526</b>           | <b>\$6,362</b>              | <b>\$7,749</b>                   | <b>\$1,387</b>   |
| Total Budget Authority                                | \$6,526                  | \$6,362                     | \$7,749                          | \$1,387  |
| Total Workyears                                       | 17.3                     | 18.4                        | 19.4                             | 1.0  |

### Program Project Description:

The Children’s Health 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 indicators of progress on children’s health. Children's environmental health refers to the effect of the environment on children's growth, wellness, development, and risk of disease. EPA strives for all parts of the Agency to apply and promote the use of the best available science, policy, partnerships, communications, and action to protect children from adverse health effects resulting from harmful environmental exposures. The Children’s Health Program is directed by the *EPA’ Policy on Children’s Health*,<sup>72</sup> Executive Order (EO) 13045: *Protection of Children’s Health from Environmental Health Risks and Safety Risks*,<sup>73</sup> statutory authorities addressing children’s environmental health, and other existing guidance.<sup>74</sup> The Program works to tackle the climate crisis and advance environmental justice (EJ) by identifying and reducing inequitable impacts of climate change and adverse environmental exposures on children, particularly children in underserved communities.

In FY 2023, the Children’s Health Program supported Pediatric Environmental Health Specialty Units by providing programming on children’s health in EJ communities;<sup>75</sup> hosted a workshop to provide technical assistance to grantees to support the improvement of school facilities with an emphasis on underserved communities;<sup>76</sup> implemented a partnership with the Association of State and Territorial Health Officials to support inclusion of children’s environmental health at the state level; oversaw the publication of an interactive website based on a workshop by the National Academy of Science to identify the latest priorities to protect children’s health; conducted an internal workshop to prioritize children’s health research needs and the inclusion of research findings in EPA decision-making; updated several documents used internally to enhance incorporation of children’s health protection in the EPA regulatory decision-making process; developed a training course on children environmental health risk assessment for EPA rule

<sup>72</sup> For more information, please see: <https://www.epa.gov/children/epas-policy-childrens-health>.

<sup>73</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/FR-1997-04-23/pdf/97-10695.pdf>.

<sup>74</sup> For more information, please see: <https://www.epa.gov/children/guidance-tools-and-glossary-key-terms-regarding-childrens-environmental-health>.

<sup>75</sup> For more information, please see: <https://www.pehsu.net/>.

<sup>76</sup> For more information, please see: <https://www.epa.gov/children/childrens-health-grants-and-funding-opportunities>.



managers; published a national-scale, multi-sector report that quantifies projected health effects to children from climate change; published an online toolkit that compiles educational and outreach materials highlighting the risks from heavy metal exposure primarily to children from a variety of cultural and religious products; began scoping work to enhance America's Children and the Environment (a resource on children's environmental health indicator data trends); conducted two plenary meetings of the Children's Health Protection Advisory Committee (CHPAC),<sup>77</sup> and received advice on 1) American's Children and the Environment, 2) Climate Change Priorities for Children's Health; implemented CHPAC's recommendations on health learning environments, pesticides and TSCA, and initiated a new request for advice regarding prevention of lead exposure through enhanced community engagement; hosted a series of events to educate the public about children's health protection, including webinars regarding the Pediatric Environmental Health Specialty Units and ways to protect children from extreme heat; updated website pages and conducted events and outreach to stakeholders to reinvigorate EPA's presence and voice, among other initiatives. Together, EPA programs completed 298 actions toward its children's health long-term performance goal in FY 2023 having set a target of 163 actions at the beginning of the year. The Program supported several Interagency Policy Councils on Child and Maternal Health to assist their development of all-of-government approaches for protecting children's health in schools and improving maternal health outcomes. EPA's Office of Children's Health Protection (OCHP) contributed to the Lead Exposure and Prevention Advisory Committee and the National Committee on Children, Climate and Disasters hosted by the Department of Health and Human Services, the Cancer Moonshot, and others.

The Children's Health Program has a successful track record of collaboration with non-governmental organizations, state, local and tribal governments, and other federal agencies. To further protect children in EJ communities, and those affected by climate change, the Program led the steering committee of the President's Task Force on Environmental Health Risks and Safety Risks to Children to develop interagency work plans to span the next five years. OCHP played a key role in implementing EPA's Strategy to Reduce Lead Exposures and Disparities in U.S. Communities and prepared the draft of a companion high-level update to the interagency Federal Lead Action Plan to Reduce Lead Exposures report for OMB review. Within EPA, OCHP and the regional coordinators collaborate closely with EPA's national program managers and regional offices, as well as with EPA's Office of Environmental Justice and External Civil Rights, to develop effective tools and messages in support of children in underserved communities who disproportionately suffer from adverse environmental exposures, and to advance information and messaging to address health risks to children from climate change. In EPA's 2023 Equity Action Plan, EPA included as priority action #4, *Protect Children Equitably from Exposure to Environmental Contaminants*.

In FY 2024, the Children's Health Program will contribute to the development of regulations, scientific assessments and/or policies, including actions under the Toxic Substances Control Act, Safe Drinking Water Act, Food Quality Protection Act and Clean Air Act, among others. To implement EPA's *Policy on Children's Health*,<sup>78</sup> OCHP will continue to train children's health champions in each EPA program office, use the newly updated guidance documents to support

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<sup>77</sup> For more information, please see: <https://www.epa.gov/children/childrens-health-protection-advisory-committee-chpac>.

<sup>78</sup> For additional information, please see: <https://www.epa.gov/system/files/documents/2021-10/2021-policy-on-childrens-health.pdf>.

program office work on protecting the health of children, and expand training on how to conduct children's health evaluations. In FY 2024, OCHP also will implement the second year of its first long-term performance goal for advancing protection of children's environmental health applicable to relevant EPA national programs. Together, EPA programs will aim to complete 166 actions toward this long-term performance goal in FY 2024. OCHP continued a coordinated national approach among regional Healthy Schools programs. With its newly updated webpages, OCHP will reach stakeholders through more than 161,000 page views, and institute approaches to better coordinate headquarters and regional children's environmental health activities.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests a total investment of \$7.75 million and 19.4 FTE for the Children's Health Program, which is approximately \$1.4 million and 1.0 FTE over the FY 2024 annualized continuing resolution Program budget. The Agency will continue to protect children in underserved communities who suffer disproportionately from the effects of exposures magnified by socio-economic determinants of health, and to address children's exposures, which are exacerbated by climate change. EPA actions will be informed by two important considerations: first, the scientific understanding of childhood as a sequence of life stages, and second, the recognition that protecting children's health is necessary to protect human health, because every adult was once a child.

In FY 2025, the Children's Health Program will work to tackle the climate crisis and advance EJ by following up on recommendations from the National Academy of Science, which highlighted the latest scientific advancement and challenges to protecting children's health. The Program will continue to implement the *EPA Policy on Children's Health* and its associated long-term performance goal to ensure that EPA consistently and explicitly considers early life exposures and lifelong health in all human health decisions. OCHP will continue to engage with EPA national programs to appropriately include assessment and consideration of risk to children's environmental health in risk assessment, risk management decisions, regulations, policies, guidance documents, program initiatives, and public engagement. As part of these activities and in support of the Cancer Moonshot, the Program will continue to compile data and provide analysis on children's health to reduce or prevent exposure to carcinogens and protect children from cancer risks. Additionally, the Program will continue to compile national data on childhood cancer<sup>79</sup> in the America's Children and the Environment interactive online tool and promote its guidance to assess children's susceptibility to early life exposure to carcinogens.

Further, EPA will improve its ability to monetize the economic benefits to children's health of environmental rules by quantifying children-related health endpoints that are not currently included in EPA benefit-cost analyses. This work will improve substantially EPA's ability to communicate to the public the impact of its regulations.

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<sup>79</sup> For additional information, please see: <https://www.epa.gov/americaschildrenenvironment/health-childhood-cancer>.

The Program will convene the Steering Committee of President’s Task Force on Environmental Health Risks and Safety Risks to Children to report on progress across the federal government in the areas of climate change and disasters, childhood lead; asthma disparities; and climate, emergencies and disasters, exposure to toxic chemicals, and other topics. The Program also will continue to build on partnerships with key stakeholders and leverage resources and work for durable, nationally relevant improvements in children’s health protection.

The Program will host a variety of activities to mark Children’s Health Month in October to educate parents, caregivers, teachers, and others on how to better protect children from adverse environmental exposure and continue to modernize its social media presence to improve outreach to affected communities. The Program also will coordinate two meetings of the CHPAC, with delivery of expert responses to additional charge questions related to high priority children’s environmental health issues.

**Performance Measure Targets:**

**(PM CH01) Number of EPA actions that concern human health that include assessment and consideration of environmental health information and data for children at all life stages to the extent relevant data are available.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         | 50%     | 163     | 166     | TBD     | Actions |
| Actual |         |         |         |         | N/A     | 298     |         |         |         |

**(PM CH02) Number of EPA regional offices with stakeholder engagement on children’s environmental health designed to provide durable, replicable, and widespread results.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| Target |         |         |         |         | 3       | 6       | 9       | 10      | Regional Offices |
| Actual |         |         |         |         | 6       | 9       |         |         |                  |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$884.0 / +1.0 FTE) This program increase supports EPA's efforts to improve the Agency's cost benefits analysis for children’s health. This investment includes \$203.0 thousand for payroll and additional changes to fixed support costs.
- (+\$503.0) This program change is an increase to provide additional support for existing programs and workforce in the Children’s Health Program. This includes updating and expanding indicators and trends in America’s Children and the Environment by gathering evidence to better represent impacts of environmental exposures on children in underserved communities and by making improvements in the accessibility and presentation of the underlying data.

**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); and Food Quality Protection Act (FQPA).

**Executive Management and Operations**

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$53,653</i></b>           | <b><i>\$56,160</i></b>               | <b><i>\$73,269</i></b>                    | <b><i>\$17,109</i></b>   |
| Total Budget Authority                                | \$53,653                         | \$56,160                             | \$73,269                                  | \$17,109   |
| Total Workyears                                       | 276.7                            | 278.6                                | 319.2                                     | 40.6   |

Total workyears in FY 2025 include 7.3 FTE to support Executive Management Operations working capital fund (WCF) services.

**Program Project Description:**

The Executive Management and Operations Program supports various offices that provide direct executive and logistical support to EPA’s Administrator. In addition to the Administrator’s Immediate Office (IO), the Program supports 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).

The Program also supports EPA’s 10 regional offices. The Program’s management, coordination, and policy activities link the Agency’s engagement with outside entities, including Congress, state and local governments, tribes, nongovernmental organizations, national and community associations, and the public.

Within the Program, key functions include responding to congressional requests for information; coordinating and providing outreach to state and local governments, tribes, and rural communities; and supporting press and other communications activities. The Program also resources mission support functions, including but not limited to administrative management services involving correspondence control and records management systems, human resources management, budget formulation and execution, outsourcing, and information technology management services.

**FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an additional \$17.1 million and 40.6 FTE for the Executive Management and Operations Program. These additional resources will strengthen engagement with state and local partners; enhance training of healthcare providers in underserved communities on the prevention, diagnosis, management, and treatment of children’s exposure to lead; implement and strengthen the Agency’s ability to carry out effective risk communication; restore

core capacity to the Executive Management and Operations Program; provide contract support for the Agency's management operations and multi-media and risk communications; increase EPA's efforts to address a range of environmental issues as they relate to youth through EPA's National Environmental Youth Advisory Council established in 2023; and improve the Agency's public engagement, partnership, and outreach initiatives at the regional level and across the Agency. This investment also provides an annual payroll increase for existing FTE; essential workforce support costs; support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for Freedom of Information Act (FOIA) and litigation support; implementation of Trusted Vetting 2.0; and FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and EPA's Equity Action Plan, which is required under various Executive Orders.

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 Office of Intergovernmental Relations (OIR). OCA facilitates all legislative activity and interactions with Congress. OIR 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 2025, OCA will continue to prepare EPA officials for hearings, oversee responses to written inquiries and oversight requests from members of Congress, and coordinate and provide technical assistance and briefings on legislative areas of interest to members of Congress and their staff.

In FY 2025, OIR will continue to inform and consult with state and local governments on regulations and other EPA activities. Additionally, OIR will continue to lead the Agency's efforts to support and build partnerships with the states, local governments, and tribes on environmental priorities through regular engagements with intergovernmental associations and state and local officials, as well as through the National Environmental Performance Partnership System and the increased use of Performance Partnership Agreements and Grants with a focus on addressing climate change and ensuring underserved communities are considered throughout the process. OIR also will continue to operate its Local Government Advisory Committee and Small Communities Advisory Subcommittee, which provide crucial advice to the Administrator. OIR will continue to enhance support for the Office of the Municipal Ombudsman (42 U.S.C. 4379j(a)(1)) to work with communities on water and climate change and in leveraging diverse new federal funding sources for optimal outcomes.

Additionally, OIR will enhance opportunities for internal policy/decision making through its management of the Agency's Executive Management Council and other venues dedicated to senior level engagement. In addition, OCIR will continue to regularly review and evaluate its processes for responding to congressional and intergovernmental correspondence and FOIA requests; prepare for hearings or briefings; provide technical assistance; and coordinate with EPA's program offices, regional offices, states, local officials, and associations. This will include modernizing some of our operations to create more efficiency in the various functions and workflows within the office.

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. Annually, OPA issues nearly 1,500 press releases; responds to approximately 8,000 media inquiries; and oversees more than 150 audio-visual productions, 500 graphic productions, 2,700 event photographs, and 40 portraits. In addition, in terms of digital media, OPA receives over 160 million impressions on the internet, including [www.epa.gov](http://www.epa.gov) and EPA social media accounts, and posts nearly 100 unique EPA homepage internet news banners. Also, to facilitate communications with EPA employees nationwide, OPA annually posts over 200 intranet banners; issues 48 issues of a weekly e-newsletter - *This Week @ EPA* - with a total of 240 articles; and sends more than 100 agencywide employee Mass Mailers from EPA's Administrator, Deputy Administrator, and other senior leaders. In FY 2025, 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, multimedia, and new media tools to provide stakeholders with information. The Office also will work with EPA's program and regional offices to improve employee communication; external communication on relevant environmental and human health risks; collaboration and engagement with internal and external stakeholders; updates to the Agency's intranet site; and the use of other communication tools.

OPA also is responsible for ensuring that EPA carries out effective risk communication by sharing critical information on how we are addressing human health and environmental risks with the American public, communities, public officials, and other stakeholders in a way that it is tailored to their needs, reaching a wide audience, and providing meaningful actions they can take to reduce risk. This is integral to most of the work done across the Agency's offices and regions and is essential to carrying out EPA's mission of protecting human health and the environment.

EPA will keep working to ensure that risk communicators at the Agency are connected to best practices from the field, high quality training opportunities, and agencywide efforts underway to improve risk communication. Further, EPA regularly faces intractable risk communication issues that often need sustained focus by highly trained staff who can apply evidence-based practices. Addressing these issues and meeting the challenges of the future requires creating sustained culture change, building agency knowledge and a robust community of practice, and developing strong relationships with the academic community and our federal, state, and tribal partners.

In FY 2025, the Agency will continue to strengthen EPA's ability to carry out effective and consistent risk communication and position the Agency to meet the risk communication challenges of the future by:

- (1) Significantly expanding training across the Agency and with its partners, to create a community of practice and increase staff knowledge in a meaningful and sustainable way. This will increase the number of staff at the Agency and among partners who are using the same best practices in their risk communication efforts while at the same time building a network of staff located across all regions and offices who are well-positioned to share their risk communication expertise.

- (2) Launching an internal risk communication fellowship program to increase EPA’s progress on the most difficult risk communication issues. The fellowship program will be open to EPA employees and will provide 10 weeks of intensive risk communication study and training followed by 10 to 13 weeks of applying the knowledge gained to an intractable risk communication problem facing the home office or region.
- (3) Developing academic partnerships to study EPA’s risk communication challenges and improve the Agency’s reliance on evidence-based practices. This includes increasing research partnerships to develop a research portfolio with the explicit goal of studying EPA-relevant risk communication questions, and then translating findings into usable tools, applications, and best practices for use across the Agency.

In FY 2025, the President’s Task Force on Environmental Health Risks and Safety Risks will convene to report on progress across the federal government in the areas of climate change and disasters, childhood lead, asthma disparities, and exposure to toxic chemicals. The Lead Subcommittee will continue to focus on an all of government approach to reducing exposures to lead. There is an opportunity to improve the environmental education and training of healthcare providers and medical professionals in identifying and communicating the causes and impacts of childhood lead exposure in underserved communities in an effort to prevent and reduce exposures. EPA will work with healthcare providers and families to address this problem directly. To further support the Administration’s Lead Exposure Reduction Initiative, and in coordination with EPA’s program and regional offices, in FY 2025, the Agency will continue to lead ongoing efforts to: 1) strengthen EPA’s communications with the public on the risks of lead exposure by working with external leaders in the field to build upon the way the Agency conducts its outreach; and 2) leverage EPA’s existing relationship with Pediatric Environmental Health Specialty Units (PEHSUs)<sup>80</sup> to enhance and support training of healthcare providers in underserved communities to prevent and reduce children’s exposure to lead.

There are several unique risk communication challenges regarding lead, but also unique assets for the Agency to deploy to reduce risk to the American public—especially to children. Lead exposure to children can result from multiple sources and can cause irreversible and life-long health effects. There is no level of lead exposure which is safe. This means that anything the Agency can do to reduce exposure and lower children’s blood lead levels will lead to significant improvements in public health and brighter, more productive futures for America’s children. The specific goals for FY 2025 include implementing coordinated federal strategies to prevent lead exposure and associated effects; disseminating information to diverse audiences, including policy makers, health care providers, the general public, and other stakeholders; and coordinating and disseminating an inventory of federal actions to reduce childhood lead exposures.

As the central mission support administrative management component of the Administrator’s Office (AO), the OAES provides advice, tools, and assistance to the AO’s programmatic operations across 12 offices. In FY 2025, OAES will continue to conduct the following mission

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<sup>80</sup> Pediatric Environmental Health Specialty Units (<https://www.pehsu.net/>) provide expert information, training and consultation for health care professionals and the public on evidence-based prevention, diagnosis, management, and treatment of children’s environmental health conditions. The PEHSU Program increases the ability of the general public to take simple steps to reduce harmful exposures by raising awareness among parents, school officials and community leaders.



support functions: human resources management, budget and financial management, information technology and security, outsourcing, facilities management, and Government Accountability Office/Office of the Inspector General audit management.

In FY 2025, OEX will continue to provide critical administrative support to the Administrator, Deputy Administrator, Chief of Staff, senior agency officials, and staff to comply with the statutory and regulatory requirements under the Federal Records Act, Freedom of Information Act, Plain Writing Act, Privacy Act, and related statutes and regulations. OEX will continue to manage the AO's correspondence management, records management, records digitization, Privacy Act implementation, Controlled Unclassified Information (CUI), and FOIA response activities. OEX also will continue to manage Quill, the EPA's enterprise correspondence tracking and workflow management information technology application.

OEX also will continue to process correspondence for the Administrator and Deputy Administrator; review and prepare documents for their signature; manage the Administrator's primary email account; serve as custodian of the Administrator's, Deputy Administrator's, and IO senior officials' records; oversee the records management program and CUI program for all AO staff offices; and review and issue ethics determinations for gifts received by the Administrator and Deputy Administrator. OEX also will manage the privacy program for the AO and monitor, review, and audit AO systems of records. Finally, OEX will continue to manage the AO FOIA program and respond to all requests for records held by any of the AO's five associate administrator offices, seven staff offices, and the Immediate Office of the Administrator.

In FY 2025, OPE will continue providing advice to the Administrator and senior staff on activities surrounding different stakeholder groups, including generating and distributing 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 2025, EPA requests an additional investment of approximately \$6.2 million and 2.5 FTE. OPE will work directly with the regional offices to coordinate, communicate, and enhance agency public engagement initiatives [e.g., Justice40; Journey to Justice and other community tours; Historically Black Colleges and Universities (HBCUs), Minority Serving Institution (MSI) engagements]. This investment will support the Administrator to ensure visibility with local stakeholders, community members and greater coordination with the Regional Administrators. OPE will continue to manage and plan the Administrator's Journey to Justice tours, highlighting longstanding environmental justice concerns in under-served communities at the forefront of environmental burdens. OPE will continue to manage and convene at least one meeting of the HBCU/MSI Consortium and Federal Advisory Committee to help develop the next generation of environmental leaders. OPE also will explore, engage, and foster public and private partnerships with outside stakeholders to elevate the Agency and the Administrator to non-traditional stakeholders. In 2023, EPA established the National Environmental Youth Advisory Council (NEYAC) to provide independent advice and recommendations to the Administrator on how to

increase EPA's efforts to address a range of environmental issues as they relate to youth, with an emphasis on communities below 29 years of age.<sup>81</sup> OPE will engage the NEYAC to provide a critical perspective on how the impacts of climate change and other environmental harms affects youth communities. OPE also will work to enhance public engagement to amplify the environmental education work that's happening on the local level.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$535.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$6,191.0 / +2.5 FTE) This program change is an increase to expand and improve the Agency's public engagement, partnership, and outreach initiatives; explore the creation of a National Environmental Youth Advisory Council; create an HBCU/MSI Consortium and Federal Advisory Committee. This change includes a realignment of \$875.0 thousand and 2.0 FTE from the Environmental Education Program. This investment includes approximately \$474.0 thousand for payroll.
- (+\$6,129.0 / +22.5 FTE) This program change is an increase to support engagement with state and local partners, enhanced training of healthcare providers in underserved communities on the prevention, diagnosis, management, and treatment of children's exposure to lead, and increased funding to implement and strengthen the Agency's ability to carry out effective risk communication. This investment includes \$4.3 million for payroll.
- (+\$2,550.0 / +8.0 FTE) This program change is an increase to support evidence building activities in support of the Foundations for Evidence-Based Policymaking Act of 2018. This investment includes \$1.5 million for payroll.
- (+\$1,752.0 / +2.5 FTE) This program change is an increase to restore core capacity to the Executive Management and Operations Program and provide contract support for the Agency's management operations and multi-media and risk communications. This investment includes \$474.0 thousand for payroll.
- (+\$533.0 / +2.6 FTE) This program change increases FTE to provide executive and logistical support and advance EPA engagement with partners, specifically for the

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<sup>81</sup> For additional information, please see: <https://www.epa.gov/faca/national-environmental-youth-advisory-council-neyac>.

municipal ombudsman and for work on water grants. This investment includes approximately \$493.0 thousand for payroll.

- (+\$489.0 / +2.5 FTE) This program change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes approximately \$474.0 thousand for payroll.

**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); and Environmental Research, Development, and Demonstration Authorization Act (ERDDAA).

## Exchange Network

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$12,165</i></b>   | <b><i>\$14,995</i></b>      | <b><i>\$14,769</i></b>           | <b><i>-\$226</i></b>   |
| Hazardous Substance Superfund                         | \$1,018                  | \$1,328                     | \$1,328                          | \$0  |
| Total Budget Authority                                | \$13,183                 | \$16,323                    | \$16,097                         | -\$226   |
| Total Workyears                                       | 23.2                     | 30.2                        | 30.2                             | 0.0  |

### 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 EPA’s E-Enterprise Digital Strategy (EEDS), 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) 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.<sup>82</sup> CDX provides a set of core shared services that promote a leaner and more cost-effective service framework for the Agency by avoiding the creation of duplicative applications. It enables faster and more efficient transactions for internal and external EPA clients, resulting in reduced burden.

Working in concert with CDX is EPA’s System of Registries, which is a system of shared data services designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes, including environmental justice (EJ). EPA and EN partners routinely reference these shared data registries, 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, foster data consistency and data quality as well as enable data integration.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to support core functions for the EN information technology (IT) systems. The EN Program will continue to be a pivotal component of EPA’s Digital Strategy that

<sup>82</sup> For more information on the Central Data Exchange, please see: <https://cdx.epa.gov/>.

supports business process change agencywide. Under this strategy and the 21<sup>st</sup> Century Integrated Digital Experience Act,<sup>83</sup> 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. EPA also is responsible for managing EN technical governance groups and administering the pre- and post-award phases of the EN grants to states, tribes, and territories. These efforts support a standards-based, secure approach for EPA and its state, tribal, and territorial partners to efficiently exchange and share environmental data electronically. The Agency also administers and implements the Cross-Media Electronic Reporting Regulation (CROMERR) that removes regulatory obstacles for e-reporting to EPA programs under Title 40 of the Code of Federal Regulations (CFR).

EPA aims to reduce burden and avoid costs while improving IT. With CDX's migration to the cloud, the Agency will continue to carry out baseline support for data exchange services leveraged by states and tribal partners. This also includes providing a technology framework – shared CROMERR services – which reduces the burden on programs and external reporters by providing CROMERR compliant solutions. For example, the shared electronic identity proofing and signature services for CROMERR supports 31 partner regulatory reporting programs to date. EPA estimates that partners adopting shared CROMERR services save \$120 thousand in development and at least \$30 thousand in operations each year, which results in a cost avoidance of greater than \$2.5 million for EN partners.

In FY 2025, EPA will continue to improve the functionality and use of the System of Registries.<sup>84</sup> In addition to streamlining the Registries, EPA will continue to implement a broader effort across the enterprise to engage organizations and facilitate the adoption of these data services through cloud technology and Representational State Transfer (REST or RESTful) application programming interfaces (API). Registries are shared data services in which common data are managed centrally but shared broadly. They improve data quality in EPA systems, enable integration and interoperability of data across program silos, and facilitate discovery of EPA information. An example of the Agency's effort to promote the adoption of data services is the integration of the tribal identification services (TRIBES) across EPA systems.

In FY 2025, EPA will continue implementing a solution related to shared facility identification information. Centralized facility management also is fundamental to better environmental management by bringing together EPA data across programmatic silos. Like facility data, substance information also is regulated across EPA programs, with many EPA programs relying on the Substance Registry Service (SRS) to improve data quality and reduce burden.

EPA tracks a wide range of data for each registry to measure customer usage and engagement. The Agency also tracks web service hits to measure the number of users leveraging publicly available APIs. For example, the SRS website has approximately 90 thousand pageviews per month; many of these pageviews are users visiting the SRS web area to understand regulatory information about chemicals. SRS also receives between 20 and 140 thousand web service hits per month (depending on reporting cycles), mostly by EPA systems that have incorporated the web services into their

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<sup>83</sup> For more information on the 21<sup>st</sup> Century Integrated Digital Experience Act, please refer to: <https://www.congress.gov/115/plaws/publ336/PLAW-115publ336.pdf>.

<sup>84</sup> For more information, please see: [https://ofmpub.epa.gov/sor\\_internet/registry/sysofreg/about/about.jsp](https://ofmpub.epa.gov/sor_internet/registry/sysofreg/about/about.jsp).

online reporting forms. FY 2025 priorities for EPA registries include continually improving registry technologies by migrating the registries to a cloud-based environment open-source platform to make them easier to locate, access, and utilize.

In FY 2025, EPA will continue to expand 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 FY 2025, EPA will continue to work with the Department of Homeland Security's Customs and Border Protection (CBP) to maintain, utilize, and improve systems to facilitate the import and export of legitimate goods and leverage big data and artificial intelligence tools to identify and prevent or stop illegal goods from entering or leaving the United States. EPA supports over 16 data exchange types within EPA and with CBP to automate and streamline over 8 million annual import and export filings. This automation is essential for managing a significantly increasing number of imports and exports (due to e-Commerce) and allows coordinators/officers to focus on compliance monitoring and high value targeting activities for non-compliant imports and exports, and to better coordinate with CBP.

#### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$732.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (-\$958.0) This program change is a reduction to the Exchange Network to reflect the completion of a one-time investment to migrate the TRIBES, SRS, and READ applications to a cloud based open-source platform.

#### **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).

## Environmental Education

Program Area: Cross-Agency Coordination, Outreach, and Education

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

Objective(s): Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and  
Local Levels

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$8,752</b>           | <b>\$9,500</b>              | <b>\$8,759</b>                   | <b>-\$741</b>  |
| Total Budget Authority                                | \$8,752                  | \$9,500                     | \$8,759                          | -\$741   |
| Total Workyears                                       | 8.9                      | 11.2                        | 9.2                              | -2.0   |

### Program Project Description:

In 1990, the National Environmental Education Act (NEEA) was established with the objective of improving the public's understanding and knowledge of the natural and built environment, enabling people to effectively solve environmental problems. NEEA states “there is growing evidence of international environmental problems, such as global warming...that pose serious threats to human health and the environment.”<sup>85</sup> The Environmental Education Program implements environmental education (EE) programming that helps EPA address these issues from the local community to national and international levels with a focus on communities that are pollution-burdened and as well as underserved communities. Staff manage the National Environmental Education Act Federal Advisory Committee (NEEAC). Congress established the Agency’s NEEAC under the NEEA, to advise the Administrator on a wide range of environmental education matters.

The Program provides management and technical support to these advisory committees. The Committee provides EPA’s Administrator with independent advice on environmental issues, addresses environmental issues, like climate change, that impact frontline and underserved communities, through education, a commitment to equity, and stakeholder grants authorized by the NEEA. The Program supports the Agency’s environmental and public health protection goals by empowering communities with expanded access to quality environmental and climate education, providing educational materials for teachers, hosting educational events, and engaging stakeholders through the National Environmental Education and Training Program (teacher training program), the Presidential Environmental Youth Award (PEYA) Program, and the Presidential Innovation Award for Environmental Educators (PIAEE) Program. These programs promote civic action to reduce the impacts of climate change and promote environmental and climate equity through an educational lens.

<sup>85</sup> For more information, please see: <https://www.epa.gov/sites/production/files/documents/neea.pdf>.

Each year, our Nation's youth are recognized for their outstanding dedication to environmental stewardship projects and teachers are honored for promoting environmental awareness and education. The PIAEE awards recognize outstanding kindergarten through grade 12 teachers who employ innovative approaches to environmental education and use the environment as a context to engage their students. The PEYA honors and highlights a wide variety of projects developed by K through 12<sup>th</sup> grade students, school classes and clubs, youth camps, and youth organizations to promote environmental awareness and action in their schools and communities. Students in all 50 U.S. states and territories are invited to participate in the Program.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.1, Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests approximately \$8.8 million and 9.2 FTE for the Environmental Education Program. The Program will implement the teacher training program and regional grant program with a focus on fighting climate change and protecting public health through EE and improved engagement with frontline communities that are pollution-burdened as well as underserved communities.

In FY 2025, resources will:

- Support career development through education by funding innovative EE grant projects in frontline communities that can lead to inclusive, just, and pollution-free communities and an economy that supports high-quality jobs.
- Create a grant website tool for the public that provides detailed and valuable information on all EE regional grants, including information on audience, project format and duration, environmental topic, and the environmental and educational impacts achieved.
- Ensure formal and non-formal educators have the knowledge and teaching skills necessary to help advance environmental and climate literacy in America through the National Environmental Education and Training Program.
- Build strategic partnerships that include underserved and overburdened communities to increase the conversation around using EE as a tool to achieve environmental protection goals while achieving environmental justice, climate equity, and economic prosperity.
- Request that the National Environmental Education Advisory Council (NEEAC) provides a set of national recommendations on how frontline and underserved communities can use EE to build capacity to become resilient to the effects of climate change.



- Continue the long-standing partnership with NEEF (National Environmental Education Foundation) as we work collaboratively to identify opportunities to achieve environmental education goals. EPA and NEEF will have an MOU to work together on water infrastructure and safe drinking water, public health, climate change, environmental justice, and citizen and climate science. EPA and NEEF will seek to work together on additional education and public outreach efforts as appropriate.
- Utilize an information management system that will track outputs and outcomes for each grant to ensure program effectiveness, improve program efficiency, and improve overall customer service. The information tracking system also will be used for the PEYA and PIAEE Programs.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$134.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$875.0 / -2.0 FTE) This program change realigns resources from the Environmental Education program to the Executive Management and Operations program to support public engagement and partnership activities and proactively engage stakeholders and organizations impacted by EPA policies and regulations.

**Statutory Authority:**

National Environmental Education Act (NEEA); Clean Air Act (CAA), § 103; Clean Water Act (CWA), § 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; and the Federal Advisory Committee Act (FACA).

**Small Business Ombudsman**

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$1,379</i></b>            | <b><i>\$2,250</i></b>                | <b><i>\$2,242</i></b>                     | <b><i>-\$8</i></b>   |
| Total Budget Authority                                | \$1,379                          | \$2,250                              | \$2,242                                   | -\$8   |
| Total Workyears                                       | 3.3                              | 5.6                                  | 5.6                                       | 0.0  |

**Program Project Description:**

The Small Business Ombudsman Program includes the Asbestos and Small Business Ombudsman (ASBO),<sup>86</sup> housed within the Office of Small and Disadvantaged Business Utilization (OSDBU). It also includes the Small Business Advocacy Chair and other small business activities located within the Office of Policy’s (OP) Office of Regulatory Policy and Management. These activities within OP collectively lead EPA’s responsibilities under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act.<sup>87</sup>

The ASBO Program provides a suite of resources, technical assistance, and opportunities for small business engagement, training, and advocacy for fair consideration. The ASBO Program operates through two roles: EPA’s Asbestos Ombudsman and EPA’s Small Business Ombudsman. The Asbestos Ombudsman role services a toll-free hotline, functioning as an informational liaison and guide in responding to asbestos-related questions and concerns from the public. The Small Business Ombudsman role provides informal guidance and support in the rulemaking process and offers environmental compliance assistance and resources for small business. The ASBO advocates for a fair process in working with small business, and in so doing, partners with a variety of internal and external stakeholders, including EPA programs and regional offices, State Small Business Environmental Assistance Programs (SBEAPs),<sup>88</sup> and the U.S. Small Business Administration’s (SBA) Office of Advocacy, and Office of the National Ombudsman. The ASBO also engages with various small business groups and associations.

Overall, the core functions of the ASBO Program include:

- Assisting the public with hotline questions and complaints.
- Improving access to federal and state environmental information and assistance.

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<sup>86</sup> For more information, please see: <https://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman>.

<sup>87</sup> For more information, please see: <https://www.epa.gov/aboutepa/about-office-policy-op#ORPM>.

<sup>88</sup> For more information, please see: <https://nationalsbeap.org/>.

- Supporting EPA in better understanding small business perspectives when considering regulatory impacts or enforcement issues.
- Advocating for and facilitating informal small entity engagement activities.
- Developing recommendations or reports on EPA’s asbestos and small business compliance assistance programs.

Based on the Agency’s overall small business regulatory and environmental compliance assistance activities, EPA has earned a grade of “A” in the last 16 SBA Office of the National Ombudsman Annual Reports to Congress.<sup>89</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

Consistent with EPA’s priorities for addressing climate change, equity, and Environmental Justice (EJ) in FY 2025, the ASBO will:

- Gather and manage ASBO program reporting data and activities to help guide the Agency on issues related to asbestos, small business regulatory compliance questions and adherence to the 507 Program requirements. The 1986 Asbestos Hazard Emergency Response Act (AHERA) (15 U.S.C. §2641-2656) and the 1990 Clean Air Act (CAA) Amendments’ Small Business Stationary Source Technical and Environmental Compliance Assistance Program (42 U.S.C. § 7661f), provide for ASBO monitoring and reporting on the effectiveness of EPA’s asbestos resources and small business environmental compliance assistance programs. Consistent with the Program’s integrated strategy for carrying out those monitoring and reporting responsibilities, in FY 2023, the ASBO issued an internal EPA ASBO Program Report on Fiscal Year 2022 Public Inquires, and further posted a summary of the Report’s “Quick Stats and Facts” on the ASBO website.<sup>90</sup> In FY 2025, the ASBO will continue to carry out these monitoring and reporting activities in accordance with the strategy, to help identify opportunities to strengthen EPA’s asbestos program services and small business regulatory and compliance assistance.
- Continue to strengthen and support state small business stakeholder engagement with EPA’s EJ activities through the ASBO’s ongoing collaboration and cooperative assistance agreement with the Kansas State University. ASBO funds the cooperative agreement in support of the National SBEAP. SBEAPs are a key stakeholder on EJ activities as they work directly with small businesses within the EJ community and provide environmental compliance assistance to small and disadvantaged businesses within their state. In response

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<sup>89</sup> For more information, please see: <https://www.sba.gov/document/report--national-ombudsmans-annual-reports-congress>.

<sup>90</sup> The “Quick Stats and Facts” posting is accessible at: [https://www.epa.gov/system/files/documents/2023-06/ASBO%20Program%20FY22%20Stats%20and%20Facts%20508\\_0.pdf](https://www.epa.gov/system/files/documents/2023-06/ASBO%20Program%20FY22%20Stats%20and%20Facts%20508_0.pdf).

to Executive Order (EO) 13985,<sup>91</sup> the SBEAPs created an EJ Subcommittee to provide targeted support to small and disadvantaged businesses located in underserved communities and are in the process of finalizing EJ communication materials to support small business engagement in EJ communities. In FY 2025, the ASBO will continue to collaborate and support the SBEAP EJ Subcommittee efforts and engagement throughout the Regions. Additionally, as part of the ASBO's cooperative agreement in support of the National SBEAP, the ASBO will continue to support, enhance, and promote the SBEAP foreign language webpage, which is a key EJ resource for assisting the underserved, non-English speaking business community on environmental compliance.

- Continue to strengthen small business access to and awareness of regulatory and environmental compliance resources and updates. In FY 2025, the ASBO will leverage the Program's monthly *SmallBiz@EPA* newsletter, using its new subscription management and data analytics tools obtained in FY 2023, to help expand small business education and familiarity with regulatory and environmental topics of interest to the small business community.
- Foster stronger internal communication and collaboration involving EPA rule writers, especially EPA's Office of Air and Radiation, which has specific implementation responsibilities for Tackling the Climate Crisis at Home and Abroad, under EO 14008.<sup>92</sup> In FY 2025, ASBO will continue to develop resources to guide EPA rule writers in conducting early and informal small business stakeholder engagement activities. This will allow the Agency to better understand the most up-to-date industry practices and potential business impacts for better informed decision making and consideration of available options.
- Under OP's Small Business Advocacy Chair, work with the SBA Office of Advocacy and OMB to convene and manage Small Business Advocacy Review Panels. These Panels develop recommendations to reduce the cost of EPA rules that may have a significant impact on a substantial number of small entities.
- Continue to provide analytical support for assessing the impacts of EPA rules on small entities, which is critical in informing underserved, non-English speaking business community on environmental compliance.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

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<sup>91</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>92</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$8.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. The increase in fixed and other costs is offset by a slight reduction to the Program. The Agency will prioritize activities to continue to maintain compliance with its statutory obligations under the Small Business Act.

**Statutory Authority:**

Asbestos Hazard Emergency Response Act (AHERA), 1986 (adding Title II to the Toxic Substances Control Act (TSCA)) (15 U.S.C. §2641-2656); Clean Air Act, Title 5, Section 507; Small Business Stationary Source Technical and Environmental Compliance Assistance Program (42 U.S.C. §7661f); Small Business Regulatory Enforcement Fairness Act of 1996, Pub. L. 104-121, as amended by Pub. L. 110-28; Small Business Paperwork Relief Act, 44 U.S.C. 35; 42 U.S.C. § 7661f; and 15 U.S.C. §§ 2641-2656.

**Small Minority Business Assistance**

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$2,225</b>                   | <b>\$2,056</b>                       | <b>\$2,018</b>                            | <b>-\$38</b>   |
| Total Budget Authority                                | \$2,225                          | \$2,056                              | \$2,018                                   | -\$38  |
| Total Workyears                                       | 8.0                              | 7.6                                  | 7.6                                       | 0.0  |

**Program Project Description:**

EPA’s Office of Small and Disadvantaged Business Utilization (OSDBU) manages the Agency’s Small Business Contracting Program 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 maximizing small business prime and subcontracting opportunities to help promote procurement equity and expand EPA’s competitive supplier base in carrying out the Agency’s mission. Under the Program, OSDBU provides EPA’s contracting community statutorily required counseling and training on all aspects of governing small business requirements throughout the federal acquisition cycle. It also engages in statutorily mandated advocacy on behalf of the various categories of small businesses, including disadvantaged businesses; small businesses located in Historically Underutilized Business Zones (HUBZones); service-disabled veteran-owned small businesses (SDVOSBs); and women-owned small businesses (WOSBs). In accordance with Section 15(k), OSDBU further hosts or participates in an average of one small business outreach and training conference each month, providing needed technical assistance to hundreds of small and socioeconomic businesses across the country.

In implementing the statutory responsibilities required under Section 15(k), OSDBU reviews acquisition strategies to maximize small business prime and subcontracting 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, OSDBU assists in the coordination of unsolicited proposals for agency acquisitions and in the resolution of small business payment issues under EPA acquisitions. It further provides a broad range of training, outreach, and technical assistance to new and prospective small business contract awardees.

Historically, data reported in the Federal Procurement Data Systems (FPDS) indicates that EPA awards an average of 40 percent of total acquisition dollars to small businesses annually – far exceeding the government-wide goal of 23 percent. EPA most recently earned a grade of “A” on the FY 2022 Small Business Procurement Scorecard.<sup>93</sup> This represents the 14<sup>th</sup> consecutive year

<sup>93</sup> For more information on the FY 2022 Small Business Procurement Scorecard, please see <https://www.sba.gov/agency-scorecards/scorecard.html?agency=GW&year=2022>.

that EPA has earned at least an “A” on the Procurement Scorecard. In addition, based on available provisional data, in FY 2023 EPA awarded a record level of contracting dollars in four out of the five small and socioeconomic business categories, including a record of \$1 million in total small business contract awards, amounting to 45.3 percent of the Agency’s total contract spend.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

Consistent with EPA’s priorities to advance Environmental Justice (EJ), further procurement equity to support underserved businesses and communities, and expand the Nation’s supplier base, in FY 2025, the Program will:

- Leverage technology to foster more efficient and effective vendor engagement as a pivotal component in expanding small and socioeconomic business participation in EPA acquisitions. Industry has specifically indicated in various EPA listening sessions and reverse industry day events that ensuring small business access to federal procurement opportunities and the corresponding responsible officials is indispensable to furthering procurement equity. In FY 2025, OSDBU will capitalize on a new system, slated for deployment in FY 2024, to simplify matching small and socioeconomic vendors with EPA contracting opportunities and responsible EPA officials. Utilizing matchmaking technology will take advantage of available technology to ensure small and disadvantaged businesses have meaningful access and opportunities to market their solutions, experience, and capabilities to EPA officials. This will help streamline acquisition planning and market research, resulting in reductions in the overall procurement action lead time.
- Continue engagement in more dynamic acquisition planning and market research by strengthening OSDBU’s role as an essential member of the Agency’s integrated acquisition team. In FY 2025, OSDBU will continue to strengthen agencywide compliance with internal vendor engagement metrics to expand EPA’s market intelligence and familiarity with socioeconomic small business sources available in the federal marketplace. OSDBU will assume a leading role in providing small business expertise and counsel in tailoring and coordinating innovative vendor engagement strategies to maximize meaningful small and socioeconomic business procurement opportunities.
- Assist in the implementation and training on a new policy to expand large business utilization of small and socioeconomic businesses in the performance of prime contracts. The utilization strategy is intended to incentivize prime contractors to maximize small business contracting teaming arrangements consistent with the efficient performance of prime contracts. In FY 2024, OSDBU in partnership with EPA’s Office of Acquisition Solutions (OAS) began to develop a formal policy to mandate application of the strategy to defined EPA acquisitions. In FY 2025, OSDBU will continue this partnership to ensure effective policy implementation and training. Significantly, implementing the mandatory strategy will encourage large business joint venture, mentor-protégé, and subcontracting relationships with small businesses. This will help build small and socioeconomic business

capabilities, capacity, and experience, and thereby diversify and expand the federal supplier base in accordance with governmentwide procurement equity directives<sup>94</sup> on expanding procurement equity.

- Conduct robust EPA in-reach activities to educate the Agency’s acquisition workforce on structuring acquisitions to expand small business contracting opportunities and reduce barriers to procurement equity. OSDBU also will continue collaboration with OAS to provide bootcamp training to enhance small business proficiency in competing for EPA contract awards and in complying with contract administration requirements.

**Performance Measure Targets:**

**(PM SB1) Percentage of EPA contract spending awarded to HUBZone businesses.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| <b>Target</b>      |         |         |         |         | 3.0     | 3.2     | 3.4     | 3.7     | Percent             |
| <b>Actual</b>      | 2.4     | 2.2     | 2.0     | 4.9     | 3.1     | 3.1     |         |         |                     |
| <b>Numerator</b>   | 37.5    | 35.0    | 30.3    | 75.6    | 59.6    | 69.3    |         |         | Millions of Dollars |
| <b>Denominator</b> | 1,500   | 1,500   | 1,500   | 1,500   | 1,900   | 2,265   |         |         |                     |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$38.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Small Business Act, 15 U.S.C § 644(k).

<sup>94</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/> and <https://www.whitehouse.gov/wp-content/uploads/2021/12/M-22-03.pdf>.



## State and Local Prevention and Preparedness

Program Area: Cross-Agency Coordination, Outreach, and Education

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$14,124</i></b>   | <b><i>\$15,446</i></b>      | <b><i>\$24,106</i></b>           | <b><i>\$8,660</i></b>  |
| Total Budget Authority                                | \$14,124                 | \$15,446                    | \$24,106                         | \$8,660  |
| Total Workyears                                       | 55.1                     | 67.1                        | 93.1                             | 26.0   |

### 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 by chemical facilities.

Under Section 112(r) of the 1990 Clean Air Act (CAA) Amendments, chemical facilities that store more than a threshold quantity of listed extremely 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, first responders, and planning groups to increase understanding of risks.<sup>95</sup>

The Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 was enacted 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 chemical releases from these facilities through the development of local emergency response plans.<sup>96</sup>

Under Section 311(j)(5) of the Clean Water Act (CWA), EPA is required to issue and implement regulations requiring certain facilities to develop plans to respond to worst case discharges of hazardous substances that could threaten navigable waters.

<sup>95</sup> For additional information, please refer to: <https://www.epa.gov/rmp>.

<sup>96</sup> For additional information, please refer to: <https://www.epa.gov/epcra>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional investment of approximately \$8.7 million for the State and Local Prevention and Preparedness Program. The Program will perform the following activities:

- Support inspection of 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 11,600 chemical facilities that are subject to the RMP regulations. Of these, approximately 1,800 facilities have been designated as high-risk based upon their accident history, quantity of on-site dangerous chemicals stored, and proximity to large residential populations.<sup>97</sup> EPA prioritizes inspections at high-risk facilities.
- The Program aims to conduct approximately 300 inspections a year, or three percent of all RMP facilities. EPA will focus on high-risk facilities located in communities with environmental justice concerns and communities with increased climate-related risks (*e.g.*, extreme weather, flooding, wildfires, etc.). Additional resources requested in this program will help enable the Program to meet the target number of 300 inspections and support the Agency's Chemical Accident Risk Reduction National Enforcement and Compliance Initiative (NECI).
- Additional resources also will address outstanding recommendations from the US Chemical Safety and Hazard Investigation Board, such as developing an inspection database to track common deficiencies found during inspections, including any related to natural hazards and climate change, and use that information to target compliance assistance.
- Protect fenceline communities through regulatory updates and outreach, compliance assistance, and inspections at regulated facilities, thereby reducing risks to human health and the environment by decreasing the likelihood and impacts of chemical accidents.
- Provide basic and advanced RMP and EPCRA inspector training for federal and state inspectors.
- Maintain and upgrade 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. Using funding requested in FY 2025, EPA will continue improvements to the RMP national database to accommodate new risk management plan submission elements resulting from

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<sup>97</sup> Located in EPA's RMP database.

recent regulatory changes and providing increased public access to non-sensitive portions of the RMP database and subsequent analytics.

- Develop updates to the Computer-Aided Management of Emergency Operations (CAMEO) software suite (*i.e.*, the CAMEO Chemicals, CAMEO*fm*, Areal Locations of Hazardous Atmospheres, and Mapping Application for Response, Planning, and Local Operational Tasks applications), which provides free and publicly available information for firefighting, first aid, emergency planning, and spill response activities.
- Implement the changes made in the RMP Safer Communities by Chemical Accident Prevention final rule, which the Agency expects to complete before Spring 2024. This rule will initiate the updating of EPA interpretive guidance and training of EPA, state, and local inspectors on new and updated regulatory provisions to address Administration priorities on environmental justice and climate change.
- EPA is under a consent decree to complete a final rulemaking under CWA section 311(j)(5) by September 2024. The final rule will establish a new regulatory program requiring certain facilities to develop plans for responding to a worst-case discharge, or to a substantial threat of such a discharge, of CWA-listed hazardous substances. EPA requests \$300 thousand and 2.0 FTE in FY 2025 to begin implementation efforts for this new regulatory program, as no current resources are associated with this effort. These additional funds and staff will be used to develop implementation guidance and training and outreach materials and begin training regional staff on conducting inspections and exercises for the new regulatory provisions.
- Conduct outreach to regulated industry concerning changes or updates to RMP and EPCRA regulations and interpretive guidance.
- Coordinate and collaborate with state, tribal, and local response entities on emergency response plans and procedures to ensure cohesive and effective responses to chemical releases.

#### **Performance Measure Targets:**

Work under this program directly supports performance results in the Superfund: EPA Emergency Preparedness program under the Superfund appropriation.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$661.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.

- (+\$7,499.0 / +26.0 FTE) This program change is an increase to support a multi-pronged approach to protect fenceline communities at risk from nearby chemical facilities, including providing increased outreach and inspections at regulated facilities to ensure facilities have measures in place to prevent chemical accidents. This investment includes \$4.6 million for payroll.
- (+\$500.0) This program increase is to upgrade and support operations and maintenance of the existing RMP database.

**Statutory Authority:**

The Emergency Planning and Community Right-to-Know Act (EPCRA); the Clean Air Act (CAA) § 112(r); Clean Water Act (CWA) § 311(j)(5).

## **TRI / Right to Know**

Program Area: Cross-Agency Coordination, Outreach, and Education  
Goal: Ensure Safety of Chemicals for People and the Environment  
Objective(s): Promote Pollution Prevention

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$11,987</i></b>           | <b><i>\$15,052</i></b>               | <b><i>\$14,123</i></b>                    | <b><i>-\$929</i></b>   |
| Total Budget Authority                                | \$11,987                         | \$15,052                             | \$14,123                                  | -\$929   |
| Total Workyears                                       | 36.9                             | 37.0                                 | 37.0                                      | 0.0  |

### **Program Project Description:**

EPA's success in carrying out its mission to protect human health and the environment depends on collecting and making available timely, accurate, and relevant information to communities, non-governmental organizations, industry, academia, and government agencies at the local, state, tribal, federal, and international levels. EPA's Toxics Release Inventory (TRI) Program<sup>98</sup> supports the Agency's mission by annually collecting and publishing in a publicly accessible form: release, other waste management (*e.g.*, recycling), and pollution prevention (P2) data on over 800 TRI-listed chemicals and chemical categories that include almost 200 per- and polyfluoroalkyl substances (PFAS).<sup>99</sup> Approximately 21,000 industrial and federal facilities report to TRI annually.

EPA's TRI Program is a premiere source of cross-media toxic chemical information for stakeholders. Using technological advances, the TRI Program has developed several analytical tools that provide the public with easy access, mapping, and analysis of information on TRI chemicals released or otherwise managed as waste at facilities in communities across the United States and its territories. Some of these tools incorporate demographic indicators such as low income, people of color, unemployment, education level, linguistically isolated households, and young and elderly populations, as well as tribal land and risk indicators.

The TRI Program collaborates with other EPA programs on data analyses to describe relevant trends in releases, recycling, treatment, energy recovery, and implementation of P2 practices with respect to toxic chemicals and to support innovative approaches by industry and other partners to reduce pollution. As a robust, community-focused, annual, cross-media dataset on toxic chemical information, the TRI lends itself to comparative analyses with other program-specific data managed by the Agency, providing insights that may not be apparent when viewing the datasets independently. Such insights are especially valuable for 1) identifying opportunities based on TRI-reported, location-specific release trends to reduce toxic chemical releases in disadvantaged

<sup>98</sup> For additional information, please visit: <http://www.epa.gov/tri/>.

<sup>99</sup> Many per- and polyfluoroalkyl substances (PFAS) were added to the TRI chemical list as a component of the National Defense Authorization Act for Fiscal Year 2020 (NDAA) when the Act was signed into law on December 20, 2019. The first year of TRI reporting these PFAS was calendar year 2020.

communities in accordance with the Administration’s environmental justice (EJ) priorities, and 2) promoting TRI-reported pollution prevention (P2) practices that reduce the release of toxic chemicals and/or emissions of greenhouse gases (GHGs).

The TRI Program serves as a central component of EPA’s strategy to increase access to environmental pollution information and enable communities, scientists, policymakers, and other stakeholders to apply the information in their decisions and engagements to address impacts and deter adverse burdens, particularly to low-income and disadvantaged communities.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.2, Promote Pollution Prevention in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to build upon the regulatory foundation of TRI to ensure that communities have access to timely and meaningful data on toxic chemical releases and other waste management and pollution prevention activities at facilities. As part of this effort, the TRI Program will continue to update toxic chemical reporting requirements as appropriate, pursue additional chemical listings, expand the scope of industry coverage (as applicable), respond to petitions, improve the reporting experience, take steps to further optimize the quality of TRI data, explore enhanced access and analytical capability with respect to this valuable information, identify opportunities to reduce toxic chemical releases, and share and promote pollution prevention approaches with industry.

This work supports the Administration’s EJ priorities as the TRI Program will play an important role in conducting analyses to support EPA’s goals for disadvantaged communities with EJ concerns. Additionally, the Program may conduct analyses in support of the Administration’s climate priorities such as review of TRI-reported P2 practices implemented to reduce or prevent releases, waste management of TRI chemicals and chemicals identified by EPA as greenhouse gases.

EPA also will continue to provide its online reporting application, the *TRI-MEweb (TRI Made Easy web)* reporting tool, to assist reporting facilities with electronic preparation and submission of TRI reports through EPA’s Central Data Exchange (CDX),<sup>100</sup> which manages TRI access and authentication services and provides identity proofing. *TRI-MEweb* has built-in functionality to help prevent facilities from making reporting errors. In addition, the TRI data collected by EPA are shared with states, tribes, and territories that are partners of the TRI Data Exchange (TDX).<sup>101</sup> EPA will continue to maintain *TRI-MEweb* and the TDX throughout FY 2025. The Agency also will continue to support the TRI Processing System (TRIPS) database, which is the repository for TRI data.

In FY 2025, as a key element of its data quality assurance strategy, the Program will conduct at least 650 data quality checks to help optimize the accuracy and completeness of the reported data and thereby improve the Program’s analyses and the utility of the data to the public. EPA also will

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<sup>100</sup> To access the CDX, please visit: <https://cdx.epa.gov/>.

<sup>101</sup> For additional information, please visit: <https://www.epa.gov/toxics-release-inventory-tri-program/tri-data-exchange>.

continue to improve its systems, processes, and products based on feedback from users (*i.e.*, communities; academia; industry; and state, tribal and local governments). Additionally, EPA will explore opportunities to streamline the process it uses to determine whether chemicals should be added to the TRI chemical list, to enhance efficiencies in the TRI Program.

The Program also will continue to publish English and Spanish versions of the annual TRI National Analysis,<sup>102</sup> which provides, among other things, up-to-date trends in releases and other waste management practices of toxic chemicals and highlights innovative approaches by industry to reduce pollution. The Analysis will include industry sector profiles, parent company analyses, and TRI information reported from facilities in specific urban communities, watersheds, and tribal lands. The TRI Program also will continue to make the preliminary data available to the public shortly after the reporting deadline as downloadable data files and through online analytical tools such as Envirofacts.<sup>103</sup> The Program will continue to provide support to EPA's Enforcement and Compliance Assurance programs by supplying facility target lists developed through the comparison of TRI reporting with facility reporting to other EPA programs (*e.g.*, air permits required by the Clean Air Act). The TRI Program will continue to foster discussions and collaborations in analyzing and using its data with stakeholders such as industry, government, academia, non-governmental organizations, and the public. Engagement will include organizing targeted webinars and, if resources permit, hosting an in-person TRI National Conference.

Section 7321 of the National Defense Authorization Act (NDAA) of 2020 requires EPA to assess certain PFAS to determine whether they meet Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313 chemical listing criteria. The NDAA automatically added seven additional PFAS to the TRI list, effective January 1, 2024. EPA expects similar automatic additions of PFAS to the TRI list over calendar year 2024, which will be implemented in FY 2025. Also in FY 2024, EPA finalized a rule that designates NDAA-added PFAS to the TRI list of chemicals of special concern; among other reporting changes, this eliminates the use of the *de minimis* exemption as well as the option for facilities to use the Form A certification statement. Additionally, in FY 2025, EPA expects to finalize a rule to list additional PFAS to TRI based on their hazard characteristics, pursuant to section 7321 of the FY 2020 NDAA. EPA will publish the proposed rule in FY 2024 and expects to respond to comments and promulgate the final rule in FY 2025.

Further, the TRI Program's information, data, and analyses will support the Toxic Substances Control Act (TSCA) Program, helping to identify conditions of use and to evaluate and estimate occupational, general population, and potentially exposed and susceptible subpopulation exposures for those chemicals undergoing risk evaluation and that are included on the TRI chemical list. This work will assist agency chemical programs in their prioritization work, from the identification of candidate chemicals for future risk evaluations to the support of other chemical assessments across program and regional offices, advancing the work of chemical safety agencywide.

The TRI Program will additionally pursue chemical listings, including TSCA Work Plan chemicals and other substances of interest to the Agency that are not included on the TRI chemical list, as well as respond to TRI chemical listing petitions. Additional chemicals or sectors may be assessed

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<sup>102</sup> To access the *TRI National Analysis*, please visit: <https://www.epa.gov/trinationalanalysis>. EPA publishes each National Analysis approximately six months after that year's data are reported.

<sup>103</sup> *EnviroFacts* may be accessed at: <https://enviro.epa.gov/>.

for TRI listing suitability and associated listing actions, and as required by EPCRA, the Agency will respond to EPCRA chemical petitions regarding TRI within 180 days after receipt.<sup>104</sup> The quantity and complexity of petitions are unknown until submitted to EPA. EPA will continue to respond to any TRI chemical petitions received during FY 2025.

Because electronic systems that collect and disseminate TRI data largely have been developed, FY 2025 work will focus on the operations and maintenance of TRI-MEweb, TRIPS, and processes that contribute to quality control in the development of the annual TRI National Analysis. By leveraging agency cloud services, the TRI systems will improve system performance, reliability, efficiencies, portability, and administrative services (security, upgrades, patches, etc.). This also will improve integration/consistency with other cloud-based systems and applications and will provide quicker data processing. Moreover, this will enhance the capabilities of EPA's public-facing TRI analytical tools.

In FY 2025 the TRI Program will identify facilities and sectors that released TRI-listed substances proximal to disadvantaged communities (using functionalities within EPA's analytical tools, such as TRI Toxics Tracker and EJScreen). The Program also will develop maps and other products to help facilitate exploration and understanding of potential impacts from chemical releases to surrounding communities, including those that might be more susceptible to climate change impacts (*i.e.*, sea level rise and facilities located along the coasts of major bodies of water).

Additionally, TRI reporting includes information on institutional/firm environmental stewardship, pollution prevention (P2), and other sustainability practices and activities (*e.g.*, voluntary climate mitigation-, adaptation- or resilience-oriented work) undertaken by facilities during the reporting year. TRI's P2 reporting data<sup>105</sup> include thousands of instances of source reduction implementation and other sustainability activities by facilities, which often reflect economic benefits coupled with improved environmental performance. TRI's P2 data tools have a wide range of capabilities to help identify and amplify improvement to environmental practices, and the Program will continue to conduct analyses of these practices and to develop profiles of these environmental improvements, which can be useful for P2 practitioners including those seeking to advance sustainability and strengthen the resilience of facilities near disadvantaged communities with EJ concerns. The Program also will continue to support the Agency's P2 Program, and other Agency source reduction and sustainability programs, specifically efforts to advance P2 best practices among national emphasis areas, including tools to advance priorities such as the P2-EJ Facility Mapping Tool.<sup>106</sup>

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<sup>104</sup> Additional information on current petitions may be found at: <https://www.epa.gov/toxics-release-inventory-tri-program/toxics-release-inventory-laws-and-regulatory-activities>.

<sup>105</sup> For additional information, please visit: <https://www.epa.gov/tri/p2>.

<sup>106</sup> To access the P2 EJ Facility Mapping Tool, please visit <https://www.epa.gov/p2/p2-ej-facility-mapping-tool>.



**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$316.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (-\$1,245.0) This program change is a decrease in contract resources to support IT analytical tools.

**Statutory Authority:**

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

## **Tribal - Capacity Building**

Program Area: Cross-Agency Coordination, Outreach, and Education

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

Objective(s): Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$12,619</i></b>   | <b><i>\$14,715</i></b>      | <b><i>\$35,088</i></b>           | <b><i>\$20,373</i></b>                                       |
| Total Budget Authority                                | \$12,619                 | \$14,715                    | \$35,088                         | \$20,373   |
| Total Workyears                                       | 70.4                     | 78.6                        | 166.9                            | 88.3   |

### **Program Project Description:**

EPA is responsible for protecting human health and the environment under federal environmental statutes and the Tribal Capacity Building Program serves a critical role in advancing this mission working with tribal communities. Under the Agency's 1984 Indian Policy,<sup>107</sup> EPA works with federally recognized tribes on a government-to-government basis, in recognition of the federal government's trust responsibility to tribes, to implement federal environmental programs in Indian Country.

To do this, EPA will:

- Use key environmental justice principles, such as equity for underserved communities, strong, meaningful tribal engagement, and fair treatment as it prioritizes implementation of EPA directly implemented programs, and for other activities;
- Fully consider ways in which program funding can best be used to address climate change concerns to build climate resiliency for federally recognized tribes; and,
- Work to enhance the consideration and integration of tribal treaty rights and reserved rights into EPA decision-making and regulatory development.

This program also supports the Categorical Grant: Tribal General Assistance Grants Program.

EPA's American Indian Environmental Office leads the agencywide effort to ensure environmental protection in Indian Country.<sup>108</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.1, Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels in the *FY 2022-2026 EPA Strategic*

<sup>107</sup> 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>.

<sup>108</sup> Please see <http://www.epa.gov/tribal> for more information.

*Plan.* To support this work, EPA is requesting \$18.5 million in additional resources and an increase of 87.3 FTEs to focus on advancing environmental justice in Indian Country by ensuring full and robust implementation of the laws that EPA administers in all areas where EPA has the authority and responsibility to ensure protections while simultaneously honoring the federal trust responsibility to the hundreds of federally recognized tribes EPA works with throughout the United States in FY 2025.

Overall, the Agency continues to make steady progress toward strengthening human health and environmental protection in Indian Country. In FY 2025, EPA will further the following priorities:

- Strengthen tribal partnerships and engagements, including through EPA's revised Tribal Consultation Policy and tribal engagement strategies;
- Build tribal capacity to administer and meaningfully participate in environmental programs;
- Directly implement programs in Indian Country for equitable environmental protection, especially for underserved tribal communities; and,
- Enhance the protection of tribal treaty rights in EPA activities through the revised Tribal Treaty Rights Guidance.

The strategic investment will directly result in the following enhancements and deliverables:

- Improve public health by reducing disparities in compliance rates between Indian Country and the national average through greater Office of International and Tribal Affairs support and leadership to EPA programs and regions for planning and measuring EPA direct implementation actions in Indian Country.
- Continue the General Assistance Program (GAP) oversight and evaluation process to ensure GAP funds are being efficiently distributed and used.
- Continue national coordination with intertribal consortia for technical assistance and GAP planning.
- Provide support for EPA Direct Implementation Tribal Cooperative Agreement (DITCA) funding to Tribes for direct implementation activities that are excluded or restricted from GAP.
- Fully implement the revised EPA Tribal Consultation Policy and Implementation Guidance to improve consultation practices in conformance with Executive Order 13175 on Tribal Consultation and train EPA staff. Review and improve access to and quality of tribal data and information held in EPA information management systems to enable informed management and budget decisions on tribal matters.
- Provide technical assistance for tribes to support delegation of federal authority to the tribal government that allows tribes to implement EPA-overseen programs.
- Improve the availability of EPA regulatory tribal information available to tribal members and the public on EPA's data systems through technical changes to existing EPA data systems to allow improvements to a registry of EPA regulated facilities and entities in Indian Country that is publicly available.
- Improve and disseminate best practices for engagement of communities by tribal governments with delegated federal authority.
- Reduce the ratio of grants per project officer for tribal GAP grants.

- Support tribes and EPA regions in negotiating EPA-Tribal Environmental Plans (ETEPs) and all aspects of the National Environmental Performance Partnership System (NEPPS), including Performance Partnership Grants (PPGs).
- Provide greater regional liaison work to strengthen partnerships with tribes with “more time per tribe” for GAP technical assistance.
- Provide greater and earlier meaningful engagements with tribes on actions that require consultation.
- Improve efficiency and use of the EPA GAP grant performance management system to measure, evaluate, and improve how well GAP is meeting its statutory purposes and establish benefits for tribes and EPA.
- Work as national program coordinator and connector for regional Environmental Justice Thriving Communities Navigators.
- Work as the liaison to the Office of Policy’s Climate Adaptation Program to strengthen regional liaison work to implement tribal-related climate and treaty right priorities in the EPA Strategic Plan and Climate Adaptation Implementation Plans including consideration of a whole government approach to implement Tribal Climate Adaptation Implementation Plans.

**Tribal Consultation:** EPA revised the *EPA Policy on Consultation and Coordination with Indian Tribes (Consultation Policy)* <sup>109</sup> in 2023. The Consultation Policy builds on the EPA Indian Policy and establishes clear agency standards for a consultation process promoting consistency and coordination. From FY 2011 through FY 2025, EPA expects to have completed over 1,270 tribal consultations, including an anticipated 125 tribal consultations in FY 2025. EPA will continue to support the Agency’s web-based Tribal Consultation Opportunities Tracking System (TCOTS), a publicly accessible database used to communicate upcoming and current EPA consultation opportunities to tribal governments. EPA’s work increases access to public benefit programs and advances environmental justice through simplified access to TCOTS information. The system provides a management, oversight, and reporting structure that helps ensure accountability and transparency.

**Capacity Building:** EPA will continue to support mechanisms for tribes to pursue developing and implementing federal environmental programs, including the “treatment 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 tribal governments to build their capacity to meaningfully participate and engage in environmental protection activities. At the beginning of FY 2024, EPA had approved 107 TAS regulatory program delegations to tribes, including 21 approvals for compliance and enforcement authority. EPA had 14 DITCAs with tribes in place at the beginning of FY 2024.

**Indian Environmental General Assistance Program 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 Indian Environmental GAP Guidance on Financial Assistance Agreements. <sup>110</sup> In FY 2025, EPA will continue to administer GAP financial assistance to build tribal capacity and address environmental issues on tribal lands under new GAP guidance

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<sup>109</sup> Please refer to: <https://www.epa.gov/tribal/consultation-tribes>.

<sup>110</sup> Please refer to <https://www.epa.gov/tribal/gap-guidance-financial-assistance-agreements> for further information.

and training. EPA’s work in FY 2025 also will continue to enhance EPA-tribal partnerships through development and implementation of ETEPs with a continued focus on tracking and reporting measurable outcomes and results of GAP-funded activities. GAP funding also continues to support EPA PPG goals. EPA will strive to incorporate environmental justice and climate change considerations in these activities.

**GAP Performance Measurement:** EPA will use, and adjust as needed, the performance management application to align with the 2022 GAP Guidance and begin compiling and analyzing data. The information technology-based performance application will provide a data-driven basis for supporting funding decisions, funding priorities, and contribute to program accountability. Increased GAP performance will complement tribal capacity in media programs including efforts for CWA and SDWA SRF tribal set-asides.

**Direct Implementation:** EPA will continue to provide federal environmental program protections in Indian Country by directly implementing programs. In FY 2025, EPA will continue to evaluate its direct implementation responsibilities and activities on a program-by-program basis in Indian Country and make the data and information it relies upon available through EPA’s data and information applications.

**Performance Measure Targets:**

**(PM E21) Number of significant actions taken by EPA programs with direct implementation authority that will result in measurable improvements in Indian country.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units               |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|---------------------|
| <b>Target</b> |         |         |         |         | No Target Established | 25      | 20      | 15      | Significant Actions |
| <b>Actual</b> |         |         |         |         | 25                    | 25      |         |         |                     |

**(PM EC41) Percentage of EPA Tribal consultations that may affect Tribal treaty rights that consider those rights as part of the consultation.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| <b>Target</b>      |         |         |         |         | 20      | 25      | 80      | 100     | Percent              |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |                      |
| <b>Numerator</b>   |         |         |         |         | 19      | 10      |         |         | Tribal Consultations |
| <b>Denominator</b> |         |         |         |         | 19      | 10      |         |         |                      |

**FY 2025 Change from FY 2023 Annualized CR Budget (Dollars in Thousands):**

- (+\$1,715.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.

- (+\$183.0 / +1.0 FTE) This program change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements.
- (+\$2,524.0 / +12.0 FTE) This program change provides initial FTE and associated resources to stand-up a national direct implementation program specifically to work with tribes, tribal members, and others residing in Indian Country in carrying out EPA responsibilities for environmental and human health programs under EPA statutes in Indian Country. EPA's goal is to ensure that environmental programs implemented inside Indian Country are as robust and protective as those same programs implemented outside of Indian Country. This includes \$2.38 million in associated payroll.
- (+\$15,951.0 / +75.3 FTE) This program change increases FTE and resources to advance equitable implementation of EPA authorities and directives in Indian Country. This increase will allow the Agency to work effectively with tribal governments and communities, administer tribal grants and critical technical assistance, and fulfill the federal trust responsibilities that align with the environmental statutes. Support will be provided to priority commitments made in EPA and Tribal Climate Adaptation Implementation Plans and allow additional incorporation of Indigenous Knowledge into climate change efforts. This includes \$13.81 million in associated payroll.

**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).

## **Enforcement**

## Civil Enforcement

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$177,860</i></b>          | <b><i>\$205,942</i></b>              | <b><i>\$256,252</i></b>                   | <b><i>\$50,310</i></b>   |
| Leaking Underground Storage Tanks                     | \$594                            | \$661                                | \$690                                     | \$29   |
| Inland Oil Spill Programs                             | \$2,580                          | \$2,565                              | \$2,699                                   | \$134  |
| Hazardous Substance Superfund                         | \$15                             | \$0                                  | \$0                                       | \$0  |
| Total Budget Authority                                | \$181,048                        | \$209,168                            | \$259,641                                 | \$50,473   |
| Total Workyears                                       | 904.4                            | 998.1                                | 1,096.7                                   | 98.6   |

### **Program Project Description:**

The goal of EPA’s Civil Enforcement Program is to protect human health and the environment by ensuring compliance with the Nation’s environmental laws and regulations. The Civil Enforcement Program works in partnership with its federal, state, local, tribal, and territorial regulatory partners to encourage compliance, compel regulated entities to correct and/or mitigate violations, mitigate past harm, and assess appropriate penalties for violations, including removing any economic benefit that a violator gained from noncompliance.

The Civil Enforcement Program works closely with the U.S. Department of Justice (DOJ), state and local governments, tribal governments, territories, and other federal agencies to ensure consistent and fair enforcement of all major environmental statutes and regulations. Millions of public, federal, and private regulated entities are subject to one or more of these statutory requirements. The Civil Enforcement Program develops, litigates, and settles administrative and civil judicial cases against violators of environmental laws. The Agency’s National Enforcement Investigations Center (NEIC) provides field investigation, laboratory analysis, toxicology, chemistry, engineering, and regulatory support to the Civil Enforcement Program. In FY 2023, because of EPA civil enforcement actions, over 73 million pounds of air, water, and toxic pollutants and over 1.1 billion pounds of waste were treated, minimized, or properly disposed.<sup>111</sup>

EPA is responsible for direct implementation of programs that are not delegable or where a state or tribe has not sought or obtained the authority to implement a program (or program components). Examples of programs that are not delegable include the Clean Air Act (CAA) mobile source and Ozone Depleting Substances programs; pesticide labeling and registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); the new and existing chemicals program under the Toxic Substances Control Act (TSCA); and enforcement in Indian Country (except

<sup>111</sup> For additional information on EPA’s FY 2023 enforcement and compliance assurance program results, please visit: <https://www.epa.gov/enforcement/enforcement-and-compliance-annual-results-fiscal-year-2023>.



where the Program has been delegated to the tribe). Many statutes have programs or regulations that states have not obtained authority to implement, including the American Innovation and Manufacturing (AIM) Act, as well as portions of the Resource Conservation and Recovery Act (RCRA), the Clean Water Act (CWA), the Safe Drinking Water Act (SDWA), the Toxic Substances Control Act (TSCA) (lead-based paint program), and the Clean Air Act (CAA) (chemical accident prevention) where EPA must play this role.

Even where a state is authorized or has delegated program implementation responsibility, EPA retains concurrent enforcement authority. The Agency and authorized states have a joint responsibility to achieve and maintain high levels of compliance with the Nation's environmental laws. EPA works with authorized states and tribes to ensure a level playing field and assists states and tribes in their implementation of delegated/authorized programs when needed, such as in cases where the Agency maintains a unique expertise or capability, or where direct federal action is necessary to take timely or appropriate steps to address threats to public health and the environment. The Agency also carries out its statutory oversight responsibilities to ensure states and tribes are meeting national compliance monitoring standards and taking timely and appropriate actions to return facilities to compliance. EPA's work to protect communities with Environmental Justice (EJ) concerns and to address violations that contribute to climate change are priorities for the Agency and represent shared goals of EPA and partner agencies. For the Program to carry out statutory oversight responsibilities, a robust inspection and enforcement program is essential to advancing the promise of clean air, land, and water to many communities across the country, especially in overburdened communities and communities impacted by climate change.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 – 2026 EPA Strategic Plan*. The Civil Enforcement Program advances other goals in the Agency's Strategic Plan, with a particular focus on the cross-cutting goals: Goal 1: Tackle the Climate Crisis and Goal 2: Take Decisive Action to Advance Environmental Justice.

A robust inspection and enforcement program is essential to advancing the promise of clean air, land, and water to the many communities across the country that have not received the full benefits from EPA's decades of progress. Staff on the ground that can identify public health concerns and potential environmental regulatory violations are critical to protecting communities that are vulnerable or overburdened. Travel funding for inspections is essential to getting inspectors into the field to conduct increased inspections in all of EPA's ten regional offices. EPA's inspection programs have been under-resourced for over a decade leading to a loss of agency expertise and a decline in the numbers of inspections. To meet EPA's EJ goals and its mission to protect human health and the environment, the Agency must rebuild and strengthen its inspection program with increased hiring and training of new and existing inspectors, including in-person basic inspector trainings and travel funding for the trainings for the following programs: CAA; SDWA; CWA; RCRA; FIFRA; and TSCA. The increase in funding is needed to purchase health and safety equipment and inspection monitoring equipment such as Forward Looking InfraRed (FLIR) cameras, Data Acquisition Real-Time (DART), flame ionization detectors/photo ionization detectors, fenceline monitors, and Smart Tools software and hardware for inspectors. These tools

will modernize the process of collecting, inspecting, and recording inspection data to increase enforcement results.

In FY 2025, the Agency requests an increase of approximately \$19.6 million and 41.4 FTE to advance the Agency's Strategic Plan goals of tackling the climate crisis, taking decisive action to advance EJ, and enforcing environmental laws and ensuring compliance by 1) Focusing resources on the most serious environmental problems by implementing the FY 2024 through FY 2027 National Enforcement and Compliance Initiatives (NECIs) and 2) Supporting other EPA agencywide priorities such as reducing children's exposure to lead and increased community engagement.<sup>112</sup>

In FY 2025, EPA will focus its enforcement resources on the most serious environmental violations by implementing NECI priorities that seek to mitigate climate change, improve air quality, provide for clean and safe water, and ensure chemical safety. The Agency has selected the following six NECIs for FY 2024 - 2027: 1) Mitigating Climate Change, 2) Addressing Exposure to per- and polyfluoroalkyl substances (PFAS), 3) Protecting Communities from Coal Ash Contamination, 4) Reducing Air Toxics in Overburdened Communities, 5) Increasing Compliance with Drinking Water Standards, and 6) Chemical Accident Risk Reduction. For the first time, the Program will have a national focus of enforcement and compliance resources on mitigating climate change, addressing exposure to PFAS, and protecting communities from carcinogenic coal ash contamination. The Agency will strengthen its efforts to address hazardous air pollution in overburdened communities focusing on communities facing high levels of toxic air pollution from hazardous air pollutants (HAPs), such as benzene, ethylene oxide and other pollutants. This focused initiative will include the corollary benefit of reducing concentrations of criteria air pollutants such as ozone and particulate matter and addressing climate change impacts directly. EPA will continue the FY 2020 – 2023 national initiatives focused on providing safe drinking water and reducing the risk of deadly chemical accidents. Each of these initiatives addresses urgent environmental and public health challenges that would be difficult for EPA and its state partners to tackle without additional resources and concerted effort. These initiatives incorporate EJ considerations to ensure that the benefits of our Nation's environmental laws can be shared by everyone living in the United States.

In FY 2025, the Agency requests an increase of \$4.6 million and 20.0 FTE to advance the Office of Enforcement and Compliance Assurance's (OECA's) expanded role in water sector emergency response. In addition to this expanded role, as water systems continue to be adversely impacted by climate change and aging infrastructure, there is an increase in the number of systems across the country that are challenged to provide safe water to its residents. The Agency plays an important role in providing a safety net where states are not able to act in a timely or effective way to ensure safe water. This can include inspections to ensure compliance, enforcement efforts to compel corrective actions, or require entities (*e.g.*, public water systems or private facilities) to distribute bottled water, filters, or testing kits. It also can include the Agency acting to directly distribute and/or provide water, filters and testing kits on a short-term basis. This investment will allow OECA to respond to the increasing number of water incidents across the Nation, many of which affect EJ communities as evident from past incidents in Flint, Michigan; Jackson, Mississippi;

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<sup>112</sup> For additional information on the NECIs, please visit: <https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives>.

Benton Harbor, Michigan; and Coachella Valley, California. Two factors are expected to increase the future likelihood of EPA intervention in water incidents. First, the aging of America's water infrastructure has been well documented by EPA and other sources over the last twenty years (*e.g.*, *Water Infrastructure Gap Analysis*, EPA 2002; 7<sup>th</sup> Drinking Water Infrastructure Needs Survey and Assessment, EPA 2023).<sup>113</sup> Second, with the increasing frequency and severity of extreme weather events (drought, flooding, hurricanes) due to climate change, water systems will be subject to more disruptive events.

All of OECA's national civil enforcement initiatives focus on protecting overburdened and vulnerable communities. The NECIs provide an opportunity to address widespread, high priority violations in areas that have a strong nexus with the goals set forth in the *FY 2022 – 2026 EPA Strategic Plan*. By prioritizing and concentrating enforcement efforts and resources in alignment with the Agency's Strategic Plan, the enforcement program can advance the Agency's broader environmental and public health goals. To meet these goals, additional staff (*e.g.*, inspectors, field investigators, attorneys, and chemists) and extramural support (*e.g.*, contract support, travel, and training) are needed.

In FY 2025, the Agency requests an increase of \$8.2 million and 19.9 FTE to enforce the AIM Act by preventing the illegal importation and use of hydrofluorocarbons (HFCs), potent greenhouse gases, in the United States, facilitating a transition to next-generation technologies, and managing HFCs in existing equipment. Enforcing the phase down of HFCs is essential to tackling climate change. HFCs can have negative impacts on the climate hundreds to thousands of times greater than the same amount of carbon dioxide.<sup>114</sup> The Program's job will be exponentially more challenging in FY 2025 as additional requirements come into effect, increasing the universe of regulated products as a result of new phasedown requirements and restrictions on the import, manufacture, and use of certain products. As a result of these expanded restrictions, enforcing the AIM Act in FY 2025 will require more than double the level of effort as compared to enforcing the 2021 HFC Phasedown regulations. EPA requests this additional infusion of FTE and extramural resources for equipment, training, and other important tools to lead the HFC Task Force and to catch and deter potentially widespread illegal imports in FY 2025. The HFC Task Force will identify, intercept, and interdict illegal HFC imports, share data to support allowances, train customs officers and enforcement personnel, and address common HFC import experiences with other countries. The Program will implement new HFC allowance modules and expand its ozone depleting substances (ODS) tracking system to assess ongoing compliance. Additionally, in FY 2025, training on the new enforcement techniques and support for implementation of both the AIM Act and HFC enforcement will be needed. As a result, EPA's Civil Enforcement Program needs additional attorneys and inspectors to ensure adequate personnel are trained to develop and take enforcement actions against violators. The additional FTE for case development will assist in developing enforceable AIM Act rulemakings planned for FY 2025 and beyond. Without additional staff, the Program will be hindered in its efforts to increase enforcement of HFC imports.

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<sup>113</sup> For additional information, please visit: [https://www.epa.gov/system/files/documents/2023-04/Final\\_FAQ\\_DWINSAs\\_4.4.23.v1.pdf](https://www.epa.gov/system/files/documents/2023-04/Final_FAQ_DWINSAs_4.4.23.v1.pdf)

<sup>114</sup> For additional information, please visit: <https://www.epa.gov/climate-hfcs-reduction/frequent-questions-phasedown-hydrofluorocarbons#overview>.

In FY 2025, EPA will continue to protect overburdened communities at risk from cumulative impacts of large chemical manufacturing facilities, petrochemical operations, and refineries. Through coordinated assessment of noncompliance in multiple statutory areas, EPA's Civil Enforcement Program will plan inspections, case development, and enforcement actions to integrate RCRA, CWA, SDWA, CAA (including Section 112(r)), TSCA, and the Emergency Planning and Community Right-to-Know Act (EPCRA) to ensure comprehensive compliance with environmental regulations, thereby reducing risk to human health and the environment by decreasing the likelihood of excess emissions, releases, and discharges.

In FY 2025, EPA requests an increase of \$4.0 million to incorporate EJ and climate change into every aspect of Civil Enforcement. EPA will continue to integrate EJ and climate change considerations (including HFCs) throughout the Program. This work will answer the President's call to "strengthen enforcement of environmental violations with disproportionate impact on underserved communities through the Office of Enforcement and Compliance Assurance" [*EO 14008, sec. 222(b)(i)*] and to "combat the climate crisis with bold, progressive action" (*EO 14008, sec. 201*).<sup>115</sup> To address climate change, the Program will implement the *Climate Enforcement and Compliance Strategy*,<sup>116</sup> which directs all EPA enforcement and compliance offices to address climate change, as appropriate, in every matter within their jurisdiction. The strategy recognizes the urgency of the climate crisis and prioritizes enforcement and compliance actions to mitigate climate change and include climate adaptation and resilience in case conclusions whenever appropriate. The strategy builds on existing efforts underway to implement the OECA Climate Adaptation Implementation Plan and EPA's first-ever Mitigating Climate Change enforcement initiative targeting methane emissions from oil and gas facilities and landfills as well as illegal importation of HFCs. The Program will focus on strengthening enforcement and resolving environmental noncompliance through remedies with tangible benefits for disadvantaged communities by preventing further pollution due to noncompliance; mitigating past impacts from pollution; securing penalties to recapture economic benefit of noncompliance and deter future violations; seeking early and innovative relief (e.g., fence-line monitoring and transparency tools); and incorporating Supplemental Environmental Projects (SEPs) in settlements, where appropriate and to the extent permitted by law and policy. Additionally, EPA will continue its strong emphasis on identifying and resolving CAA noncompliance in the oil and gas sector and requiring compliance with the Renewable Fuel Standard regulations.

In FY 2025, EPA requests an increase of \$437 thousand and 2.2 FTE to expand PFAS enforcement. The Program will utilize resources to focus on implementing EPA's PFAS Strategic Roadmap and holding responsible those who significantly contribute to the release of PFAS into the environment, such as major manufacturers and users of manufactured PFAS, federal facilities that are significant sources of PFAS, and other industrial parties. PFAS released into the environment can present an urgent public health and environmental threat. The Program will continue to investigate releases, address imminent and substantial endangerments, and prevent exposure to PFAS, under multiple environmental statutes. OECA is using its resources to 1) Issue corporate-wide information requests and analyze responses, 2) Create site profiles and information databases

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<sup>115</sup> For additional information on the Executive Order on *Tackling the Climate Crisis at Home and Abroad*, please visit: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>116</sup> For more additional information, please visit: <https://www.epa.gov/system/files/documents/2023-09/epasclimateenforcementandcompliancestrategy.pdf>.

on specific facilities, 3) Obtain site-specific data such as PFAS sampling of private drinking water wells in communities with EJ concerns located near military installations, and 4) Use administrative and judicial authorities to require sampling to characterize nature and extent of PFAS contamination and compel response actions to protect human health and the environment.

In FY 2025, EPA requests an increase of \$3.4 million and 7.0 FTE to expand efforts to enforce the Coal Combustion Residuals (CCR) Rule. EPA’s review of publicly posted CCR Rule compliance information suggests widespread noncompliance with CCR regulations. In enforcing the CCR Rule, coal ash units would be made more resilient to extreme weather events and reduce contamination in communities near coal ash units. CCR evaluations are technically complex and require review and analysis of facility assessments that cover corrective action measures and facility plans to permanently close units (the units can sometimes be hundreds of acres in size). EPA needs to conduct CCR compliance reviews to ensure that facilities properly address the significant health risks posed by these units and bring enforcement actions when violations are found. This work is identified as a priority in the *FY 2022 - 2026 EPA Strategic Plan*.

**Performance Measure Targets:**

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

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024               | FY 2025               | Units              |
|---------------|---------|---------|---------|---------|---------|---------|-----------------------|-----------------------|--------------------|
| <b>Target</b> | 325     | 325     | 325     | 325     | 325     | 325     | No Target Established | No Target Established | Millions of Pounds |
| <b>Actual</b> | 810     | 347     | 2,058   | 7,864   | 195     | 1,214   |                       |                       |                    |

**(PM 436) Number of open civil judicial cases more than 2.5 years old without a complaint filed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         | 129     | 120     | 99      | 99      | 96      | 95      | 94      | Cases |
| <b>Actual</b> |         | 94      | 74      | 66      | 65      | 50      |         |         |       |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$7,628.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes resources for critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$19,653.0 / +41.4 FTE) This program increase will advance enforcement efforts on the most serious environmental violations through the NECIs that seek to improve air quality, provide for clean and safe water, and ensure chemical safety. Additional FTE and resources will support continued efforts to rebuild EPA’s civil enforcement inspector cadre for inspections, case development, training, and travel budget. This funding also will enhance EPA’s civil enforcement programmatic capabilities to boost efforts to address pollution in

overburdened and vulnerable communities. This investment includes \$7.8 million for payroll.

- (+\$8,250.0 / +19.9 FTE) This program increase will allow EPA to expand the work of the Interagency HFC Task Force, which is focused on ensuring compliance with the AIM Act. Additional FTE will allow EPA to build this major Congressional priority program from the ground up, address existing requirements, and prepare for both additional new regulatory requirements and expansion of the Program into EPA's regional offices. This investment includes \$3.75 million for payroll.
- (+\$4,602.0 / +20.0 FTE) This program increase will provide additional support to the water NECI as EPA works to become the lead federal agency for responding to water emergencies. These resources will help EPA build capacity to address multiple water emergencies and provide regional staffing of field support and oversight during water emergencies. This includes \$3.77 million for payroll.
- (+\$4,000.0) This program change will support increased focus on EJ and climate change considerations by developing and implementing a comprehensive action plan for integrating climate and EJ considerations throughout all aspects of the Civil Enforcement Program (e.g., private parties and federal facilities) in Headquarters and across EPA's ten regional offices.
- (+\$3,420.0 / +7.0 FTE) This program change will strengthen capacity to enforce the CCR/coal ash rule. The requested resources are needed to provide technical and legal support with noncompliant facilities. This investment includes \$1.32 million for payroll.
- (+\$954.0 / +4.0 FTE) This program change will increase protection for fenceline communities, including from industrial accidents caused by the increased frequency and intensity of extreme weather events from climate change. Increased resources will support CAA section 112(r) inspections and enforcement actions to prevent industrial accidents. This investment includes \$754.0 thousand for payroll.
- (+\$649.0 / +0.5 FTE) This program change will support implementation of OECA's Climate Adaptation Implementation Plan. Resources will support completion of priority actions including expanding headquarters and regional communication about climate change resources, tools and guidance; establishing a repository of climate examples; and continued staff training to build climate change knowledge and consideration of climate change in all aspects of enforcement. This investment includes \$94.0 thousand for payroll.
- (+\$617.0 / +3.1 FTE) This program increase supports additional FTE for the Agency's Regional laboratories and their support of the Civil Enforcement Program, which is critical in building strong cases. This investment includes \$585.0 thousand for payroll.
- (+\$437.0 / +2.2 FTE) This investment will increase EPA's effort to focus on implementing EPA's PFAS Strategic Roadmap and holding responsible those who significantly contribute to the release of PFAS into the environment, such as major manufacturers and

users of manufactured PFAS, federal facilities that are significant sources of PFAS, and other industrial parties. This investment includes \$415.0 thousand for payroll.

- (+\$100.0 / +0.5 FTE) This program increase supports the agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$94.0 thousand for payroll.

**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); American Innovation and Manufacturing 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; Oil Pollution Act; Resource Conservation and Recovery Act; Safe Drinking Water Act; and Toxic Substances Control Act.

## **Criminal Enforcement**

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$57,374</i></b>           | <b><i>\$62,704</i></b>               | <b><i>\$67,829</i></b>                    | <b><i>\$5,125</i></b>  |
| Hazardous Substance Superfund                         | \$6,766                          | \$7,999                              | \$8,876                                   | \$877  |
| Total Budget Authority                                | \$64,140                         | \$70,703                             | \$76,705                                  | \$6,002  |
| Total Workyears                                       | 252.7                            | 269.3                                | 299.4                                     | 30.1   |

### **Program Project Description:**

EPA's Criminal Enforcement Program enforces the Nation's environmental laws through investigation of criminal conduct, committed by individual and corporate defendants, that threatens public health and the environment. EPA's criminal investigators (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 Criminal Enforcement Program collaborates with other EPA Program offices, the Environmental Justice (EJ) Program, and the U.S. Department of Justice (DOJ) to ensure enforcement work addresses the impacts of illegal environmental pollution activities nationwide and especially in overburdened communities.

Criminal Enforcement special agents are supported by forensic scientists, attorneys, technicians, engineers, and other experts. EPA's criminal enforcement attorneys provide legal and policy support for all program responsibilities, including forensics and expert witness preparation, to ensure program activities are carried out in accordance with legal requirements and EPA policies. The Agency's National Enforcement Investigations Center (NEIC) provides field investigation, laboratory analysis, toxicology, chemistry, engineering, and regulatory support to the Criminal Enforcement Program. These efforts support successful environmental crime prosecutions by U.S. Attorneys' Offices and the DOJ's Environmental Crimes Section. In FY 2023, the criminal enforcement program opened 199 new cases. The conviction rate for criminal defendants charged because of EPA criminal investigations in FY 2023 is 100 percent, with sentences totaling 106 years of incarceration.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.



In FY 2025, EPA will continue to focus on the most egregious cases (e.g., significant human health, environmental, and deterrent impacts). The Agency will continue expanding its capacity to support the criminal enforcement program, with an emphasis in several priority areas, including communities with EJ concerns, mitigating climate change [including the enforcement of unauthorized imports, production and consumption of hydrofluorocarbons (HFCs)], addressing methane emissions from the oil, natural gas and landfill sectors, criminal enforcement initiatives, and preventing the illegal importation, sale, and distribution of unregistered pesticides. Program goals and priorities include the following:

- In FY 2025, EPA requests an investment of \$5.0 million and 26.6 FTE to continue to prioritize and to dedicate additional criminal enforcement resources for investigations which involve vulnerable communities or those that have historically been overburdened by pollution, including communities with Environmental Justice (EJ) concerns. This effort has been part of the National Enforcement and Compliance Initiatives (NECIs), with an emphasis on addressing environmental crimes and crime victims in these areas.<sup>117</sup> The Criminal Investigation Division (CID) works with partners at the DOJ to jointly prosecute wrongdoing and reduce the impact pollution has on these areas through investigation, judicial actions, and settlements while maintaining case initiation standards.
- In FY 2025, EPA's Environmental Crime Victim Witness Assistance Program will continue to closely align its implementation of the Criminal Victims' Rights Act and the Victims' Rights and Restitution Act with EPA's EJ work.<sup>118</sup> Activities include data mining and mapping to identify where communities with EJ concerns, environmental crime victims, and public health impacts overlap. This strategy will aid the Program in identifying sources of pollution impacting these communities to better focus criminal enforcement resources on the Nation's most overburdened or vulnerable populations and, where appropriate, use the crime victim program resources and emergency funds to assist individuals in such communities. EPA conducts outreach to environmental crime victims and overburdened communities using the social media platform Nextdoor, sharing information relating to EJ, sources of pollution, and links to EPA's Report a Violation webpage directly to households in overburdened communities.
- In FY 2025, the Agency requests an additional \$719 thousand and 2.1 FTE to support efforts to interdict the illegal import, manufacture, and use of certain HFC products, pursuant to the American Innovation and Manufacturing (AIM) Act. This work will directly support implementation of the NECIs to mitigate climate change. The Task Force will continue to identify, intercept, and interdict illegal HFC imports, share data to support allowances, train customs officers and enforcement personnel, and address common HFC import experiences with other countries. The Program will continue to build its new enforcement and compliance program, which includes training, outreach, and coordination with federal, state, and local partners. This includes work with Customs and Border Protection (CBP), DOJ and other federal partners to successfully enforce federal laws related to HFCs. Critically important to

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<sup>117</sup> For additional information, please see: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00500.pdf>.

<sup>118</sup> For additional information, please see: <https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>.

success in this media are dedicated analysts in the Criminal Enforcement Program to research, assess, and coordinate with federal partners, private industry, and task force members.

- In FY 2025, the Criminal Enforcement Program will continue to work with Interpol and other federal partners to combat climate change through domestic and international law enforcement collaboration. This work will include formalized information sharing related to preventing illegal importation of prohibited products that contribute to global climate instability and building capacity with other countries. Specifically, the Program will collaborate with Interpol and other international law enforcement on cases that have a transnational organized crime nexus.
- In FY 2025, the Criminal Enforcement Program also will increase its collaboration and coordination with the Civil Enforcement Program to ensure that EPA's Enforcement Program identifies the most egregious cases by responding to them effectively and efficiently to ensure compliance and deter future conduct. The Agency will continue to investigate violations of environmental statutes and associated violations of Title 18 of the United States Code to protect public health and the environment.

#### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$687.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs. It includes critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$5,093.0 / +26.6 FTE) The net program increase will support investigations related to the NECIs, expands enforcement in communities with EJ concerns, enforcement of climate-related regulations, and increases polluter accountability. The increase is offset by a decrease in contractual support for criminal enforcement activities.
- (+\$719.0 / +2.1 FTE) This program investment will ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, and transport HFCs. The increase in FTE will allow analysts to research, assess, and coordinate with federal partners, private industry, and task force members.

#### **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 of 1990; American Innovation and Manufacturing Act.

## NEPA Implementation

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$15,171</i></b>   | <b><i>\$20,611</i></b>      | <b><i>\$26,049</i></b>           | <b><i>\$5,438</i></b>  |
| Total Budget Authority                                | \$15,171                 | \$20,611                    | \$26,049                         | \$5,438  |
| Total Workyears                                       | 80.3                     | 104.9                       | 115.9                            | 11.0   |

### Program Project Description:

EPA's National Environmental Policy Act (NEPA) Implementation Program implements the environmental requirements of NEPA and Section 309 of the Clean Air Act (CAA) to review other federal agency environmental impact statements (EISs) and NEPA regulations. This work includes engaging with officials throughout the federal government and across EPA while supporting EPA's lead NEPA Official. EPA has special authority and responsibilities under CAA section 309 to review and publicly comment on NEPA environmental analyses for major projects across the federal government. This work is substantially increasing in scope and importance given recent legislation related to energy development and infrastructure and the need to incorporate consideration of climate change and environmental justice (EJ) into these assessments.

Consistent with Executive Orders (EO) 13990<sup>119</sup> and 14008,<sup>120</sup> the Council on Environmental Quality (CEQ) issued Interim *NEPA guidance on Consideration of Greenhouse Gas Emissions and Climate Change*<sup>121</sup> in January 2023. CEQ is in the process of updating NEPA regulations and key guidance for addressing impacts to communities with EJ concerns. Through a Memorandum of Understanding (MOU) with CEQ,<sup>122</sup> EPA regularly supports and assists CEQ in the development of guidance and technical tools. EPA also provides technical assistance to other federal agencies on implementing NEPA, including identifying potential programmatic options to streamline NEPA analyses while maintaining quality environmental analyses and meaningful engagement with the public.

<sup>119</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

<sup>120</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>121</sup> For additional information, please refer to: [Federal Register : National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change](#).

<sup>122</sup> 1977 Memorandum of Understanding (MOU) between CEQ and EPA addressed the allocation of responsibilities between the two agencies for assuring government-wide implementation of NEPA. This includes the operational duties associated with the administrative aspects of EISs. Through this MOU, EPA became the official recipient for all copies of EISs.

EPA focuses on early engagement with other federal agencies consistent with NEPA principles and uses interagency cooperation for early identification of issues and potential solutions to reduce impacts and improve environmental outcomes. EPA's unique expertise helps other agencies analyze and resolve complex NEPA issues. Through the review of other federal agencies' EISs and the tools and training the program provides, EPA facilitates the robust consideration of impacts related to climate change and EJ. EPA plays a critical role in identifying ways to mitigate negative environmental impacts, including on overburdened and underserved communities.

In addition, EPA's NEPA Implementation Program manages e-NEPA, a web-based application that serves as the official EIS filing system and clearinghouse for all federal EISs on behalf of CEQ in accordance with the MOU with CEQ and 40 CFR Part 1506. The Program also oversees EPA's actions subject to NEPA (40 CFR Part 6) and reviews of EISs for non-governmental activities in Antarctica (40 CFR Part 8).

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$5.4 million and 11.0 FTE for the NEPA Implementation Program to sustain the continued need for technical expertise in emerging subject matter areas. This investment includes considering impacts associated with climate change and to communities with EJ concerns. EPA plans to develop and update tools and training to equip NEPA/CAA 309 reviewers with ever evolving knowledge, strengthening its ability to provide recommendations to improve environmental outcomes. Investing in EPA's responsiveness and technical assistance to support other agencies in conducting environmental reviews will ensure the continued capacity and expertise to improve environmental and community outcomes for priority infrastructure environmental reviews subject to deadlines established in recent amendments to NEPA.

Additional funding will bolster EPA's commitment to assist and improve environmental reviews while allowing the Program to continue to meet challenges, including rebuilding core capacity, hiring of subject matter experts knowledgeable in various sector-based activities, and positioning EPA to respond to national priorities and provide adequate succession planning and professional development across EPA's NEPA/309 community. This strategic investment of subject matter expertise provides new FTE in EPA's regional offices, which is critical as the majority of the NEPA reviews and programmatic assistance to other federal agency field offices is conducted by EPA regions. FY 2025 resource needs will be used to support economically beneficial initiatives. For context, the American Recovery and Reinvestment Act triggered a very similar substantial increase in volume of NEPA reviews across the federal government. EPA's requested investment to the NEPA Implementation Program will address current and anticipated future environmental review workloads and provide increased staffing and resource support to meet the Nation's infrastructure goals, particularly with respect to climate change and EJ.

CEQ has proposed revisions of its regulations for implementing NEPA procedures. EPA's NEPA Implementation Program will make revisions accordingly to support the application of CEQ's updates to NEPA regulations, guidance, and process improvements for priority federal projects. It

is anticipated that in FY 2025 agencies also will update NEPA implementation procedures to be consistent with updated CEQ regulations and guidance. EPA will be required under CAA section 309 to review these procedures for all federal agencies and must provide technical assistance to CEQ and other agencies. This support will promote quality environmental review processes across federal agencies to improve environmental and community outcomes.

In FY 2025 EPA will continue to work with the Office of Management and Budget (OMB), CEQ, and other federal agencies to evaluate ways to coordinate, streamline, and improve the NEPA process, as well as to incorporate robust science-based analyses of project-related impacts and potential measures to minimize and mitigate those impacts. Federal agencies received a substantial increase in funded actions that will likely require EISs and thus necessitate EPA environmental reviews due to the increase in projects funded by the American Rescue Plan Act of 2021 (P.L. 117-2),<sup>123</sup> the Infrastructure Investment and Jobs Act (IIJA), the Creating Helpful Incentives to Produce Semiconductors for America Act (CHIPS Act), and other economic recovery and federal investment actions, as well as policies and initiatives, such as EO 14017 *America's Supply Chains*<sup>124</sup> and the Energy Act MOU between the Bureau of Land Management and EPA. EPA anticipates its existing workload will likely double based on interagency discussions hosted by CEQ and OMB. This continued substantial increase in priority actions will require early engagement and may require expedited reviews. With the additional resources requested in FY 2025, EPA will work with other agencies to prioritize and support the increase in environmental review of Federal EISs. These initiatives support other federal agencies establishment of clear timeline goals and will improve EPA's responsiveness, technical assistance, and support to other agencies to enhance the overall environmental and community outcomes in other agency environmental reviews.

EPA's commitment to engage early with federal agencies, as part of the Administration's Permitting Action Plan, highlights the Agency's commitment to improved quality of EISs and minimize delays. Early engagement helps accelerate robust environmental reviews through early cross-agency coordination; supports the establishment of clear timelines and tracking; facilitates early and meaningful outreach and communication with states, tribes, territories, and local communities; provides technical assistance in areas of subject matter expertise; and promotes interagency cooperation to improve environmental and community outcomes. As part of the Permitting Action Plan, EPA has been updating its Policies and Procedures Manual for conducting NEPA/309 reviews in FY 2023. In FY 2023, EPA also started developing and updating a limited set of technical review guidance documents for priority sectors and topics to help NEPA/309 reviewers be more efficient and effective in their reviews that will be finalized in FY 2024. In FY 2025, EPA will continue to update technical review guidance documents on priority sectors and topic areas. EPA also plans to continue to expand training curricula for NEPA/309 reviewers to incorporate recent changes in CEQ regulations and guidance for NEPA related topics. In FY 2025, EPA will continue to provide early engagement and identify improved approaches for effective and streamlined environmental reviews from the start of the NEPA review through completion to meet deadlines established in the 2023 amendments to NEPA. Updating actions associated with the Permitting Action Plan will help improve EPA's responsiveness, technical assistance, and

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<sup>123</sup> For additional information, please refer to: <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>.

<sup>124</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/24/executive-order-on-americas-supply-chains/>.

support to other agencies with the objective of improving environmental and community outcomes based on environmental reviews.

Executive Order (EO) 14096 of April 21, 2023, requires EPA in carrying out its responsibilities under CAA section 309, to assess whether agencies analyze and avoid or mitigate disproportionate human health and environmental effects on communities with EJ concerns. Further, the EO requires EPA to submit an annual report to CEQ and the White House Environmental Justice Interagency Council (WHEJAC). In FY 2024, EPA will be developing recommendations to automate the data collection process to support the development of the annual report. In FY 2025, EPA will implement the approved automation strategy that will allow for efficient and effective annual reporting to CEQ and the WHEJAC.

EPA will support and collaborate with other federal agencies on priority actions and emerging sectors, such as critical minerals mining, carbon sequestration, renewable energy, and energy storage. In FY 2025, EPA will provide staff with specialized expertise at both headquarters and the regional offices to facilitate timely interagency coordination on environmental reviews and permitting actions. As part of this specialized expertise, EPA will support development of analytic tools to help NEPA/309 reviewers and other agencies implement CEQ Interim NEPA Guidance on Consideration of GHG and Climate Change. This support will improve EPA's technical assistance capacity to help support improved environmental and community outcomes in review of other federal agency NEPA documents.

#### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,581.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$3,857.0 / + 11.0 FTE) This program change is an increase to build core capacity, support the increase in environmental reviews of Federal EISs, hire and train new staff and subject matter experts, and facilitate timely interagency coordination on environmental reviews and permitting actions. This investment includes \$2.0 million for payroll.

#### **Statutory Authority:**

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

## **Environmental Justice**



## Environmental Justice

Program Area: Environmental Justice

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

Objective(s): Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$109,347</i></b>  | <b><i>\$102,159</i></b>     | <b><i>\$317,712</i></b>          | <b><i>\$215,553</i></b>                                      |
| Hazardous Substance Superfund                         | \$890                    | \$5,876                     | \$5,901                          | \$25   |
| Total Budget Authority                                | \$110,237                | \$108,035                   | \$323,613                        | \$215,578  |
| Total Workyears                                       | 116.4                    | 223.6                       | 264.6                            | 41.0   |

### Program Project Description:

EPA’s Environmental Justice (EJ) Program coordinates the Agency’s efforts to address the needs of overburdened and vulnerable communities by decreasing environmental burdens, increasing environmental benefits, and developing collaborative partnerships with all stakeholders to build healthy, sustainable communities based on residents’ needs and desires. In 2022, EPA reorganized its Office of Environmental Justice into a new national program along with the External Civil Rights Compliance Office and the Conflict Prevention and Resolution Center. This new national program is the Office of Environmental Justice and External Civil Right (OEJECR). OEJECR focuses on collaboration as a central principle and method of advancing justice. The Program’s core philosophy is that EJ challenges need strong collaborative partnerships that include federal, state, local, and tribal governments along with the private sector, academia, and philanthropy to support communities in addressing multifaceted problems and positively changing conditions on the ground. The Program provides grants, technical assistance, and expert consultative support to communities, partners at all levels of government, and other stakeholders such as business and industry, to achieve protection from environmental and public health hazards for people of color, low-income communities, and indigenous communities.

Work in this program directly supports Administrator Michael Regan’s message in the memo titled “Our Commitment to Environmental Justice” issued on April 7, 2021.<sup>125</sup> In addition, this work supports implementation of Executive Order (EO) 14096: *Revitalizing Our Nation’s Commitment to Environmental Justice for All*,<sup>126</sup> EO 14091: *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>127</sup> EO 13985: *Advancing Racial*

<sup>125</sup> For additional information, please refer to: <https://www.epa.gov/sites/default/files/2021-04/documents/regan-messageoncommitmenttoenvironmentaljustice-april072021.pdf>.

<sup>126</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>.

<sup>127</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2023/02/22/2023-03779/further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal>.

*Equity and Support for Underserved Communities Through the Federal Government*,<sup>128</sup> and EO 14008: *Tackling the Climate Crisis at Home and Abroad*.<sup>129</sup> In accordance with the America's Water Infrastructure Act (AWIA) of 2018 (P.L. 115-270), every EPA regional office employs a dedicated EJ coordinator, and the Agency maintains a list of these persons on EPA's website.<sup>130</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.2, Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$215.6 million and 41.0 FTE for the Environmental Justice Program in the EPM appropriation. This investment will provide unprecedented levels of capacity-building grants and technical assistance to more communities, governmental partners, and academic institutions. To ensure greater opportunity for investment and the resulting outcomes for communities, EPA will offer more grant trainings and methods of technical assistance to help underserved and under-resourced communities and their partners apply for competitive grant opportunities and provide robust new levels of support to help communities and their partners navigate the array of federal assistance programs to maximize the ability of programs to leverage positive change on the ground. For example, this enhanced assistance will support broader investment in climate initiatives in communities with EJ concerns as well as provide critical support to community-based organizations, indigenous organizations, states, tribes, local governments, territorial governments, and state and local EJ advisory councils, in pursuit of identifying and addressing EJ issues through multi-partner collaborations. EPA also will continue to support and engage grantees from previous years' competitions to ensure successful project completion.

In FY 2025, EPA will continue funding existing grant programs:

- 1) \$33.0 million for the Environmental Justice Community Grants Program (formerly named Environmental Justice Small Grants) which competitively awards funding to a network of external grant recipients to issue subgrants to non-profit, community-based organizations to reduce the disproportionate health impacts of environmental pollution in communities with EJ concerns;
- 2) \$31.5 million for the Environmental Justice Government to Government Grant Program (formerly named State, tribes, and Territories Environmental Justice Grants) which provides funding for states, tribes, local governments, and territories to create or support community-driven partnerships and associated environmental justice partnerships;
- 3) \$15.0 million for the competitive, community-based Participatory Research Grant Program which awards competitive grants to higher education institutions that develop partnerships

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<sup>128</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

<sup>129</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>130</sup> For additional information, please refer to: <https://www.epa.gov/environmentaljustice/forms/contact-us-about-environmental-justice>.

- with community entities to improve the health outcomes of residents and workers in communities with EJ concerns; and
- 4) \$3.0 million for the competitive, Environmental Justice training program which awards competitive grants to community-based nonprofit organizations and partnerships between community-based nonprofit organizations and institutions of higher education.

### **Environmental Justice and External Civil Rights (EJECR) National Program**

In FY 2025, EPA's EJECR National Program will continue leading the integration of EJ in agency decision making and implement a comprehensive framework for considering cumulative impacts in relevant EPA decisions. Implementation of the cumulative impacts framework, as part of EPA's FY 2024-2025 Agency Priority Goal, will position EPA to consider and address cumulative impacts that affect community health and well-being in its decisions, thus fundamentally integrating EJ issues within the core regulatory decisions of the Agency. The EJECR National Program will continue to provide essential support across all EPA programs to consider EJ in environmental permitting, rulemaking, enforcement and compliance, emergency/disaster response and recovery, and climate change priorities.

The FY 2025 Budget proposes to invest \$69.7 million and 39.3 FTE to continue to enhance its engagement with communities by building out community-centered technical assistance hubs, the Thriving Community Technical Assistance Centers (TCTACs) established in FY 2023 and ensuring that the network provides coverage across the United States. The TCTACs will be instrumental in providing dedicated EPA staff, hands-on facilitation of connecting underserved communities and their partners directly with fundamental technical assistance and capacity building EPA program resources in addition to resources available through other federal partners. The EJECR National Program will ensure that all community support activities provide a stream of tools, data, and methods back to the Agency to help other EPA programs analyze the EJ implications of policy decisions and program implementation, such as through National Environmental Policy Act processes or the consideration of costs and benefits in economic analyses.

The FY 2025 resources also will continue to provide capacity to integrate EJ and civil rights compliance principles across all programs and regularly engage with and support community and state, tribal, and local partners. This will ensure the elimination of barriers to participation in EPA programs and other activities by the public. Specific focuses will be on strengthening EPA's language assistance and other services to improve access for people with Limited English Proficiency and implementation of EPA external disability program as required under Section 504 of the Rehabilitation Act of 1973. Additionally, the EJECR National Program will monitor indicators developed to track EPA's performance in eliminating disparities in environmental and public health conditions, as directed by the Agency Priority Goal for the first two years in the *FY 2022 - 2026 EPA Strategic Plan*.

### **Engagement with Partners, Stakeholders, and Communities**

In addition to the TCTACs, EPA will continue to pursue a broad array of activities to support efforts by partners, stakeholders, and communities to advance EJ. The EJ Program will continue

to build and support trainings for an increasingly broad array of program development and learning resource areas for other governmental agencies, communities, and other partners. This will primarily be accomplished through the “EJ clearinghouse” mandated in EO 14096. These trainings focus on the integration of equity and justice from communities through all levels of government, as well as the private sector, with special focus on state agencies, tribal governments, Indigenous populations, territorial governments, and insular areas such as Pacific Island Nations. During FY 2023, this included ongoing partnership with the Environmental Council of States to provide additional and more finely tailored resources to support state efforts to advance equity and justice in their agencies and the establishment of an unprecedented foundation of learning tools and knowledge management resources available publicly through EPA’s EJ Program.

EPA will continue to host regular National EJ Community Engagement calls.<sup>131</sup> These calls will continue to focus on a wide spectrum of topics related to EJ, the Justice40 Initiative,<sup>132</sup> and EJ mapping and screening tools, and will reach thousands of participants. Each call will feature opportunities, such as expansive listening sessions, during which speakers interact with comments and questions from participants. EPA also will continue to host “office hours” for users of EJScreen to engage with the EPA EJScreen team with questions and feedback for further enhancements to the tool. The EJ Program also will have greater communications presence with more focused content, targeted communications, and other ways to reach communities and those not yet engaged through both headquarters and regional EJ program activities and direct outreach and support.

EPA also continues to directly engage community organizations and leaders while supporting internal EPA efforts to integrate EJ considerations into all EPA policies, programs, and activities. Work with the National Environmental Justice Advisory Committee (NEJAC) will continue to help EPA advance and further integrate EJ into agency decision-making. In addition to the NEJAC, EPA will report on progress to the Science Advisory Board, National Tribal Caucus, Children’s Health Protection Advisory Committee, Local Government Advisory Committee, and other regular public engagement forums.

In FY 2025, EPA will continue to develop education, training, and outreach resources associated with EJ to answer the ever-increasing demand for such resources, particularly from other federal agencies and state and local governmental partners. These resources include: 1) an EJ Training Program to increase the capacity of residents in communities with EJ concerns to identify and address negative impacts; 2) an EJ educational curriculum to broaden understanding of EJ to more of the American public; and 3) an EJ Clearinghouse to serve as an online resource for EJ information.

## **EJ Grants Program**

EPA’s EJ Grants Program funding has grown significantly due to the additional \$3 billion Inflation Reduction Act<sup>133</sup> resources received in FY 2022. The Program includes the EJ Thriving Community Grantmakers Network and the innovative new EJ Community Change grant to directly

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<sup>131</sup> For additional information, please refer to: <https://www.epa.gov/environmentaljustice/community-outreach-and-engagement>.

<sup>132</sup> For additional information, please refer to: <https://www.whitehouse.gov/environmentaljustice/justice40/>.

<sup>133</sup> Inflation Reduction Act: <https://www.congress.gov/117/plaws/publ169/PLAW-117publ169.pdf>.

fund community-driven collaborative efforts to implement change-making projects on the ground in communities. In FY 2025, EPA will continue to support the EJ Thriving Community Grantmakers network to efficiently provide subgrants to communities and their partners, the EJ TCTACs to provide technical support to community-based organizations and their partners such as tribes and local governments, and to award and support the implementation of collaborative EJ community Change grants across the United States. This holistic approach to grant funding and technical assistance will support development of the capacity of community-based organizations and their partners to build strong collaborative efforts to effectively identify and address community concerns in addition to providing funding to governmental partners to support their integration of EJ considerations into their policies, programs, and activities. EPA also will continue to provide grants to states, local governments, tribes, and territories through the EJ Government to Government grant program. These grants will support our governmental partners' effort to engage local communities and further equity and justice priorities of their partnerships.

The EJ Grants Program priorities funded in FY 2023 included the new, larger EJ Community Change implementation grant program that funds projects that implement solutions to long-standing EJ challenges, development of cumulative impacts assessments, public education, engagement of communities with state and federal processes, training, emergency planning and preparedness, and addressing climate and disaster resiliency. EPA's EJ Program will continue to focus support primarily for small community-based nonprofit organizations and their local partners in an attempt to ensure EJ funding reaches lower-capacity and new organizations with the most acute capacity building and environmental public health needs. The EJ Grants Program also will work to minimize barriers for applicants by working with EPA's Office of Grants and Debarment to develop submission flexibilities to help applicants from underserved communities and other low-capacity institutions such as tribes and rural local governments apply for competitive grant opportunities.

### **Interagency Coordination**

In FY 2025, EPA will continue to support the efforts of the NEJAC as referenced above in addition to supporting the efforts of the White House Environmental Justice Advisory Council (WHEJAC) established by EO 14008.<sup>134</sup> EPA also will support the Council on Environmental Quality (CEQ) as it leads the Interagency Council on Environmental Justice as well as a suite of EPA bi- and multi-lateral initiatives to support and partner directly with other federal agencies. EPA also will continue to co-chair with the Department of Transportation the federal interagency Thriving Community Network which focuses on aligning and leveraging federal agency resources such as technical assistance, grants, and the efforts of regional/field staff across the United States.

### **EJScreen**

The FY 2025 Budget provides an investment of \$8.9 million, EPA will continue to support and improve our national EJ screening and mapping tool (EJScreen). Efforts will focus on identifying and adding valuable new data sources to the tool to include potential cumulative impacts index score(s) for areas facing disproportionate environmental burdens in addition to inclusion of new

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<sup>134</sup> For more information, please visit: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

climate-relevant data and enhancing user interface elements. EPA will enhance EJScreen based upon user requests and feedback – from both within EPA and from external users – to further inform equitable decision making across the federal government in addition to providing more robust and diverse data to effectively prioritize communities in need and will ensure that EPA programs develop guidance on using EJ tools such as EJScreen to support their decision making. These enhancements will enable EPA to further focus program design to benefit communities with EJ concerns and those most at risk to the effects of climate change.

**Performance Measure Targets:**

**(PM EJCR01) Percentage of EPA programs and regional offices that provide capacity-building resources to communities with environmental justice concerns to improve how the public’s feedback and comments influence the Agency’s decision-making process.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         |         | 25      | 50      | 75      | Percent  |
| Actual      |         |         |         |         |         | N/A     |         |         |          |
| Numerator   |         |         |         |         |         |         |         |         | Programs |
| Denominator |         |         |         |         |         |         |         |         |          |

**(PM EJCR04) Percentage of new grant workplans submitted by states that include commitments to address disproportionate impacts.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|
| Target      |         |         |         |         |         | 5       | 25      | 50      | Percent    |
| Actual      |         |         |         |         |         | N/A     |         |         |            |
| Numerator   |         |         |         |         |         |         |         |         | Agreements |
| Denominator |         |         |         |         |         |         |         |         |            |

**(PM EJCR08) Percentage of significant EPA actions with environmental justice implications that respond to environmental justice concerns and reduce or address disproportionate impacts.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target      |         |         |         |         |         | 40      | 50      | 60      | Percent |
| Actual      |         |         |         |         |         | N/A     |         |         |         |
| Numerator   |         |         |         |         |         |         |         |         | Actions |
| Denominator |         |         |         |         |         |         |         |         |         |

**(PM EJCR09) Percentage of EPA programs that have developed guidance on the use of environmental justice and equity screening tools.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         |         | 50      | 75      | 100     | Percent  |
| Actual      |         |         |         |         |         | N/A     |         |         |          |
| Numerator   |         |         |         |         |         |         |         |         | Programs |
| Denominator |         |         |         |         |         |         |         |         |          |

**(PM EJCR13) Percentage of EPA national programs and regions that have established environmental justice and external civil rights implementation plans.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent              |
| Actual      |         |         |         |         |         | 100     |         |         |                      |
| Numerator   |         |         |         |         |         | 17      |         |         | Regions and Programs |
| Denominator |         |         |         |         |         | 17      |         |         |                      |

**(PM EJCR18) Number of information sharing sessions and outreach and technical assistance events held with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| Target |         |         |         |         | 8       | 90      | 650     | 1,100   | Sessions and Events |
| Actual |         |         |         | 40      | 30      | 235     |         |         |                     |

**(PM EJCR19) Percentage of EPA national programs and regions that have created a new meaningful involvement plan for a specific agency project or decision with potential impacts in communities with environmental justice concerns.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         |         |         | 45      | 60      | Percent  |
| Actual      |         |         |         |         |         |         |         |         |          |
| Numerator   |         |         |         |         |         |         |         |         | Programs |
| Denominator |         |         |         |         |         |         |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8,506.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$85,621.0) This program change increases support for EJ work across the Agency. This investment supports the significantly expanded base activity and agencywide coordination required across the EJ Program.
- (+\$69,715.0 / +39.3 FTE) This program increase will fully build out the Thriving Community Technical Assistance Centers to support basic capacity building of communities and their partners to advance equity and justice in their communities and support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$6.8 million for payroll.
- (+\$13,500.0) This program change increases support for the community-based Participatory Research Grant Program. Eligible recipients would be higher education

institutions that aim to develop partnerships with community entities to improve the health outcomes of residents and workers in communities with EJ concerns.

- (+\$13,000.0) This program change increases the Environmental Justice Community Grant Program to non-profit, community-based organizations to reduce the disproportionate health impacts of environmental pollution in communities with EJ concerns.
- (+\$8,500.0) This program change increases support for the Environmental Justice Government to Government Grant Program.
- (+\$8,900.0) This program change increases support for EJScreen to improve how the Agency utilizes nationally consistent data that combines environmental and demographic indicators to map and identify communities with EJ concerns. In addition, resources are included to update EPA's IT systems to support the Climate and Economic Justice Screening tool and the EJ Clearinghouse, which would serve as an online resource for information on EJ.
- (+\$6,000.0) This program change increases support for the National Environmental Justice Advisory Council; other federal advisory council activities; and the White House Environmental Justice Advisory Council.
- (+\$1,500.0) This program change increases support for the competitive, EJ training program which awards competitive grants to community-based nonprofit organizations and partnerships between community-based nonprofit organizations and institutions of higher education.
- (+\$311.0 / +1.7 FTE) This program change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$294.0 thousand for payroll.

**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); American Rescue Plan Act of 2021 (Pub. L. 117-2).



## **Geographic Programs**

## Geographic Program: Chesapeake Bay

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$74,640</i></b>   | <b><i>\$92,000</i></b>      | <b><i>\$92,000</i></b>           | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$74,640                 | \$92,000                    | \$92,000                         | \$0  |
| Total Workyears                                       | 35.7                     | 41.2                        | 41.2                             | 0.0  |

The Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$47.6M for this program in FY 2025.

### **Program Project Description:**

The Chesapeake Bay is the largest estuary in the United States, with a drainage area that covers six states and the District of Columbia in the mid-Atlantic. The Bay is not only treasured for recreational purposes but also serves as a vital resource for ecological and economic activities in the region and beyond. The Chesapeake Bay Program operates under the authority of Section 117 of the Clean Water Act and includes the seven Chesapeake Bay watershed jurisdictions (Delaware, Maryland, the District of Columbia, New York, Virginia, Pennsylvania, and West Virginia), the Chesapeake Bay Commission, and the federal government. EPA coordinates and supports the activities of the partnership and represents the federal government on the partnership's Chesapeake Executive Council. On June 16, 2014, the Chesapeake Bay Program partners signed the most recent Chesapeake Bay Watershed Agreement (Agreement).<sup>135</sup> The Agreement establishes 10 goals and 31 outcomes including restoration of wetlands and riparian forest buffers, sustainable fisheries, water quality, vital habitats, climate change, and toxic contaminants, with Management Strategies and two-year Logic & Action Plans guiding the work of each outcome. Progress toward the Agreement commitments is updated regularly and publicly available for evaluation.

EPA, the watershed jurisdictions, and other key federal agencies set two-year water quality milestones that measure progress made in achieving the Chesapeake Bay Total Maximum Daily Load (Bay TMDL) and the jurisdictions' Watershed Implementation Plans.<sup>136</sup> The Bay TMDL satisfies a requirement of the Clean Water Act and EPA commitments under Court-approved consent decrees for Virginia and the District of Columbia dating to the late 1990s.<sup>137</sup> The Bay 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.

<sup>135</sup> The Chesapeake Bay Watershed Agreement (2014) as amended in 2022, available at:

<https://d18lev1ok5leia.cloudfront.net/chesapeakebay/Chesapeake-Bay-Watershed-Agreement-Amended.pdf>.

<sup>136</sup> The federal and jurisdictional milestones related to water quality in the Chesapeake Bay watershed are available at

<https://www.epa.gov/chesapeake-bay-tmdl/chesapeake-bay-milestones#2022>.

<sup>137</sup> The Chesapeake Bay TMDL, available at: <http://www.epa.gov/chesapeake-bay-tmdl/>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to focus on supporting implementation of the two-year Logic and Action Plans for the 25 management strategies developed under the Agreement, with particular focus on improving performance toward achieving outcomes where progress is lagging. While the 2014 Agreement does not have an end date, many of the Agreement's outcomes have target dates of 2025. In FY 2024, the Chesapeake Bay Program will evaluate progress made toward the outcomes of the current Agreement to determine the focus of the work beyond FY 2025, while considering recent advances in science and restoration. The Program also will conduct an overall program evaluation to ensure our operations and organization are effective and efficient. The Program is increasing focus on environmental justice, ensuring the benefits of the Chesapeake Bay Program are distributed equitably. In addition, the Program is increasing efforts in the climate change space by focusing initiatives on the resiliency of the watershed. Specific emphases include:

- At the Fall 2022 Executive Council meeting, it was acknowledged that although the jurisdictions met their sediment reduction goals ahead of schedule, the current outlook was that necessary nitrogen and phosphorus reductions would not be met on time. At the following Executive Council meeting (Fall 2023), recommendations to accelerate progress were accepted, which include considerations for geographic targeting, social science, robust monitoring networks, and climate-induced water temperature changes.
- Accelerating implementation of outcomes that help keep the watershed resilient in the face of climate change (*e.g.*, forest buffers, urban tree canopy, wetland protection and restoration, and land conservation).
- Increasing community engagement in achieving program outcomes and initiating efforts to garner partnership commitment to outyear priorities to achieve a restored Chesapeake Bay, considering current scientific understanding and emerging issues, and ensuring consideration of diversity, equity, inclusion, and justice.
- Maintaining and expanding the historically strong submerged aquatic vegetation, and tidal and non-tidal water quality monitoring programs implemented through grants with jurisdictional partners and federal interagency agreements.
- Ensuring the most up-to-date science is used throughout the Chesapeake Bay Program to support decision-making, implementation, and future condition assessment (for example, improving computer models to help predict the impact of climate change on the Chesapeake Bay Program's ability to meet water quality standards in the tidal waters of the Chesapeake Bay); and
- Increasing investment and tracking of investments in diversity, equity, inclusion, and justice in Chesapeake Bay Program restoration efforts, including implementing EPA CBPO's 2023 Equity Strategy and the Chesapeake Bay Program partnership's 2021 Diversity Equity Inclusion Justice (DEIJ) action strategy, and supporting local level actions targeting disadvantaged communities. This includes working with the EPA's National Center of Environmental Economics to develop a methodology for understanding and tracking benefits to disadvantaged communities from Bay restoration work.

Environmental results, measured through data collected by the jurisdictions 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.

The seven Chesapeake Bay jurisdictions have reported that, as of 2022, best management practices to reduce pollution are in place to achieve 51 percent of the nitrogen reductions, 60 percent of the phosphorus reductions, and 100 percent of the sediment reductions needed to attain applicable water quality standards when compared to the 2009 baseline established in the Bay TMDL.<sup>138</sup> In FY 2025, EPA will evaluate progress toward meeting the 2024 – 2025 milestone commitments of the jurisdictions. The two-year milestones are intended to demonstrate how the jurisdictions will meet their pollution reduction goals by 2025 through the major source sectors (e.g., agricultural sector, urban stormwater, and wastewater).

EPA will continue to provide the Chesapeake Bay Program partnership with funding and technical assistance, expand our ability to track and report progress across our suite of outcomes, and coordinate and facilitate partnership efforts to reach our mutual goals of a healthy Bay and watershed. While continuing progress toward restoring the Bay watershed, EPA and other Executive Council members signed and released the historic *Statement in Support of Diversity, Equity, Inclusion and Justice*.<sup>139</sup> This statement reaffirmed the Executive Council’s commitment to recruit and retain staff and volunteers that reflect the diversity of the watershed, foster a culture of inclusion and respect across all partner organizations, and ensure the benefits of our science, restoration, and partnership programs are distributed equitably without disproportionate impacts on disadvantaged communities.

Additionally, EPA is working to accelerate integration of climate change in Bay restoration efforts. EPA and other Executive Council members signed and released the *Collective Action for Climate Change* directive.<sup>140</sup> One key activity is the launch of a Climate Directive Pilot Project which prioritizes implementation projects that advance progress towards multiple Agreement outcomes in disadvantaged and/or climate vulnerable communities. EPA also is addressing climate change by: 1) starting in 2025, predicting the impact of 2035 climate changes on water quality and adjusting pollution targets; 2) understanding adaptations needed in the watershed and coastal regions; and 3) maintaining or improving the watershed’s resiliency to climate change. Work is underway to develop state-of-the-science models of the Chesapeake airshed, watershed, and tidal waters to refine the 2035 climate risk assessment. Also, EPA and the Bay Program partnership are actively investigating best management practices to better protect the watershed and tidal Bay against the observed increased precipitation volumes and intensity brought about by climate change in urban and agricultural regions.

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<sup>138</sup> For more information, please see <https://www.chesapeakeprogress.com/clean-water/watershed-implementation-plans>.

<sup>139</sup> For more information, please see [https://www.chesapeakebay.net/channel\\_files/40996/deij\\_statement\\_final\\_all\\_signatures.pdf](https://www.chesapeakebay.net/channel_files/40996/deij_statement_final_all_signatures.pdf)

<sup>140</sup> For more information, please see [https://d18lev1ok5leia.cloudfront.net/chesapeakebay/documents/climatedirective\\_final\\_3.pdf](https://d18lev1ok5leia.cloudfront.net/chesapeakebay/documents/climatedirective_final_3.pdf).

In addition, the Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$47.6 million for this program in FY 2025. In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Clean Water Act, Section 117; Estuary Restoration Act of 2000; Chesapeake Bay Accountability and Recovery Act of 2014; Clean Air Act; Consolidated Appropriations Act, 2023, Pub. L. 117-328.

## Geographic Program: Gulf of Mexico

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$22,550</i></b>   | <b><i>\$25,524</i></b>      | <b><i>\$25,600</i></b>           | <b><i>\$76</i></b>   |
| Total Budget Authority                                | \$22,550                 | \$25,524                    | \$25,600                         | \$76   |
| Total Workyears                                       | 16.1                     | 21.7                        | 21.7                             | 0.0  |

### Program Project Description:

The Gulf of Mexico is an iconic and important body of water, providing ecological, economic, cultural, and recreational opportunities for millions of residents and visitors to the region. The Gulf of Mexico is heavily impacted by the Mississippi River, the main river system which drains into it. The Mississippi River watershed captures drainage from 41 percent of the land area of the contiguous United States (includes nearly 1.5 million square miles over parts of 31 states). Through the Gulf of Mexico Division (GMD), EPA collaborates with federal, state, and local partners to restore the Gulf, and ultimately improve the health of the coastal area, benefiting approximately 16 million Americans.<sup>141</sup>

The mission of the EPA’s GMD is to facilitate collaborative actions that protect, maintain, and restore the health and productivity of the Gulf of Mexico in ways consistent with the economic and ecological well-being of the region. The GMD competitively funds projects and uses interagency agreements and strategic partnerships to accomplish its mission. All GMD projects and partnership work are linked to one or more of the following performance measures: 1) improve and/or restore water quality; 2) protect, enhance, or restore coastal and upland habitats; 3) promote and support environmental education and outreach to inhabitants of the Gulf watershed; and 4) support the demonstration of programs, projects, and tools which strengthen community resilience.<sup>142</sup> The GMD provides significant leadership and coordination among state and local governments, the private sector, tribes, scientists, and citizens to align efforts that address the challenges facing the communities and ecosystems of the Gulf Coast. The GMD is committed to voluntary, non-regulatory actions and solutions based on scientific data and technical information underpinning the Agency’s work with the stakeholders.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

<sup>141</sup> For more information please see: <https://www.census.gov/content/dam/Census/library/visualizations/2019/demo/coastline-america-print.pdf>

<sup>142</sup> For more information please see: [https://www.epa.gov/system/files/documents/2022-12/GMD2022AR%20FINAL\\_0.pdf](https://www.epa.gov/system/files/documents/2022-12/GMD2022AR%20FINAL_0.pdf)

In FY 2025, the Agency will continue supporting specific actions and solutions designed to improve the environmental and economic health of the Gulf of Mexico region through cooperative efforts and partnerships. Specifically, the Agency will address nutrient reduction on working lands with targeted habitats. Additionally, GMD will center its focus on sustainable agriculture and resilience in the farming community. EPA will continue to expand Science, Technology, Engineering, Arts, and Mathematics (STEAM) experiential education and workforce development to underserved communities. Through green infrastructure practices such as artificial reefs, riparian buffers, prairies, and living shorelines, GMD will continue to build the adaptive capacity of ecosystems and communities. The GMD projects are competitively funded and coordinated with and complement ongoing Resource and Ecosystems Sustainability, Tourist Opportunities, Revived Economies (RESTORE) and Natural Resource Damages Assessment (NRDA) activities related to the Deepwater Horizon oil spill. The GMD continues to seek broad participation and input from the diverse stakeholders who live, work, and recreate in the Gulf Coast region.

The GMD directly funds assistance agreements, interagency agreements and partnerships, which support the following activities:

#### Environmental Education and Outreach

In FY 2025, the GMD will continue to promote the use of best available science and sustainable environmental practices by developing programs, establishing partnerships, and competitively funding projects that increase environmental literacy. The GMD will enhance experiential learning opportunities for Gulf residents and visitors alike.

To ensure that environmental education and outreach efforts extend to overburdened and underserved populations, GMD will work with various sectors of government, community leaders, and academia on projects that promote capacity building and lead to behavioral changes in communities with environmental justice concerns. Education and outreach are vital to accomplishing the Agency's mission to protect human health and the environment, to inform and provide actionable information to communities with environmental justice challenges, and to meet the GMD-specific goals of promoting healthy and resilient coastal communities.

GMD will evaluate success of this work by tracking the number of participants involved in environmental literacy and stewardship activities. Recipients of competitively funded projects are required to report on this data quarterly and personnel must input direct engagement efforts into the GMD's quarterly metrics tracking database.

#### Strengthen Community Resilience

Coastal and inland communities continuously face a range of natural and man-made challenges, including storm risk, land and habitat loss, depletion of natural resources, compromised water quality, and resulting economic instability. In FY 2025, the GMD will continue to emphasize robust partnerships and extensive community engagement to strengthen coastal and near-shore community preparedness. Through actions, activities, partnerships, and projects, communities throughout the Gulf will be more resilient, and thus better prepared for natural disasters or other

emergencies. The GMD will leverage its Community Resilience Index Tool to provide municipalities with a method to assess vulnerabilities and take steps to mitigate risks.

GMD will evaluate success of this work by tracking the number of communities informed on vulnerabilities and risks and those with programs, projects, and tools developed and/or demonstrated to identify vulnerabilities and to manage risks as a way of improving the social well-being, the economy, and/or the environment. Recipients of competitively funded projects are required to report on this data quarterly and personnel must input direct engagement efforts into the GMD's quarterly metrics tracking database.

### Improve Water Quality

The Clean Water Act provides authority and resources to protect and improve the water quality in the Gulf of Mexico and all waters of the United States. The GMD supports projects and works with partners, such as the Hypoxia Task Force, to improve water and habitat quality throughout the Gulf of Mexico watershed. In FY 2025, the GMD will fund projects which improve water quality on a watershed basis through monitoring nutrient reduction, analyzing data, and assessing changes.

GMD will evaluate success of this work by tracking the number of water segments/bodies with improved understanding of water quality conditions and/or water quality parameters through competitively funded projects and partnerships with stakeholders. Recipients of competitively funded projects are required to report on this data quarterly and personnel must input direct engagement efforts into the GMD's quarterly metrics tracking database.

### Enhance, Protect, or Restore Coastal Habitats

Managing critical ecosystems is widely recognized as a fundamental environmental priority throughout the Gulf Coast region. Critical issues include, but are not limited to, sediment management, marsh/habitat loss due to subsidence, the continued reduction of freshwater in-flow, and climate change. For decades, the Gulf Coast has endured extensive natural and man-made damage to key habitats such as coastal wetlands, estuaries, barrier islands, upland habitats, seagrass vegetation, oyster reefs, coral reefs, and offshore habitats. In FY 2025, the GMD will continue to fund projects and work with partners to enhance coastal ecosystems, improve sediment movement/management, restore acreage where feasible and cost-effective, and reverse the effects of long-term habitat degradation.

GMD will evaluate success of this work by tracking the number of habitats restored, improved, or enhanced through competitively funded projects and partnerships with stakeholders. Recipients of competitively funded projects are required to report on this data quarterly and personnel must input direct engagement efforts into the GMD's quarterly metrics tracking database. This work will be further reported on to assess commitments as part of the Evidence and Evaluations Act.

In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.



**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$519.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (-\$443.0) This program change is a decrease to offset fixed and other costs.

**Statutory Authority:**

Clean Water Act, Consolidated Appropriations Act, 2023, Pub. L. 117-328.

**Geographic Program: Lake Champlain**

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$25,823</i></b>           | <b><i>\$25,000</i></b>               | <b><i>\$25,000</i></b>                    | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$25,823                         | \$25,000                             | \$25,000                                  | \$0  |
| Total Workyears                                       | 0.1                              | 1.0                                  | 1.0                                       | 0.0  |

**Program Project Description:**

The trans-boundary region of Lake Champlain is a resource of national significance and home to more than 600,000 people, about 35 percent of whom depend on the lake for drinking water. The 8,234-square mile basin includes areas in Vermont, New York, and the Province of Quebec. Lake Champlain draws millions of visitors annually. The Patrick Leahy Lake Champlain Basin Program (LCBP) supports implementation in Vermont and New York of a comprehensive pollution prevention, control, and restoration plan for protecting the future of the Lake Champlain Basin. Through the LCBP, EPA is addressing various threats to Lake Champlain’s water quality, including phosphorus loadings, invasive species, and toxic substances.<sup>143</sup>

The Program’s goal is to achieve clean waters that will sustain diverse ecosystems, vibrant communities, and working landscapes. These ecosystems should provide clean water for drinking and recreation and support a habitat that is resilient to extreme events and free of aquatic invasive species.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA’s budget request will allow the Program to address high levels of phosphorus by implementing priority actions identified in the Opportunities for Action Management Plan to reduce phosphorus loads.<sup>144</sup> The 2016 Vermont Total Maximum Daily Load (TMDL) for Phosphorus for Lake Champlain is central to the planning and implementation work within the Lake Champlain Basin to reduce phosphorus loads and meet the wasteload and load allocations specified in the TMDL. Phosphorus reductions from the New York portion of the basin continue to be subject to the TMDL approved in 2002, and the state is expected to release an updated Lake Champlain Watershed Implementation Plan in 2024. The Program also seeks to prevent the

<sup>143</sup> For additional information please see: <https://www.epa.gov/tmdl/lake-champlain-phosphorus-tmdl-commitment-clean-water> and <http://www.lcbp.org>.

<sup>144</sup> For additional information please see: [https://www.lcbp.org/wp-content/uploads/2016/03/OFA\\_2022\\_Full-Plan.pdf](https://www.lcbp.org/wp-content/uploads/2016/03/OFA_2022_Full-Plan.pdf).

impacts of aquatic invasive species and to restore habitat across its basin. The LCBP also will increase efforts to better understand how to address harmful algal blooms (HABs) and prevent the introduction and spread of invasive species.

In FY 2025, EPA will focus on the following activities:

- Ninety-three percent of the total phosphorus load to the lake is from stormwater or nonpoint source runoff, and seven percent is from wastewater treatment plant sources in Vermont, New York, and Quebec. EPA and its partners will continue to reduce phosphorous pollution from stormwater runoff, nonpoint sources, and wastewater treatment facilities to meet reductions specified in the Vermont and New York TMDLs. Specifically, EPA will focus on:
  - Implementing stormwater planning, design, and construction of green stormwater infrastructure at Vermont public schools and state universities, including implementing best management practices on rural roads in both Vermont and New York, thereby increasing their resiliency to climate impacts.
  - Addressing agricultural nonpoint sources including continued research to determine the efficiency of agricultural best management practices; evaluating farm practices to identify where improvements to practices are needed; and decommissioning former agricultural lands better suited for habitat and floodplain restoration efforts.

The Program also aims to restore healthy ecosystems to provide clean water for recreation and drinking water and intact habitat that is resilient to extreme events and invasive species. In FY 2025 the Program will support:

- Biodiversity, by preventing habitat fragmentation and improving resilience to changing weather conditions.
- Prevention of aquatic invasive species that harm the environment, economy, or human health, including aquatic plants, animals, and pathogens. EPA will continue to work with partners to understand the impact of any potential spread. The Agency also will continue to monitor invasive water chestnuts and fund efforts to reduce their density and distribution. Additionally, EPA and its partners will continue to implement the activities identified in the Great Lakes and Lake Champlain Invasive Species Program Report submitted to Congress under requirements of the Vessel Incidental Discharge Act.<sup>145</sup>
- Collection of cyanobacteria data that will increase public awareness of bloom conditions, the effects of excessive phosphorus in the Lake, and continue to document where algal blooms are prevalent across the basin to inform management decisions.
- The LCBP will continue to support the development of new ways to understand the high seasonal concentrations of harmful algal blooms, report on their potential health impacts, and provide necessary information to the health departments of New York and Vermont to close beaches, protect drinking water intakes, or take other actions. In addition, the Program will investigate developing new approaches for urban and agricultural stormwater control.

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<sup>145</sup> For more information please visit: <https://www.epa.gov/greatlakes/great-lakes-and-lake-champlain-invasive-species-program-report>.

- The Lake Champlain Basin Program will continue to address environmental justice concerns in the basin through implementation of its strategic plan, and implementation of the program’s approved Equity Strategy for the Justice40 Initiative.
- The Program’s 2022 management plan includes new metrics to expand tracking and reporting of implementation efforts. In FY 2025 the Program will continue development of a new project tracking database to better analyze, visualize, and share program results with stakeholders and the public.
- The triennial State of the Lake and Ecosystem Indicators Report from the Lake Champlain Basin Program will be published in FY 2025 presenting the most recent information on the conditions of Lake Champlain and its watershed.
- Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58) appropriations includes \$8 million for the Program in FY 2025. LCBP will continue implementation of priority projects funded via IIJA including a competitive aquatic organism passage grant program, strategic land acquisition of priority parcels for water quality, aquatic habitat and /or climate change mitigation, wetland and floodplain restoration in New York, and aquatic invasive species management and spread prevention in the Lake Champlain basin.

In FY 2025, EPA is requesting appropriation language that will provide funding for the Lake Champlain Program in no-year funds.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Boundary Waters Treaty of 1909; Clean Water Act §120; Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

**Geographic Program: Long Island Sound**

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$36,429</i></b>           | <b><i>\$40,002</i></b>               | <b><i>\$40,000</i></b>                    | <b><i>-\$2</i></b>   |
| Total Budget Authority                                | \$36,429                         | \$40,002                             | \$40,000                                  | -\$2   |
| Total Workyears                                       | 3.6                              | 8.0                                  | 8.0                                       | 0.0  |

**Program Project Description:**

The Long Island Sound Program protects wildlife habitat and water quality in one of the most densely populated areas of the United States, with nearly nine million people living in the watershed. In total, the Long Island Sound watershed comprises more than 16 thousand square miles, including virtually the entire state of Connecticut, and portions of New York, Rhode Island, Massachusetts, Vermont, and New Hampshire. The Long Island Sound provides recreation for millions of people each year and provides a critical transportation corridor for goods and people. The Long Island Sound continues to provide feeding, breeding, nesting, and nursery areas for diverse animal and plant life. The ability of the Long Island Sound to support these uses is dependent on the quality of its waters, habitats, and living resources. The Long Island Sound watershed’s natural capital provides between \$17 and \$37 billion in ecosystem goods and services every year.<sup>146</sup>

Improving water quality and reducing nitrogen pollution are priorities of the Long Island Sound Program. The Program is making measurable differences in the region. Through State Revolving Fund and local investments of more than \$2.5 billion to improve wastewater treatment, the total nitrogen load to the Long Island Sound in 2022 decreased by more than 49 million pounds from 1990 levels, a 70 percent reduction in the effective load of nitrogen. This and other investments have enabled the EPA-State partnership to attain the pollution reduction targets set in the nitrogen total maximum daily load (TMDL) 2000. As a result, water quality is improving. The average maximum area of waters not attaining dissolved oxygen criteria protection of aquatic life has decreased by more than 50 percent since 2010.

The Program also is focused on habitat protection and restoration. Program partners have restored 593 acres of coastal habitat between 2015 - 2022, well ahead of the pace needed to achieve the goal of restoring 1,000 coastal acres by 2035. In 2022, program partners completed 25 projects in coastal habitats, restoring 134.3 acres. An average of 50 acres a year is needed to meet the 2035 target. The Program is currently averaging 89.6 acres a year. The Program also is ahead of schedule

<sup>146</sup> For more information please see: Kocian, M., Fletcher, A., Schundler, G., Batker, D., Schwartz, A., Briceno, T. 2015. The Trillion Dollar Asset: The Economic Value of the Long Island Sound Basin. Earth Economics, Tacoma, WA.

in meeting its Comprehensive Conservation and Management Plan (CCMP) target of reopening 200 miles of river migratory corridors by 2035 for fish passage to Long Island Sound. The initiative has so far reconnected 125.2 river miles, 62.7 percent of the way toward meeting the target.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Program will continue to oversee implementation of the Long Island Sound Study (LISS) CCMP by coordinating the cleanup and restoration actions of the LISS Management Conference. The LISS CCMP is organized around four major themes:<sup>147</sup> 1) clean waters and healthy watersheds; 2) thriving habitats and abundant wildlife; 3) sustainable and resilient communities; and 4) sound science and inclusive management. Throughout the four themes, the CCMP incorporates key challenges and environmental priorities including resiliency to climate change, long-term sustainability, and environmental justice. The plan also set 20 quantitative ecosystem recovery targets to drive progress. In 2020, the LISS updated the CCMP with 136 implementation actions covering the period 2020 - 2024. In FY 2025, EPA will focus on the following:

- Finalize a revised CCMP that sets new ecosystem targets and establishes a new five-year action plan for the period 2025 - 2029.
- Continue to reduce nitrogen pollution through implementing the Nitrogen Reduction Strategy. EPA will work cooperatively with Connecticut and New York to expand modeling and monitoring to develop numeric nitrogen targets that are protective of designated uses and set local nitrogen reduction targets where necessary.
- Coordinate priority watershed protection programs such as increasing streamside buffer zones as natural filters of pollution.
- Support community sustainability and resiliency through the Sustainable and Resilient Communities Work Group to help communities plan for climate change impacts while strengthening ecological health and protecting local economies.
- Coordinate the protection and restoration of critical coastal habitats to improve the productivity of tidal wetlands, inter-tidal zones, and other key habitats that have been adversely affected by unplanned development, overuse, land use-related pollution effects, and climate change (e.g., sea level rise, warming temperatures, changes in salinity, and other ecological effects).
- Integrate environmental justice considerations across program decision-making and implementation through the new LISS Environmental Justice Work Group.
- Conduct targeted outreach and engagement efforts to understand community needs in areas with environmental justice concerns.
- Increase the participation of new and diverse partners in LISS programs and decision-making.

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<sup>147</sup> For more information please visit: <https://longislandsoundstudy.net/2015/09/2015-comprehensive-conservation-and-management-plan/>.

- Continue program evaluations in response to *GAO-Report 18-410 Long Island Sound Restoration: Improved Reporting and Cost Estimates Could Help Guide Future Efforts*.<sup>148</sup> The purpose of the evaluation is to assess progress made toward meeting the goals, actions, and schedules of the LISS CCMP, including quantifiable targets of ecosystem condition.
- Finalize the Long Island Sound Office’s biennial report to Congress summarizing the progress made in implementing the CCMP, highlighting any modifications to the CCMP, and recommendations concerning the CCMP.
- Continue coordinated water quality monitoring, modeling, and research.
- Support community partnerships to reduce pollution, protect and restore habitats, and increase sustainability and resiliency through the Long Island Sound Futures Fund.
- Conduct focused scientific research into the causes and effects of pollution on the Sound’s living marine resources, ecosystems, water quality, and human uses to assist managers and public decision-makers in developing policies and strategies to address environmental, social, and human health impacts.

In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$42.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$40.0) This program change is an increase to resources available to restore Long Island Sound.

**Statutory Authority:**

Clean Water Act § 119.

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<sup>148</sup> To read the report, visit: <https://www.gao.gov/products/gao-18-410>.

**Geographic Program: Other**

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$10,486</i></b>           | <b><i>\$14,200</i></b>               | <b><i>\$14,200</i></b>                    | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$10,486                         | \$14,200                             | \$14,200                                  | \$0  |
| Total Workyears                                       | 5.4                              | 6.7                                  | 6.7                                       | 0.0  |

In addition, the Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$30.2 million for this program in FY 2025.

**Program Project Description:**

EPA targets efforts to protect and restore many of the unique communities and ecosystems across the United States through the geographic programs. To protect and restore these treasured resources, the Agency develops and implements approaches to mitigate sources of pollution and cumulative risks posed by a variety of geographically distinct environmental stressors. These approaches improve water resource quality in ecosystems and the health and economic vitality of residents that rely on them. While substantial progress has been made in all these programs, more work is required to further reduce toxins, lower nutrient loads into watersheds and water bodies, increase ecologically and economically important species, restore habitats, and protect human health. The programs also are focused on targeting investments and benefits to disadvantaged communities within their reach, consistent with the goals of the Justice40 initiative, and prioritizing investments with climate adaptation and mitigation outcomes.

The Northwest Forest Program

The Northwest Forest Program addresses water quality impairments in forested watersheds and works to improve the quality and quantity of surface water to meet beneficial use and drinking water/source water protection goals. Climate change is increasing the demands on the Program due to the increase of catastrophic wildfires and resulting impacts to water quality and municipal drinking water.

The Northwest Forest Program supports monitoring of watershed conditions across 72 million acres of forest and rangelands in the Northwest. In Oregon and Washington, 40 to 90 percent of the land area within national forests supply drinking water to communities west of the Cascade Range crest. This Program provides the data communities need to help manage these drinking water resources. Funding allows EPA to provide critical support to the Aquatic Riparian Effectiveness Monitoring Program and the Pacfish/Infish Biological Opinion Effectiveness Monitoring Program. These regional scale watershed monitoring programs are essential to



determining the effectiveness of riparian management in meeting aquatic/riparian habitat, ecosystem function, and water quality standards.

The Northwest Forest Program also helps EPA respond to tribal trust and treaty responsibilities. EPA staff are key to protection and restoration of watersheds and water quality important to tribes. EPA has tribal trust responsibilities in the Northwest for tribes reliant on salmon and shellfish.

#### Lake Pontchartrain Basin Restoration Program (PRP)

The purpose of PRP is to restore the ecological health of the Lake Pontchartrain Basin by developing and funding restoration projects and related scientific and public education projects.

The basin comprises 16 Louisiana parishes and four Mississippi counties. The land use of the basin ranges from rural to urban and is the most densely populated region in Louisiana, including metropolitan New Orleans and Louisiana's capitol, Baton Rouge. The basin provides a home and natural habitat to over 2.1 million people and is one of the largest estuarine systems in the United States. The basin's topography ranges from rolling woodlands in the north to coastal marshes in the south, with the 630 square mile Lake Pontchartrain, the second largest saltwater lake in the United States, as its centerpiece.

Projects funded under this program maintain, protect, and restore the water quality and ecosystems of the basin. These projects reduce the risk of pollution, increase protection of fisheries and drinking water sources and enhance recreational opportunities for the citizens of Louisiana.

#### Southeast New England Program (SNEP)

Southeast New England (from Westerly, Rhode Island, to Pleasant Bay, Massachusetts) faces environmental challenges that are both unique and highly representative of critical national problems, especially in coastal areas. Typical problems include rivers hydrologically disconnected by dams and restrictions, lost wetland functions, urbanization, and centuries-old infrastructure, all compounded by the increasing impacts of excess nutrients from wastewater, stormwater runoff, and atmospheric deposition. Excess nutrients have contributed to severe water quality problems including algal blooms, low dissolved oxygen conditions, fish kills, impaired benthic communities, and habitat loss (*e.g.*, sea grass and salt marsh) in estuaries and near-coastal waters of this region and worldwide. The impacts of climate change, especially the likelihood of extreme weather events and increased precipitation, will further stress these systems in coming years, not only environmentally but also socially and economically. The Program seeks to link environmental quality to economic opportunity and jobs by delivering local solutions in a regional and watershed context. Taking up and successfully addressing these issues will enable the Program to serve as a model for other areas.

SNEP serves as a hub to enable protection and restoration of the coastal watersheds of Southeast New England. Protecting these watersheds and the ecosystem services they provide will help sustain the region's communities and environmental assets into the future. SNEP draws upon networks of stakeholders and experts to seek out and support innovations in practices, technology, and policies that will enable better and more effective watershed protection and restoration. The

goal is to create a sustainable path for change and to lead the next generation of environmental management by:

- Developing and investing in innovative, cost-effective restoration and protection practices, as well as new regulatory, economic, and technology approaches.
- Providing technical assistance to tribes, municipalities and local organizations.
- Supporting local restoration efforts.
- Integrating delivery of programs to the public by our fellow agencies and partners.
- Focusing on ecosystem services.
- Improving technology transfer and delivery of restoration programs across the region.
- Developing regional approaches to collate water quality and habitat data in order to provide a report on regional trends.
- Developing and implementing metrics to track the impact of SNEP projects throughout the region.

### Columbia River Basin Restoration Program (CRBRP)

The Columbia River Basin is one of North America's largest watersheds, covering approximately 260 thousand square miles, originating in British Columbia, Canada, with seven states including significant portions of Idaho, Montana, Oregon, and Washington. The basin provides environmental, economic, cultural, and social benefits and is vital to many entities and industries in the Pacific Northwest, including tribal, recreational, and commercial fisheries; agriculture; forestry; recreation; and electric power generation.

Human activities have contributed to impaired water quality that impacts human health and fish and wildlife species survival. Tribal fish consumers, other high fish consumers and subsistence fishers are exposed to known toxic contaminants and increased human health risks. Beginning in 2004, EPA has made a priority commitment to reducing toxics in the basin reflecting a responsibility to environmental justice for tribal people to protect human health and help restore and protect fish and wildlife populations. There are several endangered fish and wildlife species throughout the basin. A major salmon restoration effort is underway that has expended millions of dollars to restore salmon throughout the basin. Additionally, this is a part of EPA's contribution to support the September 2023 President's Memorandum of "Restoring Healthy and abundant Salmon, Steelhead, and Other Native Fish Populations in the Columbia River Basin."<sup>149</sup>

In 2016, Congress adopted the Columbia River Basin Restoration Act as Section 123 of the Clean Water Act (CWA), which directs EPA to lead a basin-wide collaboration and competitive grant program to assess and reduce toxics in the basin. Section 123 also directs EPA to establish a Columbia River Basin Restoration Program (CRBRP) to assess trends in water quality; collect and assess data to identify possible causes of environmental problems; provide grants for projects for specific purposes; and establish a voluntary Columbia River Basin Restoration Working Group.

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<sup>149</sup> For more information please see: <https://www.federalregister.gov/documents/2023/10/02/2023-21882/restoring-healthy-and-abundant-salmon-steelhead-and-other-native-fish-populations-in-the-columbia>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

Funding will be split amongst the Northwest Forest Program, Lake Pontchartrain Program, Southern New England Program, and Columbia River Basin Program for restoration of the four geographic programs with an emphasis on initiatives that advance environmental justice and address the threats exacerbated by climate change.

### Northwest Forest Program

In FY 2025, the Program will support the following activities:

- Monitoring and assessment of wildfire impacts to water quality, including ongoing efforts in watersheds impacted by the catastrophic 2020 Labor Day fires in Oregon.
- Table-top exercises with federal, tribal, and state, land management, water quality and air quality experts to address barriers to implementing the Wildfire Crisis Strategy.
- Aquatic and Riparian Effectiveness Monitoring Program (AREMP) of the Northwest Forest Plan and Bureau of Land Management (BLM) Western Oregon Resource Management Plan to help maintain and restore watersheds across 24 million acres of federal lands in western Washington and Oregon, and northern California.
- The PacFish/InFish Biological Opinion Effectiveness Monitoring Program to monitor stream and riparian habitats for both inland fish species and anadromous fish like salmon that rely on both the Pacific Ocean and freshwater rivers to ensure conservation strategies are working effectively to sustain fish populations.
- The Drinking Water Providers Partnership— an annual public-private funding opportunity for water providers and watershed restoration practitioners in Oregon and Washington to implement riparian or in-stream restoration actions to restore and protect the health of watersheds and drinking water.
- States' implementation of forestry non-point source programs and development of Total Maximum Daily Loads (TMDLs) and Best Management Practices for forestry.
- Development of Spatial Statistical Network models to evaluate impacts of forest practices and climate change on stream temperatures across entire watersheds. Further support for watershed management and development and implementation of TMDLs.
- Collaboration with partners and local water providers to address sediment and temperature impairments in forested watersheds.

### Lake Pontchartrain Basin Restoration Program (PRP)

In FY 2025, the Program will help restore the ecological health of the Lake Pontchartrain Basin by:

- Implementing the current Lake Pontchartrain Basin Program Comprehensive Management Plan (CCMP) and Comprehensive Habitat Management Plan (CCHP), including implementation of restoration projects.
- Revising the CCMP/CCHP to meet the current needs of the basin and updating recommendations to meet current best management practices and technology.

- Working with the executive committee and management conference to expand the reach of the Program to communities who have not participated in the past and to reinvigorate participation in the management conference.
- Incorporating Justice40 into the PRP through:
  - identification of key areas for investments;
  - development of robust protocols for proposal review and project review;
  - outreach to eligible applicants to include investments and benefits to disadvantaged communities in their projects; and
  - tracking and reporting the investments and benefits of PRP projects to disadvantaged communities in the basin.
- Continue to evaluate (1) the suitability of the management conference and the Program's organizational structure in achieving the Program's objectives; (2) the grantee's performance related to PRP grants; and (3) the program's progress toward achieving the PRP equity strategy goals. This evaluation is partially in response to *GAO Report-23-105547 Lake Pontchartrain Basin: Additional Transparency and Performance Management Could Improve EPA's Restoration Program*.<sup>150</sup>

#### Southeast New England Program (SNEP)

In FY 2025, the Program will support technical assistance, grants, interagency agreements, and contracts to spur investment in regionally significant and/or landscape-scale restoration opportunities, more fully integrate restoration actions, build local capacity, promote policy and technology innovation, encourage ecosystem (water quality and habitat) approaches, and enact the Southeast New England Program's *Five-Year Strategic Plan*.<sup>151</sup> SNEP is tracking community engagement and is striving to provide funding or technical assistance to 70 percent of regional municipalities (93 out of 133) and all of the federally-recognized tribes (3) by the end of FY 2025. Specific activities include:

- Investing in on-the-ground environmental restoration/protection projects through the SNEP Watershed Implementation Grants (SWIG) Program.
- Building capacity of municipalities and other organizations to actively participate in implementing restoration projects and effectively manage their environmental programs through the SNEP Network.
- Promoting the development of next-generation watershed management tools.
- Collaborating amongst the Narragansett Bay and Buzzards Bay National Estuary Programs, the states of Rhode Island and Massachusetts, the Cape Cod and Martha's Vineyard Commissions and other Cape and Island organizations, municipalities, and key stakeholders to identify, test, promote, and implement approaches that can be replicated across Southeastern New England, with a focus on the nexus between habitat, nutrients, and stormwater and ecosystem and community resilience.
- Funding pilot projects and research to introduce innovations and practices that accelerate and guide ecosystem restoration and avoid or reduce nutrient impacts.
- Continuing the SNEP Pilot Watershed Initiative which seeks to concentrate and quantitatively evaluate the effectiveness of coordinated environmental restoration projects

<sup>150</sup> For more information visit: <https://www.gao.gov/products/gao-23-105547>.

<sup>151</sup> For more information visit: <https://www.epa.gov/snep/snep-strategic-plan>

at a sub-watershed scale. Leveraging for efficiency and effectiveness by coordinating operations, resources, and funding principles amongst restoration partners, including federal and state agencies.

- Supporting efforts to restore ecological health and build resiliency in disadvantaged communities.
- Continuing development of a regional water and habitat monitoring strategy that incorporates current monitoring efforts to track environmental restoration progress and inform the public about the health of the SNEP region.
- Funding vital applied research efforts related to eelgrass restoration, permeable reactive barriers, and remote sensing of lake and pond water quality.
- Continuing updates to the SNEP Dashboard grants tracking system to better understand the environmental, social, and economic impacts the Program has on the region through selected metrics.

### Columbia River Basin Restoration Program (CRBRP) - Section 123 of the Clean Water Act

EPA CRBRP's vision is to be a catalyst for broad toxics reduction work efforts and basin-wide collaboration to achieve a healthy ecosystem with significantly reduced toxic levels in fish, wildlife, and water, thus enabling communities to access unimpaired watersheds with healthy fish and wildlife habitat. The major FY 2025 plans for EPA's CRBRP include:

- Continuing to manage the implementation of the CRBRP Funding Assistance Program awards to monitor and reduce toxics in the basin.
- Competing a sixth round of CRBRP funding assistance in support of the statutory directive to provide voluntary competitive grants.
- Providing technical assistance and communication products for the Columbia River Basin Restoration Working Group and the public.
- Continuing to update EPA Columbia River Basin website, which serves as a source of technical references and other information on understanding and reducing toxics in the basin.<sup>152</sup>
- Integrating Environmental and Tribal Justice and Treaty Rights into the Program.
- Supporting climate adaptation strategies and resilience as it relates to toxics reduction.

In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

#### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

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<sup>152</sup> For more information visit: <https://www.epa.gov/columbiariver>.

**Statutory Authority:**

Clean Water Act.

## Geographic Program: South Florida

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$6,806</i></b>    | <b><i>\$8,500</i></b>       | <b><i>\$8,500</i></b>            | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$6,806                  | \$8,500                     | \$8,500                          | \$0  |
| Total Workyears                                       | 1.2                      | 3.0                         | 3.0                              | 0.0  |

The Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$3.2 million for this program in FY 2025.

### **Program Project Description:**

The South Florida Program ecosystem extends from Chain of Lakes near Orlando, Florida to the full extent of the Florida Keys including the Dry Tortugas which is over 250 miles south. Nine million people, two federally recognized Native American tribes: Seminole and Miccosukee, three national parks, 15 national wildlife refuges, Big Cypress National Preserve, the Florida Keys National Marine Sanctuary, the Everglades, and unique coastal resources: St. Lucie and Caloosahatchee Estuaries, Indian River Lagoon, Biscayne Bay, Florida Bay, Florida Keys, and coral reefs make up this unique and sensitive ecosystem. These ecosystems support a multi-billion-dollar economy through outdoor tourism, boating, recreational and commercial fishing, coral reef diving, and world-class beaches.

Challenges faced include: the long-term sustainability of sensitive natural areas, agriculture, and the expanding human population; balancing the region's often conflicting flood control, water supply and water quality needs; and mitigating and adapting to extreme weather events and sea-level rise.

EPA's South Florida Program (SFP) coordinates research and restoration activities in south Florida where water quality and habitat are directly affected by development, pollution, and climate change. The SFP has developed an equity strategy that includes an emphasis on addressing the dual burdens of pollution and climate in disadvantaged communities. EPA implements, coordinates, and facilitates activities through a variety of programs in the region including: the Clean Water Act (CWA); the Everglades Water Quality Restoration Strategies Program; the Florida Keys National Marine Sanctuary Water Quality Protection Program; the Florida Keys National Marine Sanctuary Water Quality Monitoring Program; the Coral Reef Environmental Monitoring Program; the Benthic Habitat Monitoring Program; the Southeast Florida Coral Reef Initiative, as directed by the U.S. Coral Reef Task Force; and other programs.<sup>153,154</sup>

<sup>153</sup> For more information please see: <http://www.epa.gov/aboutepa/about-epa-region-4-southeast>.

<sup>154</sup> For more information please see: <https://www.epa.gov/everglades>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

The SFP supports efforts to protect and restore ecosystems impacted by environmental challenges. In FY 2025, EPA will focus on the Florida Keys Water Quality Protection Program, Florida Coral Reef Tract, impacts of Everglades Restoration, nutrient reduction to reduce harmful algal blooms, and CWA implementation.

- Through the Florida Keys National Marine Sanctuary Water Quality Protection Program, the SFP will engage stakeholders across the breadth of the Florida Keys (and beyond) to review long-term monitoring projects of water quality and ecosystems related to water quality in the Keys. Data generated by EPA partners informs these programs which have documented periodic oceanographic events such as algal blooms, seagrass die-offs and coral diseases. These monitoring programs have provided the foundational data for the development of nutrient numeric criteria. The long-term status and trend collected by the Coral Reef Environmental Monitoring Program is tracking the ongoing Stony Coral Tissue Loss Disease that continues to decimate reef building coral species of the Florida Reef Tract. To date, the SFP has provided more than \$3 million to support coral research to hinder or halt the disease destroying corals reefs that are vital to Florida's eco-tourism industry and that serve as a natural barrier to storms and hurricanes. The SFP will continue to support these efforts.
- The SFP will complete study reports associated with the Everglades Regional Environmental Monitoring and Assessment Program (REMAP) in 2024 and 2025 based upon monitoring completed in 2023 and 2024. This is an EPA conducted extensive assessment of the Everglades' health which has been performed since 1993. Federal agencies, tribes, state agencies, agriculture, the public, non-governmental organizations, and the National Academies of Sciences use the data to understand water quality and ecological conditions and to assess restoration progress. The data also help to explain the effectiveness of pollution control programs.
- EPA will continue CWA and National Environmental Policy Act coordination with the U.S. Army Corps of Engineers, Florida Department of Environmental Protection, South Florida Water Management District, and tribes for the Comprehensive Everglades Restoration Plan (CERP) and Western Everglades Restoration Plan planning and Implementation. CERP is a \$20 billion federal-state restoration effort with over 60 projects that affect aquatic resources throughout south Florida.
- The SFP will continue implementation of the Florida Keys Wastewater Master Plan to provide advanced wastewater treatment or best available technology services to all homes and businesses in the Florida Keys through the EPA and state co-chaired Florida Keys National Marine Sanctuary (FKNMS) Water Quality Protection Program. The goal is to remove from service all non-functioning septic tanks, cesspits, and non-compliant wastewater facilities. More than 90 percent of Florida Keys homes and business are on advanced wastewater treatment systems and more than 30 thousand septic tanks have been eliminated. The SFP will



also consider the impacts of wastewater dischargers on nearshore waters affecting the Keys and the Florida's Reef.

- The SFP will continue support for restoration, monitoring, and modeling of seagrass communities within St. Lucie Estuary, the Caloosahatchee Estuary, Indian River Lagoon, Biscayne Bay and Florida Keys to address loss of seagrass meadows from phosphorus enrichment and chlorophyll increases resulting in dying seagrass beds, increasing harmful algal blooms, fish kills, and manatee deaths.
- EPA will continue work with state and local governments, universities, and non-governmental organizations to implement on-the-ground and satellite water quality monitoring programs for the Florida Keys, Biscayne Bay, St. Lucie Estuary, Florida Bay, and Caloosahatchee Estuary. EPA has provided more than \$4 million to support water quality that includes water quality monitoring; harmful algal blooms detection, nutrient source identification and tracking; bacteria (enterococcus) tracking for healthy beaches; and submarine groundwater discharge to evaluate groundwater as a potential nutrient source.
- The FY 2025 budget request continues support for oysters, seagrass, mangroves, and sponge restoration efforts that reestablish and rehabilitate these natural systems; identify and map habitat areas for protection, restoration and management; and develop conservation/ restoration plans for these resilient ecosystems that provide habitat, food, nutrient removal, water filtration, storm attenuation, carbon storage and shoreline stabilization in South Florida.
- EPA will develop an annual Request for Applications for FY 2025 funds and continue management of more than \$20 million in South Florida prior-year projects enhancing water quality, coral and seagrass monitoring; restoring coral, seagrass and sponge ecosystems; developing models to identify pollutant sources; investigating emerging contaminants and researching water quality environments conducive to algal blooms.
- EPA will begin to draft a multi-year management plan specific to the entire region that identifies the areas where impacts from EPA programs will have the greatest impact in protecting and restoring waters in the region.
- EPA will continue to work with the Florida Department of Environmental Protection, local municipalities and grantees to quantify the impact of shallow wastewater effluent injection on groundwater nutrient fluxes to surface waters in the FKNMS.
- The program will support CWA Section 404 implementation, including wetlands conservation, permitting, dredge and fill, and mitigation banking strategies through collaboration with U.S. Army Corps of Engineers and Florida Department of Environmental Protection.
- EPA will continue to work with the State of Florida on Everglades Water Quality Restoration Strategies to address pollution. Part of this work will be tracking progress on the National Pollutant Discharge Elimination System permits and consent orders within the Everglades, including discharge limits for phosphorus and corrective actions that are consistent with state and federal law and federal court consent decree requirements.

In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Florida Keys National Marine Sanctuary and Protection Act of 1990; National Marine Sanctuaries Program Amendments Act of 1992; Clean Water Act; Water Resources Development Act of 1996; Water Resources Development Act of 2000; National Environmental Policy Act.

**Geographic Program: San Francisco Bay**

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$45,061</i></b>           | <b><i>\$54,500</i></b>               | <b><i>\$54,500</i></b>                    | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$45,061                         | \$54,500                             | \$54,500                                  | \$0  |
| Total Workyears                                       | 2.6                              | 7.8                                  | 7.8                                       | 0.0  |

The Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$4.8 million for this program in FY 2025.

**Program Project Description:**

The San Francisco Bay-Delta Estuary is recognized as an estuary of national importance by EPA, other federal agencies, state partners, and local stakeholders. The Bay Area, home to more than seven million people, is one of the densest urban areas in the nation. While historically, San Francisco Bay had about 200 thousand acres of mudflats and tidal marshes, over 90 percent of that was lost to diking and filling for agriculture and urbanization. San Francisco Bay supports 500 species of wildlife, more than a quarter of which are either threatened or endangered. Investing in wetland restoration is pivotal to the bay’s resiliency to rising sea levels and other hydrologic changes.

Since 2008, EPA has received an annual appropriation for a competitive grant program, the San Francisco Bay Water Quality Improvement Fund (SFBWQIF), to support projects that protect and restore San Francisco Bay and advance the Estuary Blueprint/Comprehensive Conservation and Management Plan (CCMP) restoration goals.<sup>155</sup> Funding for the SFBWQIF is specifically targeted for the watersheds and shoreline areas of the nine San Francisco Bay Area counties that drain into the Bay. Since 2008, the SFBWQIF has invested over \$128 million in 83 grant awards to restore wetlands and improve stormwater quality around San Francisco Bay. SFBWQIF grants have leveraged \$248.5 million in funding from partners; the grant program represents a collaborative investment with local partners guided by the Estuary Blueprint/CCMP. The San Francisco Estuary restoration community is working rapidly to meet its goal of restoring 100,000 acres of wetlands that can provide flood protection, recreation, water quality improvement, and habitat for surrounding communities. SFBWQIF has invested \$62 million of the total \$128 million to restore over 11,400 acres of wetlands around the Bay, including tidal wetlands.

The FY 2025 request will support increased investments in projects around San Francisco Bay that are designed for resiliency considering a wide range of climate change impacts. The program will increase focus on historically underserved and overburdened communities through continued outreach and capacity building with partner organizations.

<sup>155</sup> For more information, please see: <https://www.sfestuary.org/estuary-blueprint/>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Program will focus on the following activities:

- Issue a Request for Applications soliciting proposals to restore wetlands, restore water quality, and implement green development practices that use natural hydrologic processes to treat polluted runoff around San Francisco Bay.
- Issue a Request for Applications soliciting proposals to support underserved populations in the Bay Area to improve the habitat and water quality in their local communities and improve the ease in which underserved community voices are included in the planning for regional environmental projects.
- Continue to administer the SF Bay Water Quality Improvement Fund and gather evidence of progress, consistent with the San Francisco Estuary Partnership’s Comprehensive CCMP.<sup>156</sup>
- Continue to build the resilience of San Francisco Bay ecosystems, shorelines and communities to climate change and sea level rise.
- Continue to use EPA grants to fund climate resilient projects and improve access to funds for underserved communities.
- Provide funding and technical support to implement a new regional monitoring program for San Francisco Bay wetlands. The Wetlands Regional Monitoring Program (WRMP) will provide baseline data and include the following: 1) monitoring site network; 2) open data sharing platform; 3) comprehensive science framework. Building upon the WRMP Plan released in April 2020, EPA will continue to provide additional funding to SFEP/San Francisco Estuary Institute (SFEI) and partners for implementation of the WRMP.
- Continue technical support for the San Francisco Bay Regional Monitoring Program (RMP), a 28-year-old partnership between regulatory agencies and the regulated community to provide a long-term data set and scientific foundation to make water quality management decisions. The RMP monitors water quality, sediment quality and bioaccumulation of priority pollutants in fish, bivalves, and birds. To improve monitoring measurements or the interpretation of data, the RMP also regularly funds special studies.
- Seek to leverage other sources of funding such as the Clean Water State Revolving Fund and Federal Emergency Management Agency’s pre-hazard mitigation funds in support of priority CCMP projects such as SFEP working with municipal partners on the Hayward Shoreline horizontal levee pilot project and the related “First Mile” project.
- Continue EPA’s participation in the Bay Restoration Regulatory Integration Team (BRRIT), a five-year, multi-agency pilot effort to facilitate the complex permitting of restoration projects. The goal of BRRIT is for agencies with permitting jurisdiction over multi-benefit habitat restoration projects to improve the permitting process. BRRIT agencies use dedicated staff time to conduct early design review, provide written guidance and comments, identify Agency requirements that need to be met, and resolve regulatory issues early in the project planning and design phase. This permitting effort enables the accelerated implementation of BRRIT funded restoration projects. EPA will continue to provide agency staff support to the technical

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<sup>156</sup> Please see the SFEP Comprehensive Conservation and Management Plan (2016) at <https://www.sfestuary.org/wp-content/uploads/2017/08/CCMP-v26a-all-pages-web.pdf>.

and managerial aspects of the regulatory improvement process to benefit wetlands restoration projects in the Bay.

- Continue to increase the reuse of dredged material for wetlands restoration, which is critical in preparing and responding to sea level rise in San Francisco Bay.
- Establish funding for new ocean acidification monitoring through the Nutrient Management Strategy to establish baseline data that expands the relevant datasets the wastewater sector depends on in making infrastructure upgrade decisions. Regular SF Bay water quality surveys (USGS/Nutrient Management Strategy) currently miss key ocean acidification metrics including, partial pressure of carbon dioxide (pCO<sub>2</sub>), alkalinity, and dissolved inorganic carbon, that are high priority parameters identified through regional ocean acidification workshops.
- Key actions include continued partnerships with state and federal agencies to implement and track fourteen TMDLs,<sup>157</sup> provide technical assistance when asked by Delta stakeholders to sustain the Delta Regional Monitoring Program (RMP), and work towards continued integration of long-term data sets in the Bay and Delta, such as the Bay Regional Monitoring Program for water quality (RMP) and the Interagency Ecological Program.
- Continue setting up the San Francisco Bay Program Office as authorized by the Water Resources Development Act of 2022 as part of the National Defense Authorization Act.

In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Clean Water Act, Consolidated Appropriations Act, 2023 (Pub. L. 117-328). Section 125 of the Clean Water Act, 33 U.S.C. § 1276a

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<sup>157</sup> For more information, please see the SF Bay Delta TMDL Progress Assessment at <http://www.epa.gov/sfbay-delta/sf-bay-delta-tmdl-progress-assessment>.

**Geographic Program: Puget Sound**

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$48,317</i></b>           | <b><i>\$54,000</i></b>               | <b><i>\$54,000</i></b>                    | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$48,317                         | \$54,000                             | \$54,000                                  | \$0  |
| Total Workyears                                       | 6.7                              | 9.0                                  | 9.0                                       | 0.0  |

In addition, the Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$17.8 million for this program in FY 2025.

**Program Project Description:**

Puget Sound is the southern portion of the international Salish Sea and is the largest estuary by water volume in the United States. The Sound is an economic and cultural engine for the region’s more than 4.7 million people, including nineteen federally recognized tribes. Nearly 71 percent of all jobs and 77 percent of total income in Washington State are found in the Puget Sound Basin. By 2040, the population is projected to grow to seven million, the equivalent of adding approximately four cities the size of Seattle to the watershed.

Puget Sound’s beneficial uses are significant. In 2017, the value of Puget Sound commercial fishing (finfish and shellfish) was \$114 million, and the gross domestic product from Puget Sound-related tourism and recreation activities was \$4.7 billion. Puget Sound’s shellfish industry is considered the Nation’s most valuable and is an important source of family wage jobs in economically challenged rural communities.

Development and land use conversion have adversely impacted the beneficial uses of Puget Sound’s waters. For example, pollution and agricultural runoff reduce the safe harvest and consumption of shellfish across 143 thousand acres of shellfish beds and cause the closure of popular swimming beaches and recreational sites annually. Southern resident killer whales and 59 populations of Chinook salmon, steelhead, and bull trout are listed under the Endangered Species Act. Tribal nations also are unable to sustain their culture and way of life.

A healthy and functioning Puget Sound benefits all who live, visit, or recreate in the Sound or have a connection to the region. A properly functioning ecosystem provides residents with food, water, and raw materials; regulates and moderates harmful elements; and provides cultural, spiritual and recreational experiences.

Federal support of Puget Sound recovery comes from many programs, most of which are administered by EPA, the National Oceanic and Atmospheric Administration, the U.S. Department of Agriculture, U.S. Department of Interior, and the U.S. Army Corps of Engineers.

Since 2010, Congress has appropriated over \$470 million using Clean Water Act Section 320 authority for Puget Sound. Under Section 320, EPA has provided the National Estuary Program and Geographic Program funding and support to help communities make on-the-ground improvements for clean and safe water, protect, and restore habitat, allow for thriving species and a vibrant quality of life for all, while supporting local jobs.

EPA's work with the Puget Sound Partnership, tribes, state agencies and other partners has supported important gains in recovery. Examples include:

- Comprehensive regional plans to restore the Sound;
- More than \$1 billion of non-federal dollars leveraged for recovery;
- Partnerships with 19 federally recognized tribes;
- Transboundary collaboration with Canada;
- Scientific gains on toxic effects of urban stormwater (such as 6PPD-quinone) and related mitigation actions;
- Development and use of funding and decision-making tools to integrate environmental justice and climate adaptation plans and projects;
- Since 2007, a net increase of harvestable shellfish beds;
- Over 41 thousand acres of habitat protected and/or restored (cumulative from 2006); and
- More than six thousand acres of shellfish harvest bed upgraded (cumulative from 2007).

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

Key FY 2025 activities for EPA's Puget Sound Program include:

- EPA will fund assistance agreements with the 19 federally recognized tribes in Puget Sound, three Tribal consortia and the Northwest Indian Fisheries Commission. EPA proposes to provide funding to tribes for both capacity building and implementing priority tribal projects in the Puget Sound basin.
- EPA will fund over \$7 million in tribal projects to support key local watershed science and monitoring; local partnerships in restoration projects to support habitat and water quality; and enhancement of ongoing programs and policies for recovery.
- EPA is a co-chair of the overall federal effort to address Tribal Treaty Rights at Risk consistent with the roles assigned by the Council on Environmental Quality. This is an essential role for EPA and other federal leaders in the region to meaningfully engage and develop actions with Puget Sound tribes to address their treaty rights.
- The Program will continue to implement actions under the Puget Sound National Program Office and the Puget Sound Federal Leadership Task Force as outlined in the new Clean Water Act amendment for Puget Sound (Section 126 of the CWA). This includes a report to Congress in December 2023.

- The Program will enhance Federal Task Force leadership, including leadership and implementation of the *FY 2022 – 2026 Puget Sound Federal Task Force Action Plan*.<sup>158</sup> This will leverage hundreds of millions of dollars in federal investments in Puget Sound and provides alignment of program and policies for recovery.
- The Program will build on over 20 years of international cooperation with Canada implementing the Canada - U.S. Cooperation in the *Salish Sea: 2021-2024 Action Plan*.<sup>159</sup> The Program will participate in a series of workshops on topics of shared interest in transboundary work including joint efforts for southern resident killer whales, science collaboration and enhancing transboundary governance opportunities.
- The FY 2025 budget request will help fulfill National Estuary Program responsibilities, including support for the implementation of the Comprehensive Conservation and Management Plan (CCMP) for recovering Puget Sound (the Action Agenda). The Program received, reviewed, and approved the updated CCMP in FY 2022 that sets up the next four years of collaborative implementation of recovery efforts in Puget Sound. In 2025 EPA will work with the Puget Sound Partnership and the Puget Sound Management Conference to develop the 2026-2030 Action Plan (CCMP).
- The Program will continue to integrate climate adaptation and environmental justice while supporting local jobs. The Program is building climate resiliency into the actions and projects funded with Puget Sound assistance agreements for habitat, shellfish, and water quality, which presents the opportunity to grow and integrate climate justice in all program areas with federal, state, tribal and local partners.
- The Program will be managing and awarding up to \$100 million in projects from Puget Sound funding over the next five years consistent with the EPA’s *2021 Strategic Initiative Lead Funding Model*.<sup>160</sup> The Program will fund over \$17 million in shellfish, habitat and stormwater projects and programs.
- The program will continue to fund and coordinate cutting-edge science in the Salish Sea with funding over \$6 million in science projects from Puget Sound funding and programs with federal, state, tribal and academic partners.

In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

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<sup>158</sup> For more information please visit: <https://www.epa.gov/system/files/documents/2022-06/puget-sound-federal-task-force-action-plan-2022-2026.pdf>

<sup>159</sup> For more information please see: <https://www.epa.gov/puget-sound/actions-plans-us-canada-cooperation-salish-sea>.

<sup>160</sup> For more information please visit: [https://snohomishcountywa.gov/DocumentCenter/View/87563/FY21-EPA-Funding-Guidance-to-SILs\\_FINAL](https://snohomishcountywa.gov/DocumentCenter/View/87563/FY21-EPA-Funding-Guidance-to-SILs_FINAL).



**Statutory Authority:**

Clean Water Act. Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

## Great Lakes Restoration

Program Area: Geographic Programs

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$361,607</i></b>          | <b><i>\$368,000</i></b>              | <b><i>\$368,000</i></b>                   | <b><i>\$0</i></b>  |
| Total Budget Authority                                | \$361,607                        | \$368,000                            | \$368,000                                 | \$0  |
| Total Workyears                                       | 63.2                             | 77.0                                 | 77.0                                      | 0.0  |

The Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$200M for this program in FY 2025.

### **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 states, two Canadian provinces, and 35 tribes.

Through a coordinated interagency process led by EPA, the implementation of the Great Lakes Restoration Initiative (GLRI) is helping to restore the ecosystem. This restoration effort provides environmental and public health benefits to the region’s thirty million Americans who rely on the Great Lakes for drinking water, recreation, and fishing. The restoration and protection of the Great Lakes also fuels local and regional economies and community revitalization efforts across the basin.

This interagency collaboration accelerates progress, promotes leveraging, avoids potential duplication of effort, and saves money. In accordance with the Clean Water Act (CWA), EPA and its partners are accomplishing this restoration through the implementation of a five-year GLRI Action Plan. The implementation of the GLRI Action Plan III, covering FY 2020 through FY 2024, began in October 2019. EPA and its partners are currently in the process of developing the GLRI Action Plan IV, which will cover FY 2025 to FY 2029.

EPA and its partners have achieved significant results since the GLRI started in 2010,<sup>161</sup> including:

- Five Areas of Concerns (AOCs) delisted, including the Ashtabula River AOC in FY 2021. (Prior to GLRI, only one Great Lakes AOC was delisted.) Ten others have had the cleanup and restoration actions necessary for delisting completed.
- 112 Beneficial Use Impairments (BUIs) at 28 AOCs in the eight Great Lakes states have been removed, more than eleven times the total number of BUIs removed in the preceding 22 years.
- Over 4.3 million cubic yards of contaminated sediment have been remediated.
- Over 265,000 acres on which invasive species control activities have been implemented.

<sup>161</sup> For more information, please see <https://glri.us/>.

- Self-sustaining populations of Silver and Bighead carp have been kept out of the Great Lakes.
- Over 16 million pounds of invasive carp have been removed from the Illinois River, reducing the potential for these species to invade the Great Lakes.
- Loadings of over 2.3 million pounds of phosphorus were reduced through implementation of conservation practices (phosphorus is a major driver of harmful algal blooms in Great Lakes priority watersheds).
- More than 500,000 acres of habitat have been protected, restored, or enhanced; and,
- Over 685,000 youths have benefited from Great Lakes based education and stewardship projects.

Under the GLRI, funds are first appropriated to EPA. After annual evaluation and prioritization consistent with the GLRI Action Plan, EPA and its partner agencies collaboratively identify projects and programs that will best advance progress under GLRI. EPA then provides a substantial portion of those funds to its partner federal agencies to implement GLRI projects and programs in partnership with EPA, states, and tribes. EPA and its partner federal agencies will directly implement projects and fund projects performed by other entities such as states, tribes, municipalities, counties, universities, and nongovernmental organizations. GLRI funding can supplement each partner agency's base funding.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the GLRI will continue to support activities that target the most significant environmental problems in the Great Lakes. Emphasis will continue to be placed on 1) cleaning up and delisting AOCs, which will help to revitalize and generate community benefits in environmental justice communities; 2) reducing phosphorus contributions that contribute to harmful algal blooms and other water quality impairments; and 3) invasive species prevention. GLRI Action Plan III targets GLRI restoration within the focus areas, objectives, and performance goals described below. In FY 2025, the GLRI also will continue to emphasize providing benefits to underserved communities who are marginalized, underserved, or overburdened by pollution. Under Action Plan IV, these and other investments in underserved communities will continue to grow ensuring GLRI investments are just, equitable, and responsive to multiple voices and viewpoints in planning and implementation.

#### Toxic Substances and Areas of Concern Objectives:

- Remediate, restore, and delist AOCs: EPA, U.S. Fish & Wildlife Service (FWS), U.S. Army Corps of Engineers (USACE), United States Geological Survey (USGS), National Oceanic and Atmospheric Administration (NOAA), and other GLRI partners will continue accelerating the pace the U.S. BUI removals. EPA and its federal partners will work with and fund stakeholders to implement management actions necessary to remove the BUIs (indicators of poor environmental health) that will ultimately lead to the delisting of the remaining AOCs on the U.S. side of the border. Agencies target collective efforts under the GLRI to maximize

removal of BUIs and delisting of AOCs. Agencies will support BUI removal through sediment remediation under the Great Lakes Legacy Act (part of the GLRI) and other restoration activities. FY 2025 targets are: ten BUIs (for a total of 138 BUIs cumulative since 1987) removed in AOCs; and two AOCs delisted (for a total of 8 AOCs delisted since 1987).

- Engage underserved communities and share information on the risks and benefits of consuming Great Lakes fish, wildlife, and harvested plant resources with the people who consume them: Federal agencies and their state and tribal partners will continue to help the public make informed decisions about healthy options for safe fish consumption. Expansion of successful pilot programs will increase the availability and accessibility of safe fish consumption guidelines to vulnerable populations that consume Great Lakes fish. Additional emphasis will be placed on the safe consumption of wildlife and harvested plant resources.
- Increase knowledge about contaminants that have impacted or pose the potential to impact the ecological and/or public health of the Great Lakes and its natural resources: Federal agencies will coordinate with appropriate state and tribal partners to begin to fill critical monitoring and data gaps for priority chemicals in the Great Lakes. Monitoring data from this process will provide information on the magnitude and extent of these chemicals in the Great Lakes and help in the evaluation of associated ecological, economic, and recreational consequences.

#### Invasive Species Objectives:

- Protect native species and communities by preventing introductions of new non-native species: GLRI federal agencies and their partners will implement a prioritized plan to significantly reduce pathways by which non-native species may still enter the Great Lakes basin. Coordination and planning with state, tribes, and other entities as well as feedback received by the Great Lakes Aquatic Nuisance Species (ANS) Regional Panel will inform prioritized and interjurisdictional projects that significantly address pathways including recreational boating, bait release, organisms-in-trade, and others. GLRI will support efforts to test and implement new technologies holding great promise to assess, block, or manage specific pathways. GLRI will continue to help protect the Great Lakes from invasive carp, principally through high-priority projects that prevent Silver and Bighead Carp introduction into the Great Lakes, prevent Grass Carp establishment in the Great Lakes with an emphasis in Lake Erie, Lake Michigan, and its tributaries, and better understanding the spread of Black Carp toward the Great Lakes. In FY 2025, the goal will be to address one regional introduction pathways for non-native species invasion through interjurisdictional, comprehensive approaches.
- Reduce economic, ecological, and human health impacts to the Great Lakes by limiting range expansion, including lake-to-lake transfers, of invasive species: GLRI federal agencies and their partners will increase the probability of detecting invasive species through refinement of current detection strategies and deployment of new sampling technologies and approaches. Sustained funding to states and tribes will be a key strategy to ensure rapid response, eradication, or containment efforts can occur after new detections of invasive species. impacts of non-native species and deploy the latest control technologies and approaches. Great Lakes partners will continue to efficiently distribute information on invasive species regionally through GLANSIS and tailor educational products so that the public can play a large role in

reducing the economic, ecological, and human health impacts of invasive species. In FY 2025, the goal is to conduct eight rapid response exercises.

- Provide ecosystem and human benefits through prioritized and collaborative invasive species control efforts: GLRI federal agencies, states, tribes, and their partners will prioritize maintaining the benefits of previously completed invasive species control projects by ensuring staff capacity and tools are in place so that infestations do not reappear. Prioritization of completed projects in upland and coastal habitat projects completed under previous GLRI Action Plans will guide future investment so that benefits to fish and wildlife species as well as residents are not lost over time and sites do not revert to previous degraded conditions. Advancing the Great Lakes Sea Lamprey Control Program will continue to be a priority for GLRI to ensure that lake trout restoration accomplishments made through past GLRI investments are maintained and accelerated further. Technology development, testing, and field trials will be prioritized to address critical, continuing pathways for non-native species to enter the Great Lakes as well as battling invaders already established in the Great Lakes in habitats highly valued for the ecosystem benefits provided. In FY 2025, the goal is to control invasive species on 10,000 acres.

#### Nonpoint Source Pollution Impacts on Nearshore Health Objectives:

- Reduce nutrient loads from agricultural watersheds to reduce harmful algal blooms (HABs): GLRI federal agencies and their partners will continue to support direct farmer assistance and outreach to reduce nutrient losses in agricultural watersheds as well as continue to strategically target and design projects based on the latest science. EPA will do this by: (1) expanding outreach and demonstration farm networks to improve adoption of on-farm nutrient management practices; and (2) demonstrating practices that slow down and filter agricultural stormwater runoff, such as expanding buffers to waterways, widening floodplains on drainage ditches, and creating wetlands in receiving waterbodies. FY 2025 targets are:
  - Reduce 300,000 pounds of phosphorus from conservation practice implementation throughout Great Lakes watersheds; and
  - Provide technical or financial assistance on 150,000 acres in priority watersheds.
- Reduce untreated stormwater runoff to improve water quality: GLRI federal agencies and their partners will continue to encourage and accelerate implementation of projects to reduce or prevent stormwater runoff to protect nearshore water quality. EPA will continue to support green infrastructure practices to infiltrate stormwater runoff, with a focus on implementation in underserved communities. These projects will capture or slow the flow of untreated runoff and filter out sediment, nutrients, toxic contaminants, pathogens, and other pollutants from runoff before it enters Great Lakes tributaries, beaches, and nearshore waters. Federal agencies and their partners also will continue to support implementation of watershed management projects that slow and intercept runoff in urban and rural communities to prevent runoff and erosion, now and in future conditions with a changing climate. FY 2025 targets are:
  - Capture or treat 75 million gallons of untreated stormwater runoff captured or treated; and,
  - Restore or protect 13 miles of Great Lakes shoreline and riparian corridors restored or protected.

- Improve effectiveness of nonpoint source control efforts to reduce HABs: EPA and its federal partners will continue to adaptively manage to maximize nonpoint source control efforts. Strategies will include 1) testing or piloting new/innovative ways to achieve nutrient reductions, such as slow-release fertilizer and manure transformation technologies; 2) assessing the ability of wetlands to capture nutrients; and 3) monitoring nutrient levels in the major tributaries to the Great Lakes and nearshore areas experiencing algal blooms.

#### Habitats and Species Objectives:

- Protect, enhance, and increase resilience of habitats necessary for sustaining native aquatic and terrestrial species important to the future Great Lakes ecosystem: GLRI federal agencies and their partners will build upon past restoration efforts targeted at critical habitat types, increase access and use of project sites by residents, tribes, and underserved communities, and continue to generate lessons learned from projects so that climate adaptation options for future projects are identified upfront in the planning process. Projects will be largely based on the following priorities:
  - Watersheds predicted to retain cold-water habitat necessary for native fish populations.
  - Coastal habitats that support productive fisheries, recreational and cultural uses by communities, and protection of infrastructure against lake-level changes.
  - Forest ecosystems, subtypes, and associated communities of species that provide resiliency for insect and wildlife populations or enhance critical corridors for future movement of species in response to changing climate.

FY 2025 targets are:

- Restore, protect, or enhance 10,000 acres of coastal wetland, nearshore, and other habitats; and
  - 200 miles of connectivity between rivers, streams, and lakes providing passage for aquatic species.
- Increase resiliency and representation of native species under future climate conditions: EPA and its federal partners will continue to provide significant funding to agencies, entities, and Tribal Nations that manage, stock, and restore populations of native species and incorporate climate adaptation options into their restoration strategies. Reintroduction of species important to Tribal Nations will be planned and implemented to provide important food resources and cultural uses. GLRI agencies will continue restoring the native top predator (lake trout) and native prey fish species (*e.g.*, cisco, bloater, kiyi, and others), bringing back critical elements of the food web in Lake Ontario, Lake Huron, and additional locations in the Great Lakes. Coastal wetland habitats and reefs important to native fish and breeding marsh birds will be prioritized so projects provide increased resiliency and the habitat diversity needed for breeding, nursery, and feeding. A subset of federally threatened and endangered species will be identified for accelerated population recovery actions so that iconic species found here in the Great Lakes not only persist, but are restored to self-sustaining populations, and are downlisted in the future. In FY 2025, the target is to complete actions to significantly protect or promote recovery of populations of one species.

### Foundations for Future Restoration Actions Objectives:

- With a focus on underserved communities, (1) educate the next generations about the Great Lakes ecosystem; and (2) teach people the skills needed to enter the environmental restoration and protection workforce: EPA and its federal partners will continue to promote Great Lakes-based ecosystem education and stewardship for K-12 school students and community members (for example, courses at parks, nature centers, museums, zoos, and on-board vessels) while investing in youth in underserved communities. GLRI agencies and partners will continue to support activities centered on providing experience-based learning opportunities, with an emphasis on youth, and continue to develop Great Lakes literate educators using the essential principles and fundamental concepts included in the Great Lakes Literacy curriculum. These activities will support the overall goal of educating students and next generations to foster Great Lakes stewardship, promote conservation, and expose and prepare under-represented youth for higher education opportunities in natural resource management. With enhanced focus under Action Plan IV, GLRI agencies and their partners will implement workforce development programs to teach people in underserved communities the skills needed to enter the environmental restoration and protection workforce that supports GLRI projects.
- Conduct targeted science to inform and assess Great Lakes restoration: GLRI federal agencies and their partners will continue to support targeted science projects and implement programs that will help track progress towards GLRI long-term goals and inform future restoration actions. There will be a continued focus on priority issues such as HABs and coastal resiliency, but also new efforts such as ecosystem monitoring in winter. There also will be continued support for assessing the health of the Great Lakes through long-term monitoring programs and CSMI.

In addition, the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58) includes \$200 million for this program in FY 2025. In FY 2025, EPA is requesting appropriations language that will provide funding under this program as no-year funds.

### GLRI Funding Allocations:

EPA leads the cooperative process to determine funding allocations for programs and projects of the GLRI agencies. Under the CWA Section 118, EPA provides the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a yearly detailed description of the progress of the GLRI and amounts transferred to participating federal departments and agencies.

**Summary of FY 2018 - 2025 Allocations\* by Focus Area**  
(Dollars in Thousands)

| Focus Area  | FY 2018          | FY 2019          | FY 2020          | FY 2021          | FY 2022          | FY 2023          | FY 2024          | FY 2025    |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------|
| Toxic Substances and AOC                              | \$105,600        | \$107,400        | \$115,800        | \$118,500        | \$62,600         | \$95,200         | \$106,600        | TBD        |
| Invasive Species                                      | \$56,700         | \$57,000         | \$62,900         | \$66,000         | \$81,000         | \$69,200         | \$71,700         | TBD        |
| Nonpoint Source Pollution Impacts on Nearshore Health | \$50,600         | \$51,200         | \$51,000         | \$55,400         | \$83,800         | \$78,100         | \$76,300         | TBD        |
| Habitat and Species                                   | \$52,400         | \$51,400         | \$54,500         | \$56,200         | \$79,500         | \$77,600         | \$72,100         | TBD        |
| Foundations for Future Restoration Actions            | \$34,700         | \$33,000         | \$35,800         | \$33,900         | \$41,100         | \$47,900         | \$41,300         | TBD        |
| <b>TOTAL</b>  | <b>\$300,000</b> | <b>\$300,000</b> | <b>\$320,000</b> | <b>\$330,000</b> | <b>\$348,000</b> | <b>\$368,000</b> | <b>\$368,000</b> | <b>TBD</b> |

Allocations are based on budgets approved by Regional Working Group (RWG) agencies. The FY 2022 thru FY 2024 allocations reflect adjustments as a result of allocating BIL funding, principally to cleanup of AOCs. RWG agencies develop allocations for future funding, such as FY 2024 and FY 2025, based on the authorized GLRI funding level and will make adjustments upon appropriation.

**Summary of FY 2017 – 2025 Allocations\* by Agency**  
(Dollars in Thousands)

| Agency                  | FY 2017          | FY 2018          | FY 2019          | FY 2020          | FY 2021          | FY 2022          | FY 2023          | FY 2024    | FY 2025    |
|-------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------|------------|
| DHS-USCG                | \$1,580          | \$500            | \$1,661          | \$1,250          | \$1,300          | \$1,200          | \$1,300          | TBD        | TBD        |
| DOC-NOAA                | \$12,027         | \$24,629         | \$29,405         | \$28,163         | \$16,621         | \$30,361         | \$22,789         | TBD        | TBD        |
| DOD-USACE               | \$55,940         | \$43,559         | \$37,387         | \$30,599         | \$42,612         | \$29,067         | \$12,315         | TBD        | TBD        |
| DOI-BIA                 | \$10,904         | \$11,617         | \$9,842          | \$15,840         | \$15,765         | \$19,724         | \$21,244         | TBD        | TBD        |
| DOI-NPS                 | \$4,379          | \$3,940          | \$3,822          | \$3,794          | \$4,968          | \$7,816          | \$7,614          | TBD        | TBD        |
| DOI-USFWS               | \$41,794         | \$52,902         | \$47,272         | \$53,523         | \$59,288         | \$86,082         | \$79,327         | TBD        | TBD        |
| DOI-USGS                | \$26,817         | \$25,724         | \$21,603         | \$19,780         | \$19,790         | \$24,980         | \$22,875         | TBD        | TBD        |
| DOT-MARAD               | \$800            | \$675            | \$803            | \$5,500          | \$8,000          | \$6,500          | \$2,100          | TBD        | TBD        |
| HHS-ATSDR/CDC           | \$593            | \$590            | \$0              | \$0              | \$0              | \$0              | \$0              | TBD        | TBD        |
| USDA-APHIS              | \$1,262          | \$1,176          | \$1,312          | \$1,378          | \$1,459          | \$1,832          | \$2,138          | TBD        | TBD        |
| USDA-NRCS               | \$22,072         | \$25,096         | \$20,697         | \$22,239         | \$24,374         | \$31,824         | \$33,091         | TBD        | TBD        |
| USDA-USFS               | \$11,355         | \$10,153         | \$11,646         | \$9,921          | \$12,464         | \$12,958         | \$14,148         | TBD        | TBD        |
| <b>IA Totals:</b>       | <b>\$189,522</b> | <b>\$200,560</b> | <b>\$185,448</b> | <b>\$191,988</b> | <b>\$206,641</b> | <b>\$252,343</b> | <b>\$218,941</b> | <b>TBD</b> | <b>TBD</b> |
| <b>EPA and Misc IAs</b> | <b>\$110,478</b> | <b>\$99,440</b>  | <b>\$114,552</b> | <b>\$128,012</b> | <b>\$123,359</b> | <b>\$95,657</b>  | <b>\$149,058</b> | <b>TBD</b> | <b>TBD</b> |
| <b>Totals:</b>          | <b>\$300,000</b> | <b>\$300,000</b> | <b>\$300,000</b> | <b>\$320,000</b> | <b>\$330,000</b> | <b>\$348,000</b> | <b>\$368,000</b> | <b>TBD</b> | <b>TBD</b> |

Allocations are based on budgets approved by Regional Working Group (RWG) agencies. The FY 2022 and FY 2023 allocations reflect adjustments as a result of allocating BIL funding, principally to cleanup of AOCs. RWG agencies develop allocations for future funding, such as FY 2024 and FY 2025, based on the authorized GLRI funding level and will make adjustments upon appropriation.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.



**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Clean Water Act Section 118.

## **Homeland Security**

**Homeland Security: Communication and Information**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$4,592</i></b>            | <b><i>\$4,692</i></b>                | <b><i>\$6,119</i></b>                     | <b><i>\$1,427</i></b>  |
| Total Budget Authority                                | \$4,592                          | \$4,692                              | \$6,119                                   | \$1,427  |
| Total Workyears                                       | 11.8                             | 13.3                                 | 15.3                                      | 2.0  |

**Program Project Description:**

There has been an evolution of the term and mission of national and homeland security since 9/11. National security is now widely understood to include non-military dimensions, such as climate and environmental security, economic security, energy security, and cybersecurity, as well as traditional homeland security topics. Due to this, the homeland security roles and responsibilities of the EPA have expanded and several areas (e.g., climate, natural disasters) now involve engagement from the broader national security community. Systematic preparation is essential for the threats that pose the greatest risk to the security of the Nation, including acts of terrorism, climate change, pandemics, catastrophic natural disasters, cyber-attacks, and other national security emergencies. The White House, Congress, and the Department of Homeland Security (DHS) have defined responsibilities for EPA in several areas, including critical water infrastructure protection and response to chemical, biological, radiological, and nuclear events, through a series of statutes, presidential directives, and national plans.

In addition, EPA supports disaster recovery and mitigation and this essential work has been steadily expanding to include climate change and climate security work identified in recent Executive Orders. EPA’s Mitigation and Recovery Order 2074 reaffirms our role using EPA programs and resources and directs Regions to assign coordinators to support the agency-wide efforts with mitigation and recovery. EPA’s critical mitigation work prepares communities to prevent or reduce impacts when natural (e.g., climate change) or human-made disaster (e.g., dirty bomb, anthrax) occurs. Regions work with federal, state, territorial, tribal, and local communities to provide technical assistance to reduce loss of life and environmental impact per the *National Mitigation Framework* and the *National Investment Mitigation Strategy*. Climate change will continue to increase the frequency, extent, and severity of natural disasters.

As our response roles are executed and the event continuum transfers to recovery, EPA then focuses on how best to restore, redevelop, and revitalize the health, social fabric, economy, and environment of the community using the six Recovery Support Functions of the National Disaster Recovery Framework.

EPA's Homeland Security: Communication and Information Program has two components. The Office of Homeland Security (OHS) supports the Agency's coordination and communication activities related to national security and homeland security. The Office of Mission Support, which manages the Agency's Enterprise Security Operations Center (SOC), is responsible for the centralized, integrated, and coordinated cybersecurity prevention, detection, response, and supporting recovery capability for EPA networks.

OHS provides technical, policy, and intelligence advice to senior agency leadership related to national and homeland security. OHS coordinates the Agency's intelligence activities, including EPA's engagement with the White House, National Security Council (NSC), and other federal departments and agencies on the development of new national and homeland security policies and requirements. OHS also ensures that the NSC and other lead federal entities understand the impacts of new national security initiatives and policies on existing EPA programs. OHS maintains intelligence operations and analyses capabilities focusing on EPA's equities, including the protection of critical infrastructure, specifically the water sector, climate change and security issues, and biodefense and global health security issues. OHS serves as the Federal Intelligence Coordinating Office (FICO) for EPA and coordinates with the Intelligence Community (IC) in support of policy development and consequence management efforts. OHS also focuses on coordination and integration of chemical, biological, and radiological preparedness and response programs. More specifically, OHS focuses on the protection of air and water quality and the prevention of land contamination, through external engagement with federal departments and agencies and internal coordination with EPA program offices with homeland security responsibilities. OHS also has developed a Classified Information Management Program to ensure effective classified communications with all 10 EPA Regions in the event of a national security emergency or incident. OHS coordinates with regional, state, and local Fusion Centers and Joint Terrorism Task Forces to focus on integrating EPA regional offices with the information sharing environment and DHS' intelligence sharing network. OHS also advances implementation of the National Counterintelligence and Security Center's Enterprise Threat Mitigation Framework via the following programs: EPA Insider Threat, Safeguarding Science/Research Security, National Operations Security (OPSEC), and Defensive Counterintelligence. OHS also manages the program that supports the Department of Treasury with the Committee on Foreign Investment in the United States (CFIUS) and Foreign Visitors to EPA.

In addition, OHS works closely with EPA's Water Program to coordinate and integrate water security efforts internally and externally with stakeholders regarding physical threats and contamination and cyber threats to operations. EPA serves as the Sector Risk Management Agency (SRMA) for the water sector. The *Annual Threat Assessment of the U.S. Intelligence Community (IC)* (February 2023)<sup>162</sup> indicated that cyber threats from nation states and non-nation states remain an acute growing problem threatening U.S. critical infrastructure. Cyberattacks across critical infrastructure sectors are rapidly increasing in volume and sophistication, impacting both information technology (IT) and operational technology (OT) systems in the water sector.

EPA's Enterprise SOC provides a centralized, integrated, and coordinated cybersecurity incident response capability that defends against unauthorized activity within computer networks, by

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<sup>162</sup> Please see the following for more information: [https://www.dhs.gov/sites/default/files/publications/2020\\_10\\_06\\_homeland-threat-assessment.pdf](https://www.dhs.gov/sites/default/files/publications/2020_10_06_homeland-threat-assessment.pdf) and <https://www.dni.gov/files/ODNI/documents/assessments/ATA-2023-Unclassified-Report.pdf>.

preventing, detecting, monitoring, analyzing, and responding to suspicious or malicious activity through its Computer Security Incident Response Capability (CSIRC). The SOC and CSIRC also provide situational and threat awareness, cyber network defense infrastructure, cybersecurity tool engineering and support, vulnerability and risk assessments, and threat intelligence processing and threat hunting capabilities. The SOC leverages an enterprise security information and event manager, enterprise logging, endpoint detection and response, and other capabilities to perform its mission, as well as maintain communications with DHS' Liaison Officers to respond to alerts that have potential national security impact.

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

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*. With the resources requested in FY 2025, this program will:

- Continue to promote a coordinated approach to EPA's homeland security activities and support the alignment of resources with government-wide national and homeland security priorities and requirements as defined by the NSC and the IC, including climate security, cybersecurity, and biodefense.
- Continue to build on and develop the Agency's cybersecurity intelligence capabilities to provide a level of support that would enable EPA to better prepare for and respond timely to specific threats, mitigate attacks, assess evolving water sector cyber intelligence requirements, and assist in developing proposals to prevent/mitigate cyber incidents. By further building these capabilities, the Agency will be able to increase research, analyses, and engagement with the water and wastewater sector and partner agencies who deal with cybersecurity (*i.e.*, DHS' Cybersecurity and Infrastructure Security Agency (CISA)) and help EPA fulfill the requirements in Section 9002 of the FY 2021 National Defense Authorization Act. All indicators suggest cybersecurity threats and requirements, particularly those associated with the critical infrastructure sector, will only increase in number, complexity, and potential consequences for the foreseeable future.
- OHS and EPA's Water Program will continue to develop an integrated strategy to work together more effectively to coordinate water and wastewater sector-wide cybersecurity threat information and intelligence sharing efforts. Specific examples of OHS' roles/responsibilities in this area include:
  - Engaging with the Water Sector Coordinating Council and the Water Information Sharing and Analysis Center (ISAC) to more closely work with CISA and the intelligence and law enforcement communities to facilitate the identification of

- intelligence requirements and priorities of critical infrastructure owners and operators, in the water and wastewater sector, in coordination with the Director of National Intelligence and the heads of other Federal departments and agencies, as appropriate;
- Supporting risk assessment and risk management efforts by EPA in conjunction with CISA; and
  - Working with CISA to provide and facilitate awareness, within the water and wastewater sector, of ongoing, and where possible, real-time awareness of identified threats, vulnerabilities, mitigations, and other actions related to the security of the water and wastewater sector.
- Continue to develop new collaborative practices and methods, with Intelligence Community agencies, to meet the cybersecurity needs of the water and wastewater sector, along with other critical sectors, to address increasingly sophisticated and complex threat actor tactics and techniques. EPA has coordinated with NSC, CISA, Federal Bureau of Investigation (FBI), and water sector entities, on several occasions, regarding cyber-attacks on the water sector's IT and OT systems, which has resulted in a renewed emphasis on notification and communication efforts with the water utilities.
  - Continue to develop new collaborative practices and methods with Intelligence Community agencies and the National Security Council to meet the requirement in Executive Order (EO) 14008, *Tackling the Climate Crisis at Home and Abroad*,<sup>163</sup> “to place the climate crisis at the forefront of this Nation’s foreign policy and national security planning,” and to address emerging domestic and global biological risks, including pandemics and national bio-preparedness policies.
  - Provide more comprehensive support to the expanding collaborations with Department of Energy (DOE), CISA, and other programs on cyber threat response.
  - Promote a coordinated approach to communicating classified and sensitive information to EPA programs, laboratories, and regional offices via secure communications systems to support timely intelligence and information sharing to enable safe and effective operational preparedness and response.
  - Continue to develop a program, working with the Office of Policy, to support the regional Disaster Recovery Coordinators, increasing national disaster mitigation and recovery capacity and climate resilience. OHS also will support regional Mitigation Coordinators to increase mitigation planning and advance policy to increase resilience in support of Executive Order 14008, “*Tackling the Climate Crisis at Home and Abroad*.”
  - 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.

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<sup>163</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

- Provide technical, policy, and intelligence advice to senior agency leadership related to biodefense and pandemic preparedness. For the Agency, track the targets and outcomes of the National Biodefense Strategy (NBS) and its Implementation Plan. Serving as the EPA Federal Intelligence Coordination Office, coordinate analytical intelligence support capacity across the Agency to meet EPA’s NBS requirements and whole-of-government biological response obligations. Enhance focus on coordination and integration of biological preparedness and response programs as they relate to protection of human health and the environment through external engagement with federal departments and agencies and internal coordination with EPA program offices.
- 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 and national security, national disaster response, and mitigation and recovery policy in monthly meetings of the Homeland Preparedness and Response Interagency Policy Committee (IPC), the Homeland Critical Infrastructure Resilience IPC, chaired by the NSC, and in weekly NSC Cyber Response Group meetings and other national security policy committees, including the Recovery IPC, Artificial Intelligence IPC, and the Cyber IPC. In addition, OHS serves as EPA’s representative in monthly meetings of the Recovery Support Function Leaders Group, chaired by the Federal Emergency Management Agency (FEMA), and the Mitigation Framework Leadership Group, also chaired by FEMA, and on other interagency workgroups.
- Expand Agency secure video telecommunications (SVTC) capabilities, in support of agency representation in various White House and other federal national security and homeland security policy activities.
- 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, including emerging chemical threats and cybersecurity concerns for critical water infrastructure.
- 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 EO 13587, *Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information*<sup>164</sup> to meet the main pillars of classified information protection with a focus on the implementation of an Insider Threat Program to address and mitigate threats to national security.

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<sup>164</sup> For more information, please see: <https://obamawhitehouse.archives.gov/the-press-office/2011/10/07/executive-order-13587-structural-reforms-improve-security-classified-net>.

- Track emerging national and 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.
- Phase in National Security Presidential Memorandum 28 (NSPM-28) to support OPSEC for the Agency.
- Support the coordination and communication requirements of NSPM-32 to share information on critical incidents in a timely and effective manner.
- Phase in NSPM-33 to support other offices' work in Safeguarding Science/Research Security for the Agency.

In FY 2025, EPA also will continue to support EO 14028, *Improving the Nation's Cybersecurity*,<sup>165</sup> implementation through monitoring across the Agency's IT infrastructure to detect, remediate, and eradicate malicious activity/software from EPA's computer and data networks. Specific activities include:

- Continue to mature and enhance internal Computer Security Incident Response Capability to ensure rapid identification and reporting of suspicious activity through increased training and awareness of cybersecurity threats. Training opportunities (e.g., Annual Training, Quarterly Phishing exercises, and Cybersecurity Awareness Month Activities) are provided to individual users to identify the most recent cybersecurity threats along with Quarterly Incident Response tabletop exercises to develop agency staff proficiency in responding to cyber security incidents.
- Improve threat intelligence sharing. EPA personnel are active participants in the United States Computer Emergency Readiness Team, 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. This provides the ability to integrate actionable intelligence with deployed systems to improve cybersecurity defensive capabilities.
- Continue maturation and refinement of the Agency's Incident Response procedures in compliance with EO 14028 and CISA's Playbook for Responding to Cybersecurity Vulnerabilities and Incidents.
- In compliance with OMB Memorandum M-22-01, *Improving Detection of Cybersecurity Vulnerabilities and Incidents on Federal Government Systems through Endpoint Detection and Response*,<sup>166</sup> EPA will continue work to integrate End Point Detection and Response (EDR) capabilities with the Continuous Diagnostics and Mitigation Program to support proactive detection of cybersecurity incidents within the EPA information environment, supporting active cyber threat hunting, containment, remediation, and incident response.

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<sup>165</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/>.

<sup>166</sup> For more information, please see: <https://www.whitehouse.gov/wp-content/uploads/2021/10/M-22-01.pdf>.



This work includes extensive coordination with CISA and deployment of capabilities across the Agency.

- Mature the security logging capabilities, as outlined in OMB Memorandum M-21-31, *Improving the Federal Government's Investigative and Remediation Capabilities Related to Cybersecurity Incidents*.<sup>167</sup> This activity will build on implementation of Event Logging Level 3 for Advanced Logging requirements at all criticality levels. It will focus on fully implementing Security Orchestration, Automation, and Response tools to streamline threat and vulnerability management, incident response, and security operations automation, as well as User Behavior Monitoring analytics to enable early detection of malicious behavior.
- In compliance with OMB Memorandum M-22-09,<sup>168</sup> *Moving the U.S. Government Toward Zero Trust Cybersecurity Principles*, the SOC will support implementation of a Zero Trust Architecture across the Agency to enable increased visibility and use of analytics to help strengthen Information Security and Privacy governance.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,007.0 / +1.0 FTE) This program change increases resources and FTE for implementing the EPA Climate Adaptation Action Plan, supporting the increased resilience of EPA programs, and strengthening the capacity of states, communities, and businesses to adapt to climate change, with a particular focus on enhancing environmental justice. This includes \$213.0 thousand in payroll costs.
- (+\$446.0 / +1.0 FTE) This program change increases resources and FTE for enhancing homeland security coordination and communication efforts across the Agency. This includes \$213.0 thousand in payroll costs.
- (+\$25.0) This program change provides an increase in resources for the Agency to share emerging bio-surveillance threat information and intelligence within the Agency, track and coordinate environmental countermeasures development for National Biodefense Strategy (NBS) quarterly reporting, and perform bio-surveillance integration with the interagency.
- (-\$51.0) This program change reflects efficiencies realized from streamlining homeland security IT efforts across the Agency.

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<sup>167</sup> For more information, please see: <https://www.whitehouse.gov/wp-content/uploads/2021/08/M-21-31-Improving-the-Federal-Governments-Investigative-and-Remediation-Capabilities-Related-to-Cybersecurity-Incidents.pdf>.

<sup>168</sup> For additional information, please see: <https://www.whitehouse.gov/wp-content/uploads/2022/01/M-22-09.pdf>.

**Statutory Authority:**

Resource Conservation and Recovery Act, §§ 1001, 2001, 3001, 3005; Safe Drinking Water Act; Clean Water Act, §§ 101, 102, 103, 104, 105, 107; Clean Air Act, §§ 102, 103, 104, 108; Toxic Substances Control Act, §§ 201, 301, 401; Federal Insecticide, Fungicide, and Rodenticide Act, §§ 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; and Food Safety Modernization Act, § 208.

**Homeland Security: Critical Infrastructure Protection**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$249</i></b>              | <b><i>\$923</i></b>                  | <b><i>\$1,025</i></b>                     | <b><i>\$102</i></b>  |
| Science & Technology                                  | \$12,249                         | \$10,852                             | \$34,351                                  | \$23,499   |
| Total Budget Authority                                | \$12,498                         | \$11,775                             | \$35,376                                  | \$23,601   |
| Total Workyears                                       | 26.2                             | 26.6                                 | 57.6                                      | 31.0   |

**Program Project Description:**

The Critical Infrastructure Protection (CIP) 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. This program provides water systems with current information on methods and strategies to build preparedness for natural and man-made threats.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

This program also supports the Agency’s Infrastructure Investment and Jobs Act (IIJA) implementation priorities including preparing for and responding to cybersecurity challenges so that water systems are more resilient.

In FY 2025, EPA will build capacity, at water systems, 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;
- Encouraging 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, with access to a comprehensive range of important materials, including the most current information, tools, training, and protocols designed to enhance the security (including cybersecurity), preparedness, and resiliency of the water sector (including addressing natural hazards and climate change); and
- Ensuring that water utilities receive timely and informative alerts about changes in the homeland security advisory level and 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, will alert utilities of the increasing occurrence of or trends in these incidents.

Providing this information, coupled with effective information sharing processes, allows the water sector to improve its understanding of the latest water security and resiliency protocols and threats. These protocols reduce risk by enhancing the water sector's ability to prepare for an emergency.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance and performance results in the Drinking Water Programs, under the EPM appropriation, to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$34.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$68.0) This program change provides increased resources to promote the protection of critical water infrastructure.

**Statutory Authority:**

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

**Homeland Security: Protection of EPA Personnel and Infrastructure**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$6,059</i></b>            | <b><i>\$5,188</i></b>                | <b><i>\$5,158</i></b>                     | <b><i>-\$30</i></b>  |
| Science & Technology                                  | \$625                            | \$625                                | \$501                                     | -\$124   |
| Building and Facilities                               | \$3,944                          | \$6,676                              | \$6,676                                   | \$0  |
| Hazardous Substance Superfund                         | \$1,167                          | \$1,029                              | \$1,530                                   | \$501  |
| Total Budget Authority                                | \$11,795                         | \$13,518                             | \$13,865                                  | \$347  |
| Total Workyears                                       | 12.3                             | 13.3                                 | 13.3                                      | 0.0  |

Total workyears in FY 2025 include 13.3 FTE to support Homeland Security Working Capital Fund (WCF) services.

**Program Project Description:**

Environmental Programs and Management resources for the Homeland Security: Protection of EPA Personnel and Infrastructure Program supports EPA efforts to maintain a robust physical security and preparedness infrastructure, ensuring that its 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 USAccess Personal Identity Verification (PIV) program, which adheres to the requirements as set forth in *Homeland Security Presidential Directive-12* (HSPD-12).<sup>169</sup> 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’s National Security Information (NSI) program manages and safeguards EPA’s classified information for its federal workforce and contractors, including conducting mandatory training and NSI inspections at EPA’s accredited facilities. In addition to the NSI program, EPA operates a Personnel Security Program that initiates and adjudicates personnel background investigations, processes fingerprint checks, determines individual eligibility to access classified NSI, and maintains personnel security records for all federal and non-federal employees.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

<sup>169</sup> For additional information, please see: <https://www.dhs.gov/homeland-security-presidential-directive-12>.

As part of the nationwide protection of buildings and critical infrastructure, EPA performs physical security vulnerability assessments on its facilities each year. Through this program, the Agency also recommends security risk mitigations, reviews and manages access control measures, determines physical security measures for new construction and leases, and manages the lifecycle of security equipment.

In FY 2025, EPA will continue to partner with GSA on implementing Enterprise Physical Access Control Systems (ePACS). ePACS modernizes EPA's security infrastructure in compliance with HSPD-12<sup>1</sup> and ensures that the Agency is enhancing safety, security, and efficiency with more effective controlled access to EPA physical space and networks.

In FY 2025, EPA will complete security projects to ensure protection of occupants and compliance with federal mandates and ISC standards, including:

- Migrating to ePACS at the Research Triangle Park, NC Laboratory, Gulf Breeze, FL Laboratory, the Newport, OR Environmental Laboratory, the Washington, DC EPA Headquarters facilities, the Edison, NJ Region 2 Laboratory, and the New York City, NY Region 2 Headquarters.
- Upgrading closed-circuit television and physical security in response to vulnerabilities identified in physical security assessments.

The Agency will continue to utilize GSA's Managed Service Office program, USAccess, for Personal Identity Verification card enrollment and issuance. USAccess is a GSA managed, shared services solution that provides EPA the ability to produce and maintain secure and reliable forms of identification for all EPA employees and contractors as required per HSPD-12.

The Agency will continue to prioritize implementation of Trusted Workforce 2.0<sup>170</sup> (TW 2.0). TW 2.0 is a whole-of-government background investigation reform effort overhauling the personnel vetting process by creating one government-wide system that allows reciprocity across organizations. This effort includes moving from periodic reinvestigations every five to ten years towards a Continuous Vetting program, which protects the trusted workforce in real time. Additionally, the Agency will expand continuous vetting enrollment to include Non-Sensitive Public Trust (NSPT) personnel and report on performance metrics mandated in the *Performance Management Implementation Guidance*, jointly issued by OPM and the Director of National Intelligence in 2023.

In FY 2025, pursuant to the June 2023 Trusted Workforce Implementation Strategy, issued by the Security, Suitability, and Credentialing Performance Accountability Council, EPA will complete projects that support the transition to TW 2.0, including: enrollment of EPA personnel into the continuous evaluation program managed by the Defense Counterintelligence and Security Agency and integration of EPA processes with National Background Investigation Services (NBIS),<sup>171</sup> continuing to implement a new personnel vetting IT system for the background investigation process to deliver stronger security, faster processing, and better information sharing.

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<sup>170</sup> For additional information, please see: <https://www.performance.gov/trusted-workforce/>.

<sup>171</sup> For additional information, please see: <https://www.dcsa.mil/is/nbis/>.

EPA complies with 5 *CFR 1400*,<sup>172</sup> which requires that federal and non-federal positions are 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 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$30.0) This net change reflects cost efficiencies associated with the continued adoption of the Enterprise Physical Access Control System (ePACS) shared service across EPA facilities.

**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).

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<sup>172</sup> For additional information, please see: <https://www.ecfr.gov/current/title-5/chapter-IV/part-1400>.

## **Indoor Air and Radiation**



**Indoor Air: Radon Program**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$2,844</b>                   | <b>\$3,364</b>                       | <b>\$5,147</b>                            | <b>\$1,783</b>   |
| Science & Technology                                  | \$70                             | \$199                                | \$173                                     | -\$26  |
| Total Budget Authority                                | \$2,914                          | \$3,563                              | \$5,320                                   | \$1,757  |
| Total Workyears                                       | 8.0                              | 9.0                                  | 12.4                                      | 3.4  |

**Program Project Description:**

Title III of the Toxic Substances Control Act (TSCA) authorizes EPA to take a variety of actions 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 to states, industry, and the public, advises the public of steps they can take to reduce exposure, and promotes the availability of reliable radon services and service providers to the public.

Radon is the second leading cause of lung cancer in the United States – and the leading cause of lung cancer mortality among non-smokers – accounting for about 21,000 deaths per year.<sup>173</sup> EPA’s non-regulatory Indoor Air: Radon Program promotes actions to reduce the public’s health risk from indoor radon. EPA and the Surgeon General recommend that all homes be tested for radon and if radon levels above EPA’s guidelines are confirmed, elevated levels should be reduced by home mitigation using proven, straightforward techniques. EPA also recommends that new homes be built using radon-resistant features in areas where there is elevated radon. Nationally, risks from radon have been reduced in millions of homes, but there are millions more that are still in need of mitigation. Additionally, low-income families and tribal communities lack access to resources to address radon. This voluntary program promotes partnerships among national organizations, the private sector, and more than 50 state, local, tribal, and territory governmental programs to reduce radon risk.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

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<sup>173</sup> <https://www.epa.gov/radon>.

EPA will continue to lead the federal government’s response to radon and to implement the Agency’s own multi-pronged radon program. Work in this program supports the President’s priority of advancing environmental justice (EJ). EPA will drive action at the national level to reduce radon risk in homes and schools through the National Radon Action Plan, partnerships with the private sector and public health groups, technical assistance to states and industry, public outreach, and education activities. The Agency will encourage radon risk reduction as a normal part of doing business in the real estate marketplace, will promote local and state adoption of radon prevention standards in building codes, and will participate in the development of national voluntary standards (e.g., mitigation and construction protocols) for adoption by states and the radon industry. EPA will continue to support the framework that ensures a quality, credentialed radon workforce.

**Performance Measure Targets:**

**(PM LCD) Number of lung cancer deaths prevented through lower radon exposure.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| <b>Target</b> |         |         |         |         | 1,881   | 1,981   | 2,083   | 2,162   | Deaths Prevented |
| <b>Actual</b> | 1,482   | 1,578   | 1,684   | 1,795   | 1,894   | 1,970   |         |         |                  |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$6.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,777.0 / +3.4 FTE) This increase in resources supports efforts to restore EPA's staff expertise, analysis, and capacity in the indoor air radon program in order to better lead the federal government’s response to radon and to implement the Agency’s own multi-pronged radon program. This investment includes \$684.0 thousand for payroll.

**Statutory Authority:**

Title III of the Toxic Substances Control Act (TSCA); Title IV of the Superfund Amendments and Reauthorization Act (SARA); Clean Air Act.

**Radiation: Protection**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$8,390</b>                   | <b>\$9,088</b>                       | <b>\$11,748</b>                           | <b>\$2,660</b>   |
| Science & Technology                                  | \$2,321                          | \$1,683                              | \$2,416                                   | \$733  |
| Hazardous Substance Superfund                         | \$2,081                          | \$2,472                              | \$3,144                                   | \$672  |
| Total Budget Authority                                | \$12,792                         | \$13,243                             | \$17,308                                  | \$4,065  |
| Total Workyears                                       | 57.3                             | 54.8                                 | 67.2                                      | 12.4   |

**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. 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 for the Department of Energy’s (DOE) Waste Isolation Pilot Plant (WIPP); the regulation of airborne radioactive emissions; general disposal standards for nuclear waste repositories; and the development and determination of appropriate methods to measure and to model radioactive releases and exposures under Section 112 of the Clean Air Act (CAA).<sup>174</sup> The Radiation Protection Program also supports EPA, state, local and tribal authorities by providing radiation protection scientific analyses and recommendations needed to inform risk management policies, and the necessary radiation risk communications expertise to support local community engagement on issues related to legacy contamination and environmental justice (EJ) needs.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will meet its statutory obligation to implement its regulatory oversight responsibilities for DOE activities at the WIPP facility, as mandated by Congress in the WIPP Land Withdrawal Act of 1992. In FY 2025, EPA anticipates concluding a detailed review of an initial DOE request for expanding the WIPP repository to address needs for more waste disposal area, permitting disposal of previously identified transuranic waste as well as more recently identified needs for disposal of surplus plutonium. EPA will engage with stakeholders and community groups as part of the WIPP review and will review and implement regulations or guidance, as necessary.

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<sup>174</sup> For more information on EPA’s radiation protection program: <http://www.epa.gov/radiation>.

Building on related efforts from FY 2023-24, EPA anticipates increased regulatory activity related to the Clean Air Act and Atomic Energy Act. A key area for ongoing work is related to the management of phosphogypsum wastes, including both requests for approval of alternate uses and rulemaking. The increased interest in advanced nuclear reactors is expected to affect EPA's regulatory programs and require reconsideration of rules related to nuclear power operations, uranium recovery, and radioactive waste disposal.

The Agency will provide technical and policy analysis supporting scientific goals for space exploration. EPA serves on the Interagency Nuclear Safety Review Board with the National Aeronautics and Space Agency (NASA) and the Department of Defense (DOD) to provide launch safety analysis.<sup>175</sup>

EPA scientists will participate, as appropriate, in interagency working groups to examine issues of low-dose radiation health impacts and identify any needed changes to existing technical and policy guidance. EPA radiation risk communicators will provide radiation-related website and communications product content that is clear and accessible to the general public, including those with limited English proficiency.

#### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$90.0 / +0.5 FTE) This program change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements.
- (+\$2,570.0 / +7.3 FTE) This program change is an increase that supports efforts to restore EPA's staff expertise, analysis, and capacity in the radiation protection program to provide radiation protection scientific analyses and recommendations needed to inform risk management policies. It also supports the necessary radiation risk communications expertise for local community engagement on issues related to legacy contamination and environmental justice needs. This investment includes \$1.4 million for payroll and additional fixed support costs.

#### **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.

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<sup>175</sup> For more information, please see: [https://sma.nasa.gov/docs/default-source/sma-disciplines-and-programs/nuclear/insrb-charter---508d.pdf?sfvrsn=7862c7f8\\_2](https://sma.nasa.gov/docs/default-source/sma-disciplines-and-programs/nuclear/insrb-charter---508d.pdf?sfvrsn=7862c7f8_2).

**Radiation: Response Preparedness**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$2,111</i></b>            | <b><i>\$2,650</i></b>                | <b><i>\$3,185</i></b>                     | <b><i>\$535</i></b>  |
| Science & Technology                                  | \$3,200                          | \$3,596                              | \$4,802                                   | \$1,206  |
| Total Budget Authority                                | \$5,311                          | \$6,246                              | \$7,987                                   | \$1,741  |
| Total Workyears                                       | 29.6                             | 33.3                                 | 41.4                                      | 8.1  |

**Program Project Description:**

EPA responds to radiological emergencies; conducts essential national and regional radiological response planning and training; and develops response plans for radiological incidents or accidents. EPA will continue to conduct assessment and preparedness for response to incidents involving foreign and domestic nuclear technology used in space nuclear systems and advanced reactor technologies. 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 Department of Homeland Security/Federal Emergency Management Agency Federal Radiological Preparedness Coordinating Committee (FRPCC), the Interagency Nuclear Safety Review Board, and leads the Federal Advisory Team for Environment, Food and Health (the “A-Team”). The A-Team includes radiation protection experts from EPA, the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration (FDA), and the Department of Agriculture (USDA); and their function is to advise federal, state, local, and tribal authorities during radiological/nuclear emergencies on public safety issues including evacuation, sheltering, and contamination concerns for food, drinking water and other resources.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to streamline activities and fill gaps in the expertise that is critical for essential preparedness work, restoring critical capacity to meet EPA’s core mission. The RERT will maintain essential readiness to support federal radiological emergency response and recovery operations under the NRF and NCP. EPA will participate in interagency training and exercises to maintain readiness levels needed to fulfill EPA’s responsibilities.

### Evaluation of Response Plans

In FY 2025, EPA will continue to work with interagency partners, including those under the FRPCC as well as those at the state, local, and tribal levels to examine and, as needed, revise radiation emergency response plans, protocols, and standards. Under the NRF, EPA serves various roles during nuclear incidents, for example, as a supporting agency for incidents in the United States and as a coordinator for communicating with the U.S. public during foreign nuclear incidents, such as the Fukushima accident. In FY 2025, EPA will maintain staff readiness and training needed to meet the Agency’s mission during such incidents. EPA will review and revise preparedness guidance to ensure that the Agency’s response efforts address the needs of the public, with special emphasis on the most vulnerable.

EPA will support the U.S. Government assessment of foreign and domestic nuclear technology used in space nuclear systems and advanced reactor technologies. Building on efforts in FY 2024, EPA will continue work on the safety evaluations of the Defense Advanced Research Projects Agency’s (DARPA) Demonstration Rocket for Agile Cislunar Operations (DRACO) mission and the National Aeronautics and Space Administration’s Dragonfly mission for potential impacts to human health and the environment from these space nuclear systems. EPA will continue radiological contingency planning and preparedness for DRACO and Dragonfly mission launches.

### Coordinating Preparedness Efforts

EPA will continue essential planning and will participate in interagency tabletop and field exercises, including radiological accident and incident response and anti-terrorism activities with the Advisory Team for Environment, Food, and Health, the Nuclear Regulatory Commission, the Department of Energy (DOE), the Department of Defense, the Department of State, and the Department of Homeland Security (DHS). The Agency also will provide technical support on priority issues to federal, state, local, and tribal radiation, emergency management, solid waste, and health programs responsible for implementing radiological emergency response and preparedness programs. The Agency will continue to train and advise on the Protective Action Guidance<sup>176</sup> and use lessons learned from incidents and exercises to ensure the effective delivery of EPA support in coordination with other federal, state, local, and tribal authorities.

### **Performance Measure Targets:**

**(PM RAD2) Percentage of radiation emergency response program personnel and assets that meet functional readiness requirements necessary to support federal radiological emergency response and recovery operation.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         | 90      | 92      | 92      | 92      | Percent |
| Actual |         |         |         | 92      | 87.7    | 87.1    |         |         |         |

<sup>176</sup> For additional information, please see: [https://www.epa.gov/sites/production/files/2017-01/documents/epa\\_pag\\_manual\\_final\\_revisions\\_01-11-2017\\_cover\\_disclaimer\\_8.pdf](https://www.epa.gov/sites/production/files/2017-01/documents/epa_pag_manual_final_revisions_01-11-2017_cover_disclaimer_8.pdf).

**FY 2025 Change from 2024 Annualized CR (Dollars in Thousands):**

- (+\$535.0 / +3.1 FTE) This program change is an increase that supports efforts to restore EPA's staff expertise, analysis, and capacity in the radiation response program in order to examine and, as needed, revise radiation emergency response plans, protocols, and standards and continue essential planning for preparedness efforts. This investment includes payroll and additional changes to fixed support costs.

**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: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$13,281</i></b>           | <b><i>\$13,593</i></b>               | <b><i>\$47,570</i></b>                    | <b><i>\$33,977</i></b>   |
| Science & Technology                                  | \$27                             | \$278                                | \$185                                     | -\$93  |
| Total Budget Authority                                | \$13,309                         | \$13,871                             | \$47,755                                  | \$33,884   |
| Total Workyears                                       | 35.3                             | 39.2                                 | 71.4                                      | 32.2   |

### **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. Poor indoor air quality represents one of the most significant public health risks within EPA's responsibility.<sup>177</sup> EPA uses a range of strategies to reduce health risks from poor indoor air quality in homes, schools, and other buildings through partnerships with non-governmental, professional, federal, state, and local organizations. Through these partnerships EPA provides information, guidance, and technical assistance that equips industry, the health care community, the residential, school, and commercial building sectors, and the general public to take action. As technical experts working at the intersection of the built environment and health, EPA is focused on policy and guidance to improve building conditions, including for disproportionately impacted communities, to reduce indoor air risk and achieve improvements in environmental and health outcomes.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will promote actions and interventions to make improvements in public health including efforts targeted to children, underserved communities, and other vulnerable populations. The Program will include a particular focus on opportunities to accelerate the adoption of best indoor air quality practices including ventilation, filtration, and air cleaning to help suppress the transmission of airborne infectious disease and indoor exposure to wildfire smoke. EPA will continue to lead on these issues by providing technical assistance and guidance for residential, commercial, and public buildings, emphasizing that building improvements will be beneficial to not only pandemic preparedness, climate change and disaster resilience, but also improved public health in the long-term.

<sup>177</sup> For additional information, please visit: <https://www.epa.gov/iaq>.



EPA will continue to equip school leaders and the school sector, through the Indoor Air Quality Tools for Schools program, to put in place comprehensive indoor air quality management programs that implement sustainable ventilation, filtration, and other indoor air quality improvements to promote healthy school environments for students and staff. EPA will provide and promote technical assistance, training, outreach, and other support to improve indoor air in schools nationwide, including those in low-income and disadvantaged communities.

Additionally, EPA will collaborate with public and private sector organizations to provide clear and verifiable protocols and specifications for promoting good indoor air quality and support adoption of these protocols and specifications into existing healthy, energy efficiency, and green building programs and initiatives to promote healthy buildings for a changing climate. EPA also will equip the housing sector with guidance to promote the adoption of these best practices with the aim of creating healthier, more energy efficient homes, including for low-income families.

In FY 2025, EPA will build the capacity of community-based organizations to provide comprehensive asthma care that integrates management of indoor environmental asthma triggers and health care services, with a particular focus on low-income, minority, and tribal communities. As of FY 2023, EPA had equipped 2,954 programs to support the infrastructure, delivery, and sustainability of comprehensive asthma care. In FY 2025, EPA’s goal is to have equipped 3,155 programs.

EPA, in collaboration with other federal agencies, and partners will continue to work to ensure access to affordable, reliable, sustainable, and modern energy for all. EPA will continue to work with partners to increase the sustained use of clean fuels and stoves and cleaner and efficient biomass cookstoves worldwide, not only to address the more than three million premature deaths worldwide attributed annually to cookstove emissions, but also as an important component of the Administration’s climate strategy. EPA, in collaboration with the Clean Cooking and Climate Consortium, will continue to work to encourage national governments to include household energy emissions reductions in their Nationally Determined Contributions (NDCs), or Paris Climate Plans). In FY 2025, 115 countries will have household energy emissions reductions in their NDCs.

**Performance Measure Targets:**

**(PM IA) Number of programs, annually, equipped to support the infrastructure, delivery and sustainability of comprehensive asthma care.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b> |         |         |         |         | 1,800   | 2,855   | 3,005   | 3,155   | Programs |
| <b>Actual</b> | 1,232   | 1,645   | 2,132   | 2,446   | 2,705   | 2,954   |         |         |          |

**(PM NDC) Number of countries with household energy in their NDCs (Nationally Determined Contributions or Paris Climate Plans).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|
| <b>Target</b> |         |         |         |         |         |         | 100     | 115     | Countries |
| <b>Actual</b> |         |         |         |         |         |         |         |         |           |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$33,977.0 / +32.2 FTE) This program change is an increase to restore EPA's staff expertise, analysis, and capacity in the indoor air program. Funds also support efforts to address indoor air quality during wildfires, reduce asthma disparities, promote healthy school facilities in low-income communities in the U.S., and address the international climate crisis by improving public health through the adoption of clean cookstoves. This investment includes \$6.154 million for payroll and additional changes to fixed support costs.

**Statutory Authority:**

Title IV of the Superfund Amendments and Reauthorization Act (SARA); Title III Toxic Substances Control Act; Clean Air Act.

## **International Programs**

## International Sources of Pollution

Program Area: International Programs

Goal: Tackle the Climate Crisis

Objective(s): Advance International and Subnational Climate Efforts

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$7,214</i></b>    | <b><i>\$7,323</i></b>       | <b><i>\$26,183</i></b>           | <b><i>\$18,860</i></b>                                       |
| Total Budget Authority                                | \$7,214                  | \$7,323                     | \$26,183                         | \$18,860   |
| Total Workyears                                       | 33.0                     | 33.4                        | 50.9                             | 17.5   |

### Program Project Description:

The United States works with international partners to address global sources of pollution, including greenhouse gases (GHGs), as well as the impacts of pollution from the United States on other countries, regions, and the global environment. International sources of pollution impact air, water, land, the oceans, food crops, and critical supply chains. Healthy environments, ecosystems, and communities provide the foundation for protecting human health and the environment and creating sustainable economic development, job opportunities, and sustainable growth.

#### *Tackling the Climate Crisis, Accelerating Environmental and Economic Justice*

Through this program, EPA works with international partners, such as foreign governments and international organizations, to deploy assistance for measures that can strengthen on the ground action to tackle the climate crisis and reduce transboundary pollution that impacts local communities and travels through the environment to impact other communities across the globe; this assistance also can strengthen the fundamental environmental rule of law. EPA's international mission is essential to addressing transboundary pollution and adverse environmental impacts in the United States and helps facilitate a cleaner and healthier environment around the world. Strengthening environmental protection abroad so that it is on par with practices in the U.S. helps level the playing field for industry and creates incentives for innovation and deploying cleaner technologies. EPA's international programs also play an important role in fulfilling national security and foreign policy objectives and creating a platform for promoting U.S. innovation and showcasing state and local breakthrough programs and policies.

An important example of this work is EPA's engagement with the Group of Seven (G7) and the Group of Twenty (G20) through environment ministerial meetings, which negotiate outcomes on key EPA issues such as climate change, food waste, marine litter, resource efficiency, lead pollution, and air quality. EPA's engagement with international financial institutions, United Nations (UN) entities, and the Organization for Economic Cooperation and Development (OECD) has helped advance recognition of the critically important role of environmental factors, including air pollution and toxic chemicals, that contribute to the global burden of non-communicable diseases (NCDs), and of the role that sound environmental laws can play in reducing these risks.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 1/Objective 1.3, Advance International and Subnational Climate Efforts in the *FY 2022 – 2026 EPA Strategic Plan*. In FY 2025, EPA will continue to engage bilaterally, regionally, and through multilateral institutions to improve international cooperation to reduce greenhouse gases, increase resilience and adaptive capacity, as well as prevent and address the transboundary movement of conventional pollution and waste.

### *Climate and Equity*

Specifically, in line with the *FY 2022 – 2026 EPA Strategic Plan*, EPA will provide technical assistance through the transfer of tools and knowledge to address climate change with partner countries, with the goal of leveling the playing field, addressing disproportionate adverse human health and environmental impacts in vulnerable and underserved communities, and helping to ensure that all countries make meaningful progress in implementing their nationally determined contributions under the Paris Agreement. This helps fulfill EPA's commitment to implementing at least 40 international climate engagements that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, or improve resilience in a manner that promotes equity by 2026.

In FY 2025, EPA is requesting \$18 million and 16 FTE above FY 2024 Annualized CR levels to enhance capacity building governance programs for priority countries with increasing GHG footprints and increase their capacity to implement partnerships as well as legislative, regulatory, and legal enforcement efforts. These programs also will work to improve adaptive capacity and mitigation strategies of pollution-burdened, vulnerable, and indigenous communities. Actions will include partnering with the Secretariat of Partnership for Clean Fuels and Vehicles (PCFV) to assist project partners in transitioning to electric mobility solutions in key countries, particularly in underserved and vulnerable communities, to finalize a high ambition work plan with the Secretariat and work to develop or advance environmental standards for critical mineral supply chains. They also will include technical assistance and capacity building to strengthen environmental assessment processes and improve transparency and meaningful community participation in decision making.

In FY 2025, the Agency will work with like-minded Arctic Council countries to identify external resources and needs of indigenous Arctic communities and Alaskan Native Villages (ANVs) to better understand pollution sources and management best practices that may impact local health conditions. EPA also will continue to co-chair the Arctic Council expert group on short-lived climate pollutants (SLCPs) to facilitate the development and implementation of projects to reduce SLCP emissions, relying upon procedures for engagement developed by the White House and Department of State.

EPA also will continue to share agency tools that can help partners increase their adaptive capacity to climate change and understand the impacts of climate change on vulnerable and underserved communities through the UN Environment Program's Global Adaptation Network, and existing and new bilateral work programs with a focus on Africa.

## *Marine Pollution*

EPA will continue to engage internationally to prevent and reduce plastic pollution and marine litter through sharing best practices and U.S. innovation as well as through the development of a new global agreement. Marine plastic litter is a prominent global issue and one that can negatively impact water quality, tourism, industry, and public health in the United States. EPA will provide critical technical and policy expertise through a multilateral intergovernmental negotiating committee (INC) process to develop a new binding international arrangement to end plastic pollution.<sup>178</sup> Since 80 percent of plastic marine litter comes from land-based sources of waste,<sup>179</sup> countries with inadequate waste management contribute to the pollution in our shared oceans. Improving integrated waste management and working on source reduction in these countries will continue to be a priority.

Since the beginning of the FY 2022-2026 EPA Strategic Plan, EPA has implemented 90 actions overseas to mitigate marine litter and improve water quality and national air quality. In FY 2025, EPA will continue to share tools and provide technical assistance, including through efforts related to Trash Free Waters (TFW), to key contributing countries in Asia and Africa as well as building on the results of past projects in Latin America and the Caribbean. In FY 2025, EPA will further deploy TFW in Asia using materials that were translated into Thai, Vietnamese, and a common Indonesian language. In Africa, EPA will help key countries develop and implement TFW projects to prevent litter from entering the marine environment. EPA will continue to strengthen actions with a regional focus on major source countries in Southeast Asia and key partners in Latin America, the Caribbean, and Africa through bilateral relationships and/or partnerships with UNEP leaders on implementing and disseminating governance measures, policies, and technology to prevent marine litter.

In FY 2025, EPA will continue to work on the Kootenai Watershed, including with the regional and national level governments in Canada, as a priority matter. EPA's work on reducing transboundary mining pollution aims to improve human health and the environment in the watershed and protect salmon, steelhead, and other fish in the Columbia River System (CRS).

## *Air Quality*

EPA will engage with key priority countries and UN institutions to address air pollution that contributes significant pollution to the domestic and international environment. For example, several Asian countries (*e.g.*, Thailand) are implementing national air quality monitoring, planning, and control strategies with advice and lessons learned from the United States. In Africa, EPA will continue its work to increase air quality monitoring and characterization, climate co-benefit assessments, and air quality management planning. Environmental policies adopted and implemented overseas 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, which will create green jobs at home and improve air quality conditions in the United States.

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<sup>178</sup> For more information, please see: <https://www.unep.org/about-un-environment/inc-plastic-pollution>.

<sup>179</sup> J. R. Jambeck, R. Geyer, C. Wilcox, T. R. Siegler, M. Perryman, A. Andrady, R. Narayan, and K. L. Law, "Plastic waste inputs from land into the ocean," *Science*, 2015, Volume 347, Number 622.

## *Food Waste*

In FY 2025, EPA will continue to cooperate with the United Nations and the Office of Management and Budget to ensure that methodologies used to track international progress on reducing food waste accurately reflect U.S. progress and to better understand the climate benefits of reducing food waste. Approximately eight to ten percent of global greenhouse gas emissions are from food loss in the agricultural supply chain and consumer food waste.<sup>180</sup> The Agency will continue to advance food waste efforts, which is an increasing portion of landfill waste in rapidly urbanizing cities in developing countries, and explore awareness raising work with Canada and Mexico.

## *Chemicals*

EPA also will maintain efforts to reduce environmental threats to U.S. citizens from global contaminants impacting air, water, and land. EPA will continue technical and policy assistance for global, regional, and bilateral 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,<sup>181</sup> 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 to protect the U.S. population from mercury emissions originating in other countries, including from artisanal and small-scale gold mining. EPA also continues its leadership role within the United Nations Environment Program's Global Mercury Partnership.

With respect to mercury, EPA continues to work with partner countries to develop National Action Plans (NAPs) that demonstrate how they will reduce or eliminate the use of mercury in the Artisanal and Small-Scale Gold Mining (ASGM) sector. ASGM is the largest source of global mercury releases<sup>182</sup> and the development of NAPs called for by the Minamata Convention on Mercury is a critical first step to help major emitters reduce the use and release of mercury into the environment.

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. In addition, EPA will continue to work with International Arctic partners to further develop a joint project proposal on per- and polyfluoroalkyl substances (PFAS). This effort will focus on aqueous film-forming fire-fighting foams (AFFFs) in arctic airports through in-kind technical expertise.

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<sup>180</sup> For more information, please see: Intergovernmental Panel on Climate Change (IPCC) Special Report on Climate Change and Land, Chapter 5 Food Security, pg 440, [https://www.ipcc.ch/site/assets/uploads/sites/4/2021/02/08\\_Chapter-5\\_3.pdf](https://www.ipcc.ch/site/assets/uploads/sites/4/2021/02/08_Chapter-5_3.pdf).

<sup>181</sup> For more information, please see: <https://www.epa.gov/international-cooperation/minamata-convention-mercury> and [www.mercuryconvention.org](http://www.mercuryconvention.org).

<sup>182</sup> For more information, please see: [Global mercury assessment | UNEP - UN Environment Programme](#).

**Performance Measure Targets:**

**(PM E13a) Number of climate engagements that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, or improve resilience in a manner that promotes equity.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| Target |         |         |         |         | 8       | 10      | 10      | 10      | Engagements |
| Actual |         |         |         |         | 8       | 10      |         |         |             |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$486.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$304.0 / +1.5 FTE) This program change increases FTE to support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements.
- (+\$18,070.0 / +16.0 FTE) This program change increases FTE and resources to support efforts for international climate change work, including greenhouse gas guidance, pilot programs, and indigenous engagements on climate change. This increase will enhance capacity building governance programs for priority countries with increasing GHG footprints to increase their ability to implement partnerships as well as support legislative, regulatory, and legal enforcement efforts. This includes \$3.244 million in associated payroll.

**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; U.S.-Mexico-Canada Agreement (USMCA) Implementation Act, 19 U.S.C. §§ 4501-4372.



**Trade and Governance**

Program Area: International Programs

Goal: Tackle the Climate Crisis

Objective(s): Advance International and Subnational Climate Efforts

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$7,390</i></b>            | <b><i>\$5,510</i></b>                | <b><i>\$7,201</i></b>                     | <b><i>\$1,691</i></b>  |
| Total Budget Authority                                | \$7,390                          | \$5,510                              | \$7,201                                   | \$1,691  |
| Total Workyears                                       | 13.9                             | 15.3                                 | 18.0                                      | 2.7  |

**Program Project Description:**

EPA has played a key role in trade policy development since the 1972 Trade Act mandated that the U.S. Trade Representative (USTR) engage in interagency consultations. Specifically, EPA is a member of the Trade Policy Staff Committee, the Trade Policy Review Group, and relevant subcommittees—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. EPA offers technical assistance and environmental governance capacity building for trade partners to support implementation of environmental commitments made in Free Trade Agreements. EPA also provides technical expertise on environmental governance and policy for international financial institutions, including environmental policy reviews and project-level environmental guidance.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 1/Objective 1.3, Advance International and Subnational Climate Efforts in the *FY 2022 – 2026 EPA Strategic Plan*.

*Free Trade Agreements and United States-Mexico-Canada Agreement (USMCA)*

In FY 2025, EPA 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 continue to work on the implementation of the Environment Chapter of the United States-Mexico-Canada Agreement (USMCA) and other free trade agreements. The CEC work on border watersheds supports America the Beautiful (AtB); specifically, the Administration is pursuing a national conservation goal to protect or conserve at least 30 percent of U.S. lands and waters by 2030. Additional cooperation under the CEC is aimed at enhancing climate resilience in environmental justice communities, contributing to the Agency’s Justice 40 objectives. EPA

activities will include monitoring and verifying provisions pertaining to global and national environmental requirements in the agreement and providing subject matter expertise, including activities that enhance capacity building governance programs in North America that increase the capability to implement partnerships as well as legislative, regulatory, and legal enforcement to reduce the overall GHG footprint.

EPA will continue active participation in the USTR-led Interagency Environment Committee for Monitoring and Environment (IECME) established to access implementation and maintenance by Mexico and Canada in compliance with their environmental obligations. EPA also will continue to strengthen the environmental governance of trade partner countries so that they can implement and enforce effective climate mitigation and adaptation activities and incorporate environmental justice principles.

In addition, EPA will continue to play an active role in the negotiation of agreements with other countries to facilitate trade and to promote good regulatory practices and anti-corruption measures, and then provide technical assistance to support implementation of environmental commitments within those agreements. At present, EPA is focused on collaboration through the USTR-led interagency process to support the negotiation of a new trade arrangement between the U.S. and Kenya, the Indo-Pacific Economic Framework for Prosperity, and the U.S.-Taiwan Initiative on 21<sup>st</sup> Century Trade. Further, given the Biden Administration 2022 Trade Agenda emphasis on achieving climate change objectives and supporting underserved and vulnerable communities, including possibly through trade measures, EPA will continue to track and provide technical advice and input for the negotiation of a sectoral agreement with the EU on steel and aluminum that will lead to decarbonizing production and the development of new critical minerals partnerships and agreements, and monitor measures to develop implicit or explicit carbon pricing mechanisms across countries.

In FY 2025, EPA will continue to work with partners (including the Treasury Department, State Department, U.S. Agency for International Development, and the U.S. International Development Finance Corporation) to support the environmental performance of international financial institutions such as the development of environmental safeguards, including climate performance. In addition, EPA will endeavor to improve environmental governance of U.S. funded international development projects that enhance capacity building governance programs for priority countries with increasing GHG footprints and increase their capacity to implement partnerships as well as legislative, regulatory, and legal enforcement.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,691.0 / +2.7 FTE) This program change supports an increase in resources to provide support and capacity building for regional and international Trade and Governance programs

and projects addressing climate change and environmental justice. This includes \$530.0 thousand in associated payroll and additional changes to fixed support costs.

**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; U.S.-Mexico-Canada Agreement (USMCA) Implementation Act, 19 U.S.C. §§ 4501-4372.

## US Mexico Border

Program Area: International Programs

Goal: Tackle the Climate Crisis

Objective(s): Advance International and Subnational Climate Efforts

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$2,512</b>           | <b>\$2,993</b>              | <b>\$5,132</b>                   | <b>\$2,139</b>   |
| Total Budget Authority                                | \$2,512                  | \$2,993                     | \$5,132                          | \$2,139  |
| Total Workyears                                       | 10.9                     | 12.4                        | 17.4                             | 5.0  |

### 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. and is characterized by higher-than-average poverty, unemployment, uninsurance, and lower-than-average median incomes.<sup>183</sup> In addition, over 500 thousand of the 15 million people in the region live in colonias,<sup>184</sup> which are unincorporated communities characterized by substandard housing and unsafe drinking water or wastewater systems. Population growth indexes show a trend of increasing growth, related among other factors to the influx of migrants from different regions. This trend has increased the pressure on basic infrastructure and services in border cities, which struggle to keep up with population growth. The adoption of the Border Programs has gone a long way to protect and improve the health and environmental conditions along a border that extends from the Gulf of Mexico to the Pacific Ocean.

The Border 2025 Program will continue to emphasize local priority-setting, focus on measurable environmental results, and encourage broad public participation. Specifically, Border 2025 builds on earlier program work, which includes project-promoted solutions or monitoring related to air quality, used tire management, environmental health promotion, response to environmental emergencies, and treatment of wastewater.<sup>185</sup>

The Border 2025 Program identifies four long-term goals to address the serious environmental and environmentally related public health challenges, including the impact of transboundary transport of pollutants in the border region. These strategic goals are: Goal 1) Reduce Air Pollution; Goal 2) Improve Water Quality; Goal 3) Promote Sustainable Materials and Waste Management and Clean Sites; and Goal 4) Improve Joint Preparedness for and Response to Hazardous Environmental Emergencies. Within the goals are specific objectives that identify actions that will

<sup>183</sup> For additional information, please visit:

[https://www.ruralhealth.us/NRHA/media/Emerge\\_NRHA/Advocacy/Policy%20documents/05-11-18-NRHA-Policy-Border-Health.pdf](https://www.ruralhealth.us/NRHA/media/Emerge_NRHA/Advocacy/Policy%20documents/05-11-18-NRHA-Policy-Border-Health.pdf).

<sup>184</sup> For more information, please see: <https://www.dallasfed.org/~media/documents/cd/pubs/lascalonias.pdf>.

<sup>185</sup> For more information, please see: [https://www.epa.gov/sites/default/files/2021-05/documents/final\\_b2020\\_acc\\_report\\_may\\_24\\_2021.pdf](https://www.epa.gov/sites/default/files/2021-05/documents/final_b2020_acc_report_may_24_2021.pdf).

be taken in support of the program's mission. The Border 2025 Program supports the President's Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workplace as well as cross-agency efforts of tackling the climate crisis and advancing environmental justice.

Guiding principles support the mission statement, ensure consistency among all aspects of the Border 2025 Program, and continue successful elements of previous binational environmental programs. Prioritizing environmental equity and addressing disproportionate environmental impacts in border communities by protecting, improving, and promoting environmental awareness and environmental and human health is one of the Program's core principles. This principle aligns with one of EPA's priorities to promote equity for underserved communities and civil rights in the U.S. border region.

The Border 2025 Program is under the Justice40 Initiative that has as its goal to ensure that 40 percent of overall benefits of federal investments are directed to disadvantaged communities. To help support Justice40 implementation, activities may include developing benefits methodologies and identifying, tracking, analyzing, and reporting Justice40 data. EPA and the Secretariat of Environment and Natural Resources (SEMARNAT) will continue to closely collaborate with the ten border states (four U.S./six Mexican), 27 U.S. federally recognized tribes, indigenous communities including the afro-Mexican community in Mexico, and local communities in prioritizing and implementing projects that address their particular needs.

Note: The border water and wastewater infrastructure programs are described in the State and Tribal Assistance Grants (STAG) appropriation, Infrastructure Assistance: Mexico Border Program.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 1/Objective 1.3, Advance International and Subnational Climate Efforts in the *FY 2022-2026 EPA Strategic Plan*.

#### *Air Pollution*

In FY 2025, EPA will continue to focus on air pollution reductions in binational airsheds, work on reducing emissions through implementing policy-based or technology-based programs, and maintain effective air quality monitoring networks and timely access to air quality data along the border region to help support the Administration's goal of reducing air pollution and the effects of climate change. This effort to meet health-based air quality standards, especially for particulate matter and/or ozone, is expected to mitigate negative effects on public health by deploying innovative strategies or technologies and building public awareness of associated health risks to protect public health and advance environmental justice.

EPA and SEMARNAT will continue to build on the successful air quality efforts conducted in the Border 2020 Program, which resulted in complete greenhouse gas emissions inventories for each Mexico border state, and improved public health, especially in underserved communities. In addition, building upon over 20 years of binational air quality success within the New Mexico,

Texas, and Chihuahua shared air basin, local coordinated efforts will advance work to address mobile sources at two designated border cities.

EPA will assist in expanding technical training to promote standardized approaches and improvements to emissions inventory development, improved compliance with vehicle emission standards, establishment of and compliance with vehicle inspection and maintenance programs, increased data-sharing on used vehicle emissions testing, and strengthened Green Freight Programs such as Transporte Limpio (Mexico) and SmartWay (United States). Cooperation across the border has a high positive impact in protecting U.S. citizens and vulnerable populations in Texas' largest populated border city of El Paso, which makes up a metropolitan area with Juarez, Mexico, that shares and breathes the same air. In addition, EPA will provide support to update and/or complete climate action plans in each of the six northern Mexican Border States (as appropriate) and build the necessary capacity to guarantee sustained implementation. Along the U.S. border, California, Arizona, and New Mexico have completed Climate Change Action Plans.

### *Water Management*

In FY 2025, the Agency will continue to address border water management in the Tijuana River Watershed. The United States-Mexico-Canada Trade Agreement (USMCA) authorizes and directs EPA to coordinate with specific federal, state, and local entities to plan and implement high priority infrastructure projects that address transboundary pollution affecting San Diego County, California. EPA will advance implementation of projects to prevent and reduce the levels of trash and sediment entering high priority binational watersheds. Other projects that prevent/reduce marine litter should primarily focus on preventing waste at the source through improvements to solid waste management systems, education campaigns, and monitoring as well as reducing trash entering the aquatic environment through the capture of litter using river booms in known watershed litter hot spots. Additionally, EPA will improve access to transboundary water quality data by developing spill notification protocols, increasing awareness of beach contamination, displaying timely information on water quality in high-priority watersheds, and continuing the work of the binational water quality improvement plan.

### *Sustainable Materials Management*

In FY 2025, EPA will continue to collaborate and partner on sustainable materials management demonstration projects to prevent waste and improve the recovery of materials, such as plastic, e-waste, and scrap tires, through public-private partnership programs and infrastructure investments in the border region to mitigate public health and environmental impacts and avoid costly cleanup efforts. Additionally, EPA will work to increase institutional capacity for resource efficiency and sustainable management of materials and develop/implement strategies to reduce illegal dumping and landfill fires, maximize material recovery, and promote environmentally sound disposal practices and clean sites. Each region of the border has different economic, social, and cultural situations, with different capacities to mitigate the generation and management of waste and secondary materials.

EPA will continue to work to increase institutional capabilities in planning and technical assistance, enabling the development of programs, projects, or actions which consider the life cycle

analysis on natural resource economics, manufacturing, transport, and other market factors to effectively collect and use materials and avoid them being lost to landfills.

*Emergency Preparedness and Response*

Additionally, the United States and Mexico will work together to enhance joint preparedness for environmental response and facilitate easier transboundary movement of emergency response equipment and personnel by activities such as: updating Sister City Plans with preparedness and prevention and providing training to emergency responders on preparedness and prevention related activities. As part of the efforts for binational emergency preparedness and response, the Program will continue updating the Mexico-U.S. Joint Contingency Plan in both Spanish and English as well as conducting knowledge exchange and tabletop exercise activities to build partnership capacity and provide locals with the opportunity to test and improve emergency plans in their areas. In addition, both countries will coordinate binational efforts border-wide.

**Performance Measure Targets:**

**(PM E13b) Number of Border 2025 actions implemented in the U.S.-Mexico Border area to improve water quality, solid waste management and air quality including those that address climate change, and advance emergency response efforts.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <b>Target</b> |         |         |         |         | 3       | 10      | 10      | 10      | Actions |
| <b>Actual</b> |         |         |         |         | 6       | 10      |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$336.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs due to adjustments to provide essential workforce support and changes to benefits costs.
- (+\$1,803.0/ +5.0 FTE) This program change increase supports efforts addressing pollution and climate change related activities along the United States and Mexico Border. To address the priority needs in the region and in support of the Border 2025 Program priorities, this effort continues to focus on smaller scale sustainability and core capacity building projects designed to improve the environment and protect the health of people living along the U.S.-Mexico border. This includes \$928.0 thousand in associated payroll.

**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); U.S.-Mexico-Canada Agreement (USMCA) Implementation Act, 19 U.S.C. §§ 4501-4372.

**IT/ Data Management/ Security**



## Information Security

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$8,188</b>           | <b>\$9,142</b>              | <b>\$23,937</b>                  | <b>\$14,795</b>  |
| Hazardous Substance Superfund                         | \$1,494                  | \$1,062                     | \$6,012                          | \$4,950  |
| Total Budget Authority                                | \$9,682                  | \$10,204                    | \$29,949                         | \$19,745   |
| Total Workyears                                       | 10.3                     | 14.1                        | 17.1                             | 3.0  |

### 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 Information Security Program's mission is to protect the confidentiality, integrity, and availability of EPA's information assets. The information protection strategy includes, but is not limited to, risk management, oversight, and training; network management and protection; and incident management.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$14.6 million and 3.0 FTE to support enhancements to protect the Agency's information technology (IT) portfolio. This investment will improve EPA's IT resiliency and limit vulnerabilities in the event of a malicious attack. EPA will continue to work toward full compliance with high priority directives (Adoption of Multifactor Authentication, Encryption of Data At Rest, Encryption of Data In Transit, Cybersecurity Supply Chain Risk Management, Zero Trust Architecture, and Event Logging) in Executive Order (EO) 14028: *Improving the Nation's Cybersecurity*.<sup>186</sup>

<sup>1</sup> Work in this program takes direction for IT implementation practices and priorities from the following:

- EO 14028: *Improving the Nation's Cybersecurity* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/>).
- OMB Memo M-19-26: *Update to the Trusted Internet Connection (TIC) Initiative* (<https://www.whitehouse.gov/wp-content/uploads/2019/09/M-19-26.pdf>).
- OMB Memo M-21-30: *Protecting Critical Software Through Enhanced Security Measures* (<https://whitehouse.gov/wp-content/uploads/2021/08/M-21-30.pdf>).
- OMB Memo M-21-31: *Improving the Federal Government's Investigative and Remediation Capabilities Related to Cybersecurity Incidents* (<https://www.whitehouse.gov/wp-content/uploads/2021/08/M-21-31-Improving-the-Federal-Governments-Investigative-and-Remediation-Capabilities-Related-to-Cybersecurity-Incidents.pdf>).
- OMB Memo M-22-01: *Improving Detection of Cybersecurity Vulnerabilities and Incidents on Federal Government Systems through Endpoint Detection and Response* (<https://www.whitehouse.gov/wp-content/uploads/2021/10/M-22-01.pdf>).

## Improving the Defense and Resilience of Government Networks

### *Zero Trust Architecture (ZTA)*

A key priority for EPA's information security will be implementing zero trust capabilities addressing gaps identified by the Agency to enable the development of networks which can resist malevolent actions regardless of their origin. ZTA will grant authorized users full access to the tools and resources needed to perform their jobs but limit access to unnecessary areas. Proper permissions for a given user's needs are a critical component of ZTA, and coding for more granular control over the network environment is an information security priority. The Agency also will focus addressing the need to ensure all devices in EPA's environment are compliant with information security requirements prior to accessing network resources. EPA will continue efforts to elevate awareness of and harden isolated environments with enhanced security measures by integrating those environments with continuous monitoring capabilities to improve visibility and reduce risk.

EPA will continue to improve defense and resilience of government networks in accordance with ZTA security principles, which focus on virtual identity management capabilities. These improvements ensure agency staff can access necessary software applications while providing resistance to malicious phishing campaigns and sophisticated online attacks. For those system environments not integrated into the larger enterprise system (*i.e.*, those that may not be compatible with the enterprise-wide identity management capabilities), EPA will continue efforts to harden those systems with continuous monitoring capabilities to reduce risk.

The Agency will continue to implement cybersecurity enhancements necessary to support a larger remote workforce, which includes strengthening cloud security monitoring and access to sensitive data, cyber incident response, and cloud platform management services. These enhancements allow agency staff to securely use systems and services in the cloud while also improving application performance associated with Trusted Internet Connections (TIC). The Agency also will pilot enterprise web application control tools to protect web applications by preventing malicious traffic from accessing the web application or agency data. The Agency will continue to build its Insider Threat Program for the unclassified network to monitor Privileged Users and Systems Administrators activity, as recommended by several cybersecurity assessments,<sup>187</sup> and to monitor and report on EPA networks and systems.

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- OMB Memo M-22-09: *Moving the U.S. Government Toward Zero Trust Cybersecurity Principles* (<https://www.whitehouse.gov/wp-content/uploads/2022/01/M-22-09.pdf>).
  - OMB Memo M-22-16: *Administration Cybersecurity Priorities for the FY 2024 Budget* (<https://www.whitehouse.gov/wp-content/uploads/2022/07/M-22-16.pdf>).
  - OMB Memo M-23-03: *Fiscal Year 2023 Guidance on Federal Information Security and Privacy Management Requirements* (<https://www.whitehouse.gov/wp-content/uploads/2022/12/M-23-03-FY23-FISMA-Guidance-2.pdf>).
  - OMB Memo M-23-18: *Administration Cybersecurity Priorities for the FY 2025 Budget* (<https://www.whitehouse.gov/wp-content/uploads/2023/06/M-23-18-Administration-Cybersecurity-Priorities-for-the-FY-2025-Budget-s.pdf>).
  - NIST 800-53 (<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r5.pdf>).

<sup>187</sup> These assessments include Annual Assessments and Classified briefings with the Department of Homeland Security and EPA's Office of Homeland Security, as well as a 2017 OIG Report, available at: [https://www.epa.gov/sites/production/files/2017-10/documents/epa\\_oig\\_20171030-18-p-0031.pdf](https://www.epa.gov/sites/production/files/2017-10/documents/epa_oig_20171030-18-p-0031.pdf).

### *IT Modernization for Federal Cybersecurity by Design*

EPA will continue to strengthen IT assets and develop resiliency against potential cybersecurity threats. This work includes enhancing Multifactor Authentication to strengthen access controls to data and evaluating areas which still may require implementation of encryption for Data at Rest and Data in Transit to protect data. EPA has prioritized investments to protect the most sensitive systems and information. Additionally, EPA will work with the Department of Homeland Security and the Continuous Diagnostics and Mitigation (CDM) Program to ensure up-to-date technologies are implemented.

Cyberattacks are rapidly increasing in volume and sophistication, impacting both IT and operational technology systems. EPA's Agency IT Security and Privacy (AITSP) Program enables agencywide implementation, management, and oversight of the Chief Information Officer's (CIO) Information Security and Privacy Programs through continuous monitoring functions; one objective includes the maturation of the Continuous Authorization to Operate (ATO). These capabilities serve to identify and address security vulnerabilities and incidents quickly, ensuring that EPA's information environment remains safe.

EPA will continue to support the ongoing implementation of capabilities for data labeling and data loss prevention, which will improve security information and event management by collecting, synthesizing, managing, and reporting cybersecurity events for systems across the Agency.

The Information Security Program supports EPA's Enterprise Security Operations Center (SOC), which manages the Computer Security Incident Response Capability (CSIRC) processes to support identification, response, alerting, and reporting of suspicious activity. EPA will continue maturing the system logging capabilities in Event Logging (EL) Level 3 for Advanced Logging requirements at all criticality levels, leveraging Security Orchestration, Automation, and Response tools to streamline threat and vulnerability management, incident response, and security operations automation. Additionally, EL 3 will utilize User Behavior Monitoring analytics to enable early detection of malicious behavior. Through CSIRC, EPA will continue to collaborate with other federal agencies and law enforcement entities, as needed, to support the Agency's mission.

The Agency's Security Operations Center will continue maturing End Point Detection and Response capabilities with the CDM Program to support proactive detection of cybersecurity incidents, active cyber threat hunting, containment and remediation, and incident response. EPA will continue modernizing its network and system logging capabilities (on-premises systems and connections hosted by third parties, such as Cloud Service Providers) for both investigation and remediation purposes.

EPA leverages CDM capabilities to address the Agency's cybersecurity security gaps and efficiently identify and respond to government-wide cybersecurity threats and incidents. In FY 2025, as part of the work with the Department of Homeland Security to support implementation of current and future Phase CDM requirements, the CDM Program will continue closing remaining gaps in asset management. Privileged access to EPA's network will continue to provide critical security controls for the Agency's cloud applications. The CDM Program also will review interior

EPA network boundary protection from interconnections to external networks and expand endpoint detection and response capabilities. EPA also will continue to mature and promote utilization of the CDM dashboard to rapidly identify and respond to potential threats in the information technology environment. EPA will continue collaborating with DHS on enhancing threat hunting capabilities. In line with Office of Management and Budget (OMB) and DHS direction, the CDM Program will implement priority capabilities as they are identified. In FY 2025, EPA estimates a \$15 million budget for the CDM Program.

## **Strengthening the Foundations of our Digitally-Enabled Future**

### *Securing Infrastructure Investments*

The Agency collects Federal Information Security Modernization Act (FISMA) metrics and evaluates related processes, tools, and personnel to identify gaps and opportunities for improvement.<sup>188</sup> EPA's CIO, who also is the Senior Agency Official for Privacy (SAOP), in coordination with the Chief Information Security Officer, will continue to monitor and report on these metrics. EPA will:

- Modernize and automate the methodology and workflow for collecting Federal Information Registry data supporting the System of Record Notice Management process.
- Continue implementing Ground Truth Testing to validate security and find weaknesses through manual and automated penetration testing and red team exercises.

The Agency continues to work on refinements to improve the ability to track and report on critical software used by the Agency in compliance with Federal Information System Reporting and OMB direction. EPA includes cybersecurity and privacy components in senior leadership program reviews. These reviews enhance CIO oversight by enabling better risk area determination and targeted improvement to system and mission program managers. While EPA program and regional offices maintain responsibility for improving their performance in specific cybersecurity measures, EPA's senior leadership routinely reviews performance results and potential challenges for achieving continuous improvement.

The Agency will be making investments in securing mission activities from risks posed by leading edge technologies such as Generative Artificial Intelligence (AI), Robotic Process Automation (RPA) and Quantum Computing.<sup>189</sup> These investments will help to ensure that agency personnel can perform their business mission activities efficiently and securely with the implementation of the necessary controls to allow use of leading-edge technologies within the environment and prevent malicious actors from leveraging these technologies to disrupt business operations.

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<sup>188</sup> Including those found in Federal Information Security Modernization Act of 2014 and Federal Information Security Cybersecurity Act of 2015.

<sup>189</sup> OMB Memo 23-02: Migrating to Post-Quantum Cryptography: <https://www.whitehouse.gov/wp-content/uploads/2022/11/M-23-02-M-Memo-on-Migrating-to-Post-Quantum-Cryptography.pdf>.

*Human Capital*

EPA will further enhance agency-specific role-based training to ensure personnel in key cybersecurity roles have a comprehensive understanding of modern, secure IT and cybersecurity requirements, with the skills, knowledge, and capabilities to effectively support EPA’s cybersecurity posture.

*Technology Ecosystems*

EPA will build on efforts to fully implement the Agency’s Cybersecurity Supply Chain Risk Management Controls to comply with the Government Accountability Office findings.<sup>190</sup> This work includes coordinating across the Agency with personnel from Information Technology, Information Security, and Procurement to update the policy and obtain the necessary tools to address these critical security requirements. EPA will continue to implement standards, procedures, and criteria to harden and secure software development environments, and investigate the addition of automated tools to secure the development environment.

**Performance Measure Targets:**

**(PM ALR) Implementation of advanced event logging requirements (EL3) across EPA networks.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| Target |         |         |         |         | EL1     | EL3     | EL3     | EL3     | Tier  |
| Actual |         |         |         |         | EL0     | EL0     |         |         |       |

**(PM DAR) Percentage of EPA data at rest in compliance with encryption requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target      |         |         |         |         |         | 90      | 95      | 100     | Percent |
| Actual      |         |         |         |         |         | 93      |         |         |         |
| Numerator   |         |         |         |         |         | 110     |         |         | Systems |
| Denominator |         |         |         |         |         | 118     |         |         |         |

**(PM DIT) Percentage of EPA data in transit in compliance with encryption requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target      |         |         |         |         |         | 90      | 98      | 100     | Percent |
| Actual      |         |         |         |         |         | 98      |         |         |         |
| Numerator   |         |         |         |         |         | 116     |         |         | Systems |
| Denominator |         |         |         |         |         | 118     |         |         |         |

<sup>190</sup> Government Accountability Office Report on information and communications technology (ICT) Supply Chain: GAO-21-164SU.

**(PM MFA) Percentage of EPA systems in compliance with multifactor authentication requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| Target      |         |         |         |         | 75      | 85      | 100     | 100     | Percent      |
| Actual      |         |         |         |         | 48      | 79      |         |         |              |
| Numerator   |         |         |         |         | 223     | 321     |         |         | Applications |
| Denominator |         |         |         |         | 463     | 406     |         |         |              |

**(PM ZTA) Percentage of “Zero Trust Architecture” projects completed on time.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent  |
| Actual      |         |         |         |         |         | 50      |         |         |          |
| Numerator   |         |         |         |         |         | 1       |         |         | Projects |
| Denominator |         |         |         |         |         | 2       |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$149.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$14,646.0 / +3.0 FTE) This program change supports enhancements to protect the Agency’s information technology infrastructure portfolio and advance the implementation of EO 14028: *Improving the Nation’s Cybersecurity*. This investment will increase EPA’s information technology resiliency and limit vulnerabilities in the event of a malicious attack. This investment includes \$625.0 thousand for payroll.

**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).

## IT / Data Management

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$95,631</i></b>   | <b><i>\$91,821</i></b>      | <b><i>\$108,601</i></b>          | <b><i>\$16,780</i></b>                                       |
| Science & Technology                                  | \$3,489                  | \$3,197                     | \$3,346                          | \$149  |
| Hazardous Substance Superfund                         | \$22,040                 | \$19,764                    | \$19,645                         | -\$119   |
| Total Budget Authority                                | \$121,160                | \$114,782                   | \$131,592                        | \$16,810   |
| Total Workyears                                       | 457.5                    | 490.9                       | 510.9                            | 20.0   |

Total work years in FY 2025 include 175.0 FTE to support IT/Data Management working capital fund (WCF) services.

### **Program Project Description:**

This program supports the maintenance of EPA’s Information Technology (IT) and Information Management (IT/IM) services that enable citizens, regulated facilities, states, and other entities to interact with EPA electronically to access, analyze and understand, and share environmental data on-demand. The Information Technology/Data Management (IT/DM) 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 federal IT requirements, including the Federal Information Technology Acquisition Reform Act (FITARA); Technology Business Management (TBM); Capital Planning and Investment Control (CPIC); and the Open, Public, Electronic, and Necessary Government Data Act.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, in accordance with Executive Order 14110<sup>191</sup> on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence, EPA will encourage the use of AI in the federal space, and do so with transparency, responsibility, safety, and ethical standards. The Agency will maintain EPA’s current AI Inventory and develop a compliance plan, strategy, and AI governance committee. EPA forecasts that workforce demand for AI tools and training will increase and is addressing this need through the development of training and pilot programs. Security and privacy risks are of utmost importance and governance channels already exist which are constantly evaluating risks associated with AI. EPA will be working to integrate AI into these existing governance channels.

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<sup>191</sup> For more information, please see: <https://www.federalregister.gov/documents/2023/11/01/2023-24283/safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence>.

In FY 2025, in line with OMB Memoranda M-23-15 *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*, EPA will make investments in IT infrastructure to support meaningful, in-person work across the Agency. Investments include modernizing and enhancing available tools to ensure the workforce has the proper technology to operate as effectively as possible in a modern capacity to implement the Agency's mission. Additionally, resources will be utilized to provide a high-quality service delivery experience for the public.

Additionally, EPA requests \$6.2 million in FY 2025 for the maintenance and modernization of the Agency's enterprise network switch infrastructure. This funding ensures critical infrastructure is replaced when it reaches end of life/end of support. Failure to replace switch infrastructure may result in network degradation, which leaves EPA vulnerable to cybersecurity threats, and can disrupt operations.

In FY 2025, EPA will continue implementation of its agencywide Digitization Strategy, which includes the operation of two EPA digitization centers and the operation of the Agency Records Management System (ARMS), which is necessary to meet the requirements of Memoranda M-19-21 *Transition to Electronic Records* issued by the Office of Management and Budget and the National Archives and Records Administration.<sup>192</sup> In FY 2025, EPA will digitize, validate, and upload electronic files into the ARMS. Additionally, EPA will leverage artificial intelligence and machine learning to assist staff with appropriately scheduling electronic records that are saved to ARMS. The Agency will operate the Paper Asset Tracking Tool (PATT) to track paper records as they are submitted and processed through the digitization centers.

The Agency also will continue implementing the 21<sup>st</sup> Century Integrated Digital Experience Act (P.L. 115-336), which includes modernization of internal and public-facing websites and digital services, as well as digitization of paper forms and non-digital services. EPA will continue digitizing the Agency's public-facing paper forms in compliance with the 21<sup>st</sup> Century Integrated Digital Experience Act and based on the completed inventory of the Agency's forms.

In FY 2025, EPA will continue to maintain and manage its core IT/DM services, including Information Collection Requests, the National Library Network, the Agency's Docket Center, and EPA's Section 508 Program, which directly supports the requirements under Executive Order (EO) 14035: *Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*.<sup>193</sup>

Key initiatives include:

- Further strengthening the Agency's IT acquisition and portfolio review process as part of the implementation of FITARA. In the most recent FITARA scorecard, released in September 2023,<sup>194</sup> EPA scored an overall B. EPA will continue to use the results of the FITARA scorecard to drive agency priorities and investments.

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<sup>192</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/08/M-19-21-new-2.pdf>.

<sup>193</sup> For more information, please refer to Executive Order: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/06/25/executive-order-on-diversity-equity-inclusion-and-accessibility-in-the-federal-workforce/>.

<sup>194</sup> For additional information, please refer to: <https://fitara.meritalk.com/>.



- Continuing work to convert internal administrative paper or analog workflows into modern digital workflows to speed up routine administrative tasks, reduce burdensome paperwork for EPA employees and managers, improve internal data collection and reporting, and improve cross-agency data interoperability and delivery to the public. In FY 2025, application development work will continue to automate processes identified in the Agency high priority list.
- Continuing to implement EPA’s Controlled Unclassified Information Program to standardize, simplify, and improve information management and IT practices to facilitate the sharing of important sensitive data within the Agency, with key stakeholders outside of the Agency, and with the public, meeting federal standards as required by Executive Order 13556: *Controlled Unclassified Information*.<sup>195</sup>
- Increasing the use of registries, continue migration to a cloud infrastructure, and improve registry quality by modernizing from custom built solutions to commercial off-the-shelf tools with expanded capabilities. Registries are shared data services in which common data are managed centrally but shared broadly; they improve data quality in EPA systems, enable integration and interoperability of data across program silos, and facilitate discovery of EPA information publicly and internally.

EPA’s Customer Experience (CX) Program will focus on improving the mission support experience of EPA staff to improve their ability to serve the public, in line with the guidance in Executive Order 14058.<sup>196</sup> The Program focuses on collaborations such as the Hiring and Onboarding process, which collects feedback from IT professionals, hiring managers, regions, programs, and other stakeholders to improve the experience for hiring authorities and new employees at EPA. The CX Program collects customer feedback, conducts data analytics, assesses priorities within a governing community of practice, and presents recommendations to senior leaders to allocate resources to improve CX initiatives.

In FY 2025, 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 such as the Facility Registry System, the Agency can integrate, interpret, and visualize multiple data sets and information sources to support environmental decisions. The Agency will continue developing and increasing capabilities of EPA’s Data Management and Analytics Platform, which has both internal and public facing elements, such as Envirofacts. EPA will partner with other agencies, states, tribes, and academic institutions to propose innovative ways to use, analyze, and visualize data through EPA’s Data Management and Analytics Platform. In FY 2025, EPA will continue implementation of a governance framework for enterprise data life cycle approach for managing regulated facility data.

In FY 2025, Web Infrastructure Management will continue to modernize EPA’s web presence to support internal and external users with information on EPA business, support employees with internal information, and provide a clearinghouse for the Agency to communicate initiatives and

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<sup>195</sup> For more information, please refer to Executive Order: <https://www.federalregister.gov/documents/2010/11/09/2010-28360/controlled-unclassified-information>.

<sup>196</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/12/16/2021-27380/transforming-federal-customer-experience-and-service-delivery-to-rebuild-trust-in-government>.

successes. EPA also will continue to upgrade its web infrastructure to ensure that it meets current statutory and evolving security requirements.

The EPA Chief Data Officer (CDO), with support from the Agency’s Data Governance Council (DGC) will continue to develop enterprise scale data governance, including data policies, procedures, and standards to ensure all priority data assets are fully available. Additionally, they will promote data management that emphasizes equitability and FAIR (Findable, Accessible, Interoperable, and Reusable) data principles. EPA’s enterprise data governance implementation plans depend on coordination across the Agency’s program offices and regions. Currently, EPA relies on a network of data managers and stewards across the Agency to implement governance. To facilitate effective communication between the DGC and responsible parties, as well as to ensure development and implementation of the most effective data policies, procedures, and standards, EPA has established a data officer position in each EPA program office and region. These data officers fulfill essential communication and coordination functions and serve as anchors for building a stronger culture of utilizing data to build evidence and support decision making across EPA.

**Performance Measure Targets:**

**(PM GOPA) Number of priority internal administrative processes automated.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|
| Target |         |         |         |         |         | 1       | 1       | 3       | Processes |
| Actual |         |         |         |         |         | 1       |         |         |           |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$695.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$6,200.0) This change to fixed and other costs is an increase to provide funding for the enterprise network switch infrastructure necessary for the operations of the EPA network including data centers. This funding ensures critical infrastructure is replaced when it reaches end of life/end of support. Failure to replace switch infrastructure may result in network degradation, leave EPA vulnerable to cybersecurity threats, and disrupt EPA operations.
- (+\$3,878.0 / +16.0 FTE) This program change supports critical agencywide implementation of Evidence Act data stewardship and governance requirements; Executive Order 14028 cybersecurity requirements; electronic discovery for FOIA and litigation support; and implementation of Trusted Vetting 2.0. This investment includes \$3.0 million for payroll.
- (+\$4,000.0) This program change is an increase to provide the necessary support for a modern workforce and will require the integration of facilities and infrastructure, human

resources, and information technology programs to successfully re-envision the federal work environment.

- (+\$2,007.0 / +4.0 FTE) This change is to implement Executive Order on Artificial Intelligence. Activities including establishing a compliance plan, establishing an AI governance committee, and implementing pilot programs to encourage the use of AI in a secure and productive manner. This investment includes \$751.0 thousand for payroll.

**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; Foundations for Evidence-Based Policy Making Act of 2018; Geospatial Data Act of 2018.

**Legal/ Science/ Regulatory/ Economic Review**

## Administrative Law

Program Area: Legal / Science / Regulatory / Economic Review  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$5,223</b>                   | <b>\$5,395</b>                       | <b>\$6,195</b>                            | <b>\$800</b>   |
| Total Budget Authority                                | \$5,223                          | \$5,395                              | \$6,195                                   | \$800  |
| Total Workyears                                       | 19.3                             | 25.8                                 | 25.8                                      | 0.0  |

### **Program Project Description:**

This program supports EPA’s Administrative Law Judges (ALJs) and the Environmental Appeals Board (EAB).

#### *Administrative Law Judges*

The ALJs 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. Additionally, pursuant to an interagency agreement providing for reimbursement of services, the ALJs also adjudicate enforcement actions brought by National Oceanic and Atmospheric Administration (NOAA), primarily under statutes protecting marine mammals and endangered species over which EPA and NOAA share jurisdiction, such as the Marine Protection, Research, and Sanctuaries Act and Endangered Species Act. 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 ALJs issue orders and decisions under the authority of the Administrative Procedure Act (APA) and the various environmental, civil rights, and anti-fraud statutes that establish administrative enforcement authority and implement the Constitution’s guarantee of due process.

The ALJs preside in hearings in cases initiated at EPA Headquarters and in each of EPA’s 10 regional offices. The ALJs also offer an opportunity for alternative dispute resolution to completely resolve disputed issues or narrow the issues to be decided after a hearing, which may further reduce costs. Parties participating before the ALJs include local and national community groups, private parties, and federal, state, and local governments.

The ALJs promote public participation in the administrative hearing process through remote hearings and prehearing conferences. They maintain an extensive, publicly accessible website, containing all initial decisions and case filings.<sup>197</sup> Additionally, to promote access to justice, participants in cases pending before the ALJs may file documents electronically and are not required to pay a filing fee or be represented by counsel. The ALJs maintain a “Citizen’s Guide” on its public website, which contains downloadable templates of common pleadings filed in

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<sup>197</sup> For additional information, please refer to: <https://www.epa.gov/alj#colorbox-hidden2>.

proceedings before the ALJs. Together with the recently published “Practice Manual: A Guide to Frequently Asked Practice Questions,” the Citizen’s Guide serves as an informal explanatory aid to proceedings before the ALJs for parties unfamiliar with the administrative hearing processes.

The right of affected persons to appeal ALJ initial decisions is conferred by various statutes, regulations, and constitutional due process rights. A small subset of the initial decisions issued by the ALJs are appealed to the Environmental Appeals Board (EAB).

### *Environmental Appeals Board*

The Environmental Appeals Board is a four-member appellate tribunal established by regulation in 1992 to hear appeals and issue decisions in environmental adjudications under all major environmental statutes that EPA administers. The EAB furthers the Agency’s mission to advance environmental justice (EJ) and address climate-related issues by ensuring the integrity of federal decision-making and fairness in its adjudication of administrative appeals.

Since the 1994 Executive Order on Environmental Justice<sup>198</sup> was issued, the EAB has played a pioneering role in ensuring that the Agency meets its obligation with respect to EJ and, for example, in the context of permitting, has remanded several permit cases where the record did not support a finding that the permit authority reasonably considered the contested EJ issues in their permit decision making process.

To promote access to justice, parties appearing before the EAB are not required to be represented by counsel or pay a filing fee. Additionally, the EAB promotes public participation in the appeals process through remote oral arguments and maintaining an extensive website, accessible to the public, containing all final EAB decisions and case filings. Among others, parties participating before the EAB include local and national community groups, tribal nations, private parties, and state and local governments. The EAB also recently published a “Guide to the U.S. Environmental Protection Agency’s Environmental Appeals Board,” which provides general information about the Board including how to participate in the administrative appeal process.

The EAB also decides petitions for reimbursement under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 106(b); hears appeals of pesticide licensing and cancellation proceedings under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); and serves as the final approving body for proposed settlements of enforcement actions initiated at EPA. The EAB issues decisions in a fair and timely manner consistent with the APA and the applicable environmental statutes, and under the authority delegated by the Administrator and pursuant to regulation, ensuring consistency in the application of legal requirements. In approximately 90 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.

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<sup>198</sup> Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the ALJs will continue to convene formal hearings either remotely or in the location of the alleged violator or violation, as required by statute. As the Agency continues its focus on reviewing FIFRA registrations and making determinations on certain claims against the Superfund under CERCLA into FY 2025, the ALJs will support adjudication of these time-sensitive matters.

In FY 2025, the EAB will continue to efficiently and fairly adjudicate permit and enforcement appeals under all statutes as well as petitions for reimbursement under CERCLA, and expediting appeals such as Clean Air Act New Source Review cases and FIFRA licensing proceedings that are particularly time sensitive. The EAB anticipates addressing a potential increase in Underground Injection Control permits under the Safe Drinking Water Act related to carbon sequestration projects. In FY 2025, the EAB will support the implementation of the American Innovation and Manufacturing Act (AIM Act) of 2020, specifically administrative enforcement of its provisions concerning hydrofluorocarbons (HFCs), which are designed to phase down the production and consumption of listed HFCs, manage these HFCs, and facilitate transition to next generation technologies.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$726.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$74.0) This program change is an increase to support programmatic investments relating to advancing environmental justice through the Administrative Law Program.

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

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$845</i></b>      | <b><i>\$972</i></b>         | <b><i>\$2,820</i></b>            | <b><i>\$1,848</i></b>  |
| Hazardous Substance Superfund                         | \$758                    | \$791                       | \$1,841                          | \$1,050  |
| Total Budget Authority                                | \$1,602                  | \$1,763                     | \$4,661                          | \$2,898  |
| Total Workyears                                       | 4.7                      | 5.9                         | 14.0                             | 8.1  |

### Program Project Description:

EPA’s Alternative Dispute Resolution (ADR) Program offers cost-effective processes for preventing and resolving conflicts on environmental matters and some workplace conflicts as an alternative to litigation and to support collaboration. The Program provides facilitation, mediation, public involvement, training, and consensus building advice and support for the entire Agency. The Program’s ADR services especially support the meaningful engagement of EPA programs with communities and other stakeholders, including states and tribes, by helping to develop collaborative and effective partnerships.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$1.8 million and 5.7 FTE for the ADR Program. EPA will continue to provide conflict prevention and ADR services to all EPA programs and external stakeholders on environmental matters. EPA expects the need for these services to increase in FY 2025 in support of achieving the Agency’s environmental justice (EJ) and equity goals. This program will continue to support implementation of Executive Order (EO) 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.<sup>199</sup> This investment also will be used to build capacity to improve oversight and enforcement of civil rights compliance and to prioritize and advance EJ concerns.

Specifically, the ADR Program will:

- Administer its five-year Environmental Collaboration and Conflict Resolution (ECCR) Services contract, which will be awarded in Spring 2024 and is expected to have an \$85

<sup>199</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.



million capacity. The ADR Program provides most of its conflict prevention and resolution services to the Agency through this contract. The contract supports facilitation and mediation services for more than 150 active projects involving stakeholders across the Agency and is expected to take on an additional 30 to 40 projects in FY 2025. The ADR Program expects continued growth in the areas of EJ, climate change, and Title VI civil rights cases. Contract support contributes to more productive engagement between EPA programs and communities, especially underserved and overburdened communities.

- Provide facilitation, mediation, and training services through the conflict resolution specialists on staff and the Regional ECCR specialists, who perform environmental ADR work as collateral duty with support from the ADR Program. The ADR Program expects to provide support through conflict resolution specialists and ECCR specialists for agency programs and stakeholders by providing facilitation, mediation, or other consensus building support on 30 to 40 projects in FY 2025, including up to 10 Title VI civil rights cases. The ADR Program provides facilitation services to resolve Title VI civil rights complaints as part of the Informal Resolution Agreement process and the demand for facilitation services to resolve complaints continues to grow. As with contract support, direct staff support promotes greater collaboration among EPA and its stakeholders, as well as greater inclusion of overburdened and underserved communities.
- Provide training to EPA staff in conflict resolution concepts and skills. The ADR Program offers this training through eight interactively designed courses to all national program offices and regions. The ADR Program created virtual versions of its trainings during COVID, which has expanded its reach throughout the Agency. In FY 2023, the ADR Program and ECCR specialists delivered 17 trainings to more than 900 EPA employees. The ADR Program expects a continued increase in training requests in FY 2025. Trainings include the building of skills such as working across cultural divides and supporting productive dialogue, which help EPA programs better engage with communities.
- Help to achieve the goals of President Biden's Justice40 initiative by tracking the number of ADR projects in which services are provided to underserved and overburdened communities. From January to December 2023, the ADR Program initiated 22 new projects that provide conflict prevention or ADR services to benefit underserved and overburdened communities, and the Program expects to increase services in FY 2025.

The following are examples of FY 2023 accomplishments:

- Successfully managed a \$53 million Conflict Prevention and Resolution Services contract and administered 410 contract actions valued at slightly over \$50 million in the first four years. Through contract support, the ADR Program provided conflict resolution services for multiple projects and in dozens of communities to promote greater collaboration and inclusion of underserved and overburdened communities.
- Supported 106 environmental collaboration and conflict resolution cases nationwide, including a community-led cumulative environmental health impact assessment in Michigan, as well as training support for Community Lead Awareness Sessions in underserved communities and on tribal lands. To support these projects, the ADR Program provided design and facilitation support to gather public input on controversial issues, supported community outreach efforts by facilitating listening sessions, and helped key stakeholders to reach agreement.

- Provided facilitation services for eight Title VI civil rights cases to support the inclusion of all parties in the development of Informal Resolution Agreements between EPA and recipients of Title VI complaints.
- Trained more than 600 EPA personnel in conflict resolution skills through 14 courses and supported additional conflict resolution trainings, led by Regional ECCR Specialists, for 300 EPA staff and managers.

**Performance Measures Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$26.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$1,796.0 / +5.6 FTE) This program change is an increase for the use of alternative dispute resolution processes, such as mediation and facilitation, to promote equity by including underserved communities in negotiations. This investment includes \$1.1 million for payroll.
- (+\$26.0 / +0.1 FTE) This program change increases FTE to support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$19.0 thousand for payroll.

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

Objective(s): Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns, Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$10,146</i></b>   | <b><i>\$12,866</i></b>      | <b><i>\$32,227</i></b>           | <b><i>\$19,361</i></b>                                       |
| Total Budget Authority                                | \$10,146                 | \$12,866                    | \$32,227                         | \$19,361   |
| Total Workyears                                       | 52.9                     | 66.4                        | 145.6                            | 79.2   |

### Program Project Description:

EPA has long held and elevated three fundamental principles: to follow the science, follow the law, and be transparent. In 2022, EPA also added a fourth foundational principle: advance justice and equity. By so doing, EPA solidified its recognition that it was time to infuse the consistent and systematic, fair, just, and impartial treatment of all individuals into all EPA policies, practices, and programs. These principles form the basis of the Agency’s culture and guide its operations and decision making – whether with respect to the public and communities, or EPA’s workforce.

EPA’s Civil Rights Program enhances efforts to meet regulatory responsibilities under Title VI and VII of the Civil Rights Act of 1964, as amended among other applicable civil rights statutes and regulations, including 40 C.F.R. Parts 5 and 7, 29 C.F.R. § 1614.102(c)<sup>200</sup> and U.S. Equal Employment Opportunity Commission (EEOC) Management Directive 110,<sup>201</sup> which require federal agencies to fully fund its civil rights program. The Civil Rights Program enforces federal civil rights laws that prohibit discrimination against EPA employees and applicants for employment and by applicants for and recipients of EPA federal financial assistance.

EPA is committed to strengthening external civil rights enforcement to address health and environmental disparities, eliminate discriminatory barriers to clean air, water, and land, and ensure the protection of human health and the environment for all persons in the United States. There are two offices within the Agency’s civil rights program, the Office of Civil Rights (OCR) and the Office of External Civil Rights Compliance (OECRC). OCR has responsibility for the internal enforcement of several civil rights laws related to equal employment opportunity (EEO), and OECRC carries out the external enforcement of several civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from EPA. Together, both offices comprise EPA’s civil rights program and its foundational commitment to the advancement of justice, equality, and equity.

<sup>200</sup> For more information, please see: <https://www.ecfr.gov/current/title-29/subtitle-B/chapter-XIV/part-1614/subpart-A/section-1614.102>.

<sup>201</sup> For more information, please see: <https://www.eeoc.gov/federal-sector/management-directive/management-directive-110>.

EPA's Civil Rights Program provides leadership, direction, and guidance in carrying out the Agency's civil rights mission to all EPA employees, applicants, and recipients of federal financial assistance in carrying out civil rights responsibilities. The Program provides counseling and investigates discrimination complaints filed against EPA and EPA federal financial assistance recipients. The Program identifies triggers and eliminates barriers to EEO and environmental justice.

In addition, the Program promotes alternative dispute resolution mechanisms to resolve discrimination complaints. The Program develops policy to clarify recipients' legal obligations. It conducts training and accountability visits (TAVs) of EPA offices to encourage compliance with civil rights laws and EPA policy against discrimination. It also conducts pre-award reviews and affirmative post-award compliance reviews and audits of recipients of federal financial assistance. EPA also provides technical assistance to recipients and enhances communication and engagement with environmentally overburdened and disadvantaged communities. The Program also processes accommodation requests due to disability that are made by employees and applicants and issues final agency decisions in employment discrimination complaints.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.3, Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns in the *FY 2022- 2026 EPA Strategic Plan*.<sup>202</sup> Work in this program also directly supports progress toward the FY 2024-2025 Agency Priority Goal: Implement guidance, tools, and metrics for EPA and its Tribal, state, local, and community partners to advance environmental justice and external civil rights compliance. By September 30, 2025, advance cumulative impacts practice across agency programs, finalize, and deploy external civil rights guidance, and apply at least 10 indicators to drive disparity reductions in environmental and public health conditions. As highlighted in the strategic plan and FY 2025 Annual Performance Plan, EPA must enforce applicable civil rights laws in the same manner as environmental statutes.

In FY 2025, the Agency requests an additional \$19.3 million and 79.2 FTE to strengthen its Civil Rights Program. This investment will increase capacity to enforce the Nation's external civil rights laws, advance EEO at EPA, support Evidence Act data stewardship and governance requirements, and enable agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan as required by Executive Order 14035.<sup>203</sup>

### **Internal Civil Rights**

In FY 2025, EPA must ensure progress in affirmative employment as mandated by the EEOC with the goal of making EPA a model EEO employer. EPA must meet statutory and regulatory requirements to address potential barriers to employment and advancement and deliver training and services to EPA employees. EPA endeavors to assess organizational EEO efforts through listening sessions and during TAVs with program and regional offices. EPA typically has more requests for these interactive TAVs than time and resources to support them all in a year.

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<sup>202</sup> It also provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

<sup>203</sup> For more information, please see: <https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>.

With the two additional FTE requested, EPA will address the increasing number of reasonable accommodation requests<sup>204</sup>, more complex EEO complaints and Final Agency Decisions, and the additional special projects that accompany the responsibilities of a model EEO program. EPA will continue to prioritize its interagency agreements to ensure impartial investigations of EEO complaints. Additionally, EPA will actively support and lead specific efforts and workgroups to implement its DEIA Strategic Plan.

#### *Employee Complaints and Resolution (ECR)*

In FY 2025, the Internal Civil Rights Program will dedicate most of its resources to the processing of discrimination complaints. It will market the benefits of the Alternative Dispute Resolution (ADR) Program to address informal complaints. It also will continue to take proactive steps, including educating through trainings, listening sessions, and community outreach. EPA is expected to engage in the following activities:

- Track and manage investigations, draft final agency decisions, and track compliance of EEOC decisions within standard timelines set by the EEOC.
- Evaluate the effectiveness of the revised procedures for processing final agency decisions.
- Implement strategies for transparently communicating and addressing trends in formal complaints at program and region offices.
- Implement ADR training (for management and staff) to strengthen participants' knowledge and to increase offers and participation in the ADR process.
- Implement a communications campaign to educate the workforce on the benefits of ADR.
- Conduct at least four region and program office TAVs.
- Recruit and provide training, from the EEOC, to new collateral duty EEO Counselors.
- Update and maintain the EEO Case Management database to effectively track EEO complaints, ensure timeliness, and the ability to produce annual required reports to the EEOC, Congress, OPM, and the Department of Justice.

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

In FY 2025, EPA will continue to focus on identifying and eliminating barriers to employment and advancement at the Agency. EPA dedicates a significant amount of labor to assembling and analyzing data and statistics for the Management Directive 715 Report (MD-715), EPA's annual report to the Equal Employment Opportunity Commission.

The MD-715 highlights EPA's efforts to establish and maintain a model civil rights program, identifies EEO priorities, and drives the State of the EEO briefing to the Administrator each year. This effort will include guiding every region and program office through the collection of enhanced data and investigating workforce data triggers. In FY 2025, EPA expects to engage in the following activities:

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<sup>204</sup> On December 26, 2023, the EEOC sent out an email and attachment seeking to address concerns from the community about return to office and the increase in reasonable accommodation requests.

- Analyze, complete, close and/or monitor, as appropriate, two other Barrier Analysis efforts: “Upward Mobility of Hispanic Employees into the Senior Executive Service (SES)” and “Upward Mobility of Employees into the Senior Executive Service (SES) based on the EEO Categories of Race and Sex.”
- Continue to implement recommendations resulting from the EPA MD-715 priority regarding the collection of applicant flow data for Career Development Opportunities.<sup>205</sup>
- Evaluate the underrepresentation of EEO groups from MD-715 reports.
- Monitor and assist the Administrator’s Office and regional and program offices with implementation of their workforce EEO Actions Plans.
- Manage EPA’s ten Special Emphasis Programs.<sup>206</sup>
- Provide the National Special Emphasis Program Managers additional subject matter training.
- Recruit new collateral duty Special Emphasis Program Managers and train all Special Emphasis Program Managers.
- Collaborate in the planning of EPA’s National Commemorative Programs.
- Conduct at least four region and program office TAVs.
- Provide effective training and tools for managers to report and carry out their responsibilities under the MD-715.

*National Reasonable Accommodations Program (NRAP)*

In FY 2025, EPA will work to enhance the effectiveness of services through training, policy development, and improving the support functions of the Local Reasonable Accommodation Coordinators (LORACs). EPA expects to hire an Assistant Director for the National Reasonable Accommodation Program to lead the National Reasonable Accommodation Coordinators (NRACs) and LORACs. The Agency has a legal obligation to provide an effective accommodation for employees and applicants with disabilities absent an undue hardship. In FY 2025, EPA expects to engage in the following activities:

- Receive, track, advise on response, and monitor requests for, and the delivery of reasonable accommodations for all national program offices and oversee similar actions in every region, including applicants to the EPA.
- Evaluate the effectiveness of revised procedures for providing Personal Assistant Services.
- Support the Agency’s efforts to improve accessibility for persons with disabilities.
- Evaluate the Reasonable Accommodations Management System (RAMS) and upgrade/enhance features as necessary.
- Conduct recertification training for LORACs.
- Conduct at least four region and program office TAVs.

To be an effective internal civil rights program, it must be trusted by all EPA employees for its impartiality and transparency.

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<sup>205</sup> For more information, please see: <https://www.epa.gov/system/files/documents/2023-04/EPA%20FY%202022%20MD-715%20Report%20FINAL.pdf>.

<sup>206</sup> For more information, please see: <https://www.epa.gov/ocr/affirmative-employment-analysis-and-accountability#special>.

## **External Civil Rights**

In FY 2025, EPA requests an additional \$17.6 million and 76.5 FTE to enforce the Nation's external civil rights laws through EPA's Headquarters program as well as the regional offices. This investment will provide essential program support to investigate and resolve critical civil rights complaints, initiate affirmative compliance reviews, and work toward achieving measurable environmental, public health, and quality of life improvements in the most overburdened, vulnerable, and underserved communities.

EPA will continue to elevate environmental justice and external civil rights within the Agency and integrate environmental justice considerations and full compliance with civil rights obligations across all of EPA's policies, programs, and activities. EPA also will continue to advance its commitment to bring justice to frontline communities that experience the worst impacts of environmental pollution.

Through the continued implementation of Goal 2 of EPA's *FY 2022 - 2026 Strategic Plan*: "Take Decisive Action to Advance Environmental Justice and Civil Rights." EPA will promote further the integration of environmental justice and external civil rights throughout EPA and carry out the objectives, sub-objectives, and annual and long-term goals articulated in Strategic Plan Goal 2. In particular, EPA's request includes critical FTE for external civil rights compliance activities in the regional offices, including participation in pre-award reviews and post-award complaint and compliance review investigations and resolutions.

Specifically, with respect to external civil rights, in FY 2025, EPA will:

- Continue its shift to proactive activities, by initiating proactive pre-award and post-award civil rights compliance reviews to address the impacts of potentially discriminatory activities on overburdened communities.
- Fully implement its authority to address actions, policies, and practices by recipients of EPA funding that subject overburdened and disadvantaged communities to discrimination.
- Continue to develop and implement clear and strong civil rights guidance and corresponding training and technical assistance to increase recipients' compliance with civil rights laws.
- Conduct timely and effective civil rights complaint investigations and resolutions – including investigations and informal resolution agreements that effectively address discriminatory practices.
- Continue to update and refine the Case Resolution Manual to ensure it provides civil rights staff with current and strategic tools and procedures for timely and effective investigation and resolution of cases.
- Fully implement the EPA Limited English Proficiency policy and procedures and Order, revised in FY 2023, and develop and finalize an EPA Order to ensure meaningful access for persons with disabilities to EPA programs services and activities.
- Enhance communication and engagement with environmentally overburdened communities to meaningfully inform EPA's civil rights complaint resolution work and to empower and increase their participation in critical decision making.

- Increase transparency by continuing to affirmatively provide information and case-related documents to the public through the interactive “Complaint Docket” online.<sup>207</sup>
- Strengthen federal interagency collaboration and coordination on complaints, compliance reviews, and policy guidance to enforce federal civil rights laws.

**Performance Measure Targets:**

**(PM EJCR06) Percentage of required civil rights procedural safeguard elements implemented by state permitting agencies that are recipients of EPA financial assistance.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         | 20      | 40      | 70      | 90      | Percent  |
| Actual      |         |         |         |         | 33      | 58      |         |         |          |
| Numerator   |         |         |         |         | 138     | 236     |         |         | Elements |
| Denominator |         |         |         |         | 408     | 408     |         |         |          |

**(PM EJCR13) Percentage of EPA national programs and regions that have established environmental justice and external civil rights implementation plans.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent              |
| Actual      |         |         |         |         |         | 100     |         |         |                      |
| Numerator   |         |         |         |         |         | 17      |         |         | Regions and Programs |
| Denominator |         |         |         |         |         | 17      |         |         |                      |

**(PM EJCR14) Percentage of EPA programs and regions that have implemented program and region-specific language assistance plans.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| Target      |         |         |         |         | 30      | 35      | 60      | 80      | Percent              |
| Actual      |         |         |         |         | 0       | 5       |         |         |                      |
| Numerator   |         |         |         |         | 0       | 1       |         |         | Programs and Regions |
| Denominator |         |         |         |         | 23      | 19      |         |         |                      |

**(PM EJCR15) Percentage of EPA programs and regions that have implemented program and region-specific disability access plans.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023               | FY 2024 | FY 2025 | Units                |
|-------------|---------|---------|---------|---------|---------|-----------------------|---------|---------|----------------------|
| Target      |         |         |         |         |         | No Target Established | 10      | 25      | Percent              |
| Actual      |         |         |         |         |         | 0                     |         |         |                      |
| Numerator   |         |         |         |         |         | 0                     |         |         | Programs and Regions |
| Denominator |         |         |         |         |         | 19                    |         |         |                      |

<sup>207</sup> For more information, please see: <https://www.epa.gov/external-civil-rights/external-civil-rights-docket-2014-present>.



**(PM EJCR16) Number of proactive post-award civil rights compliance reviews initiated to address discrimination issues in environmentally overburdened and underserved communities.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units              |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|--------------------|
| Target |         |         |         |         | 3       | 6       | 4       | 10      | Compliance Reviews |
| Actual |         | 1       | 1       | 0       | 1       | 0       |         |         |                    |

**(PM EJCR17) Number of audits completed to ensure EPA financial assistance recipients are complying with federal civil rights laws.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units  |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|--------|
| Target |         |         |         |         | 25      | 30      | 30      | 60      | Audits |
| Actual |         |         |         | 0       | 0       | 1       |         |         |        |

**(PM EJCR18) Number of information sharing sessions and outreach and technical assistance events held with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| Target |         |         |         |         | 8       | 90      | 650     | 1,100   | Sessions and Events |
| Actual |         |         |         | 40      | 30      | 235     |         |         |                     |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,162.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This increase includes critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$17,625.0 / +76.5 FTE) This program change increases staffing and capacity to enforce the Nation’s external civil rights laws and to work toward the goal of achieving measurable environmental, public health, and quality of life improvements in the most overburdened, vulnerable, and underserved communities; supports activities including investigations into claims of discrimination by underserved communities and pre-award reviews and post-award compliance reviews and audits This investment includes \$14.6 million for payroll.
- (+\$434.0 / +2.0 FTE) This program increase supports the Office of Civil Rights' internal civil rights program to advance EEO at EPA. This investment includes \$382.0 thousand for payroll.
- (+\$140.0 / +0.7 FTE) This program change increases FTE to support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$133.0 thousand for payroll.

**Statutory Authority:**

Equal Pay Act of 1963; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Age Discrimination in Employment Act (ADEA) of 1967; Title IX of the Educational Amendments of 1972; Federal Water Pollution Control Act Amendments of 1972 § 13; Rehabilitation Act of 1973 §§ 501, 504, 505, 508; Rehabilitation Act of 1973 § 504; Age Discrimination Act of 1975; Americans with Disabilities Act of 1990; ADA Amendments Act of 2008; and Genetic Information Nondiscrimination Act (GINA) of 2008; and Pregnant Workers Fairness Act (2022).

**Integrated Environmental Strategies**

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Tackle the Climate Crisis

Objective(s): Accelerate Resilience and Adaptation to Climate Change Impacts

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$9,702</i></b>            | <b><i>\$11,297</i></b>               | <b><i>\$40,197</i></b>                    | <b><i>\$28,900</i></b>   |
| Total Budget Authority                                | \$9,702                          | \$11,297                             | \$40,197                                  | \$28,900   |
| Total Workyears                                       | 43.8                             | 55.5                                 | 79.0                                      | 23.5   |

**Program Project Description:**

The Integrated Environmental Strategies (IES) Program advances the Agency’s mission of protecting human health and the environment by focusing on cross-media environmental concerns. The IES Program provides tools, training, advice, and resources to help EPA work as a more effective organization. Nationally, IES is focused on: 1) partnering with states, territories, tribes, local governments, businesses, other federal agencies, and others to adapt to and increase the resilience of the Nation to the impacts of climate change, with a particular focus on advancing climate justice; 2) providing for the development of efficient, accurate, and timely reviews for permitting and approval processes that support automation, oversight, and integration of environmental justice (EJ) and climate change in environmental permitting; 3) working with industrial sectors to identify and develop innovative approaches to better protect the environment and public health; 4) collaborating with partners, including federal, state, tribes, municipalities, communities, businesses, and other stakeholders, to implement locally-led, community-driven approaches to environmental protection through technical assistance, policy analysis, and training; and 5) helping “energy communities” facing economic impacts from mine and power plant closures with strategic planning, technical assistance and project implementation, and the leveraging of private sector funding and federal resource matching for energy transformation and economic diversification.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 1/Objective 1.2, Accelerate Resilience and Adaptation to Climate Change Impacts in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, EPA requests a total investment of \$40.2 million and 79.0 FTE for the IES Program. Within this amount, \$19.3 million and 14.5 FTE are needed to accelerate the Agency’s work in the Climate Adaptation Program; \$3.0 million and 6.0 FTE are needed to advance the coordination, streamlining, oversight, automation, and integration of EJ and climate change into environmental permitting; and \$5 million dollars and 3.0 FTE are needed to enhance the Agency’s assistance to energy communities to transition from coal to green energy. The remaining resources will be used to support core program work (including sectors and communities) and Administration priorities

focused on achieving the goals of the *FY 2022 – 2026 EPA Strategic Plan*. The Program will continue to focus on the five aforementioned major areas, each presenting unique opportunities to improve delivery of environmental protection across multiple media and stakeholders.

### *Climate Adaptation Program*

The impacts of climate change affect people in every region of the country, threatening lives and livelihoods and damaging infrastructure, ecosystems, and social systems in communities across the Nation. Climate change also challenges EPA's ability to accomplish its mission to protect human health and the environment. The Climate Adaptation Program is taking action to ensure that EPA continues to fulfill its mission even as the climate changes and is working with other federal agencies to increase the resilience of the Nation.

The Program recognizes that certain parts of the population, such as communities of color, low-income communities, children, the elderly, tribes and indigenous people, and small rural communities, are often especially vulnerable to the impacts of climate change. To that end, the Program will focus on engaging the most overburdened and vulnerable groups of people and communities to improve their capacity to anticipate, prepare for, and adapt to or recover from climate change impacts.

The Climate Adaptation Program's overarching goals and expected accomplishments are 1) ensuring EPA continues to fulfill its mission of protecting human health and the environment even as the climate changes and disruptive impacts increase; 2) meeting (or exceeding) the Long-Term Performance Goals in Objective 1.2 of the *FY 2022-2026 EPA Strategic Plan*; and 3) ultimately empowering communities across the Nation and all 574 tribes to adapt to the risks of climate change, with a particular focus on advancing climate justice.

In FY 2025, EPA requests approximately \$19.3 million and 14.5 FTE for its work in the Climate Adaptation Program. With this investment, EPA will continue to provide targeted assistance to states, tribes and indigenous peoples, territories, local governments, communities, and businesses to bolster these groups' climate resilience efforts. The National Tribal Caucus's (NTC) Climate Subgroup collaborates closely with the U.S. Environmental Protection Agency (EPA) to ensure that the EPA's Climate Adaptation Program is attuned to the unique needs of Tribal communities. In the year 2025, EPA, in conjunction with the NTC Climate Subgroup, will sustain the Tribal Climate Town Hall listening sessions, enhance tribal capacity through the Tribal Climate Intensive Education events, and provide targeted support to tribes—especially those with high needs and lower climate capacity—via direct assistance and a peer-to-peer mentorship program. The Agency will focus resources on communities with environmental justice concerns to develop new strategies that strengthen their adaptive capacity and increase climate resilience across the Nation. EPA also will produce and deliver training, tools, technical assistance, financial incentives, and information the Agency's partners indicate they need to adapt and increase resilience to climate change.

In FY 2025, EPA will focus on achieving the priorities of a new FY 2024-2027 Climate Adaptation Plan, while completing implementation of its 2021 Climate Adaptation Action Plan and the 20

Climate Adaptation Implementation Plans developed by the Program and Regional Offices.<sup>208</sup> EPA will leverage the additional resources provided in FY 2025 to support priority commitments in the Climate Adaptation Implementation Plans; specifically, additional priority actions for which funding is not currently available. These additional actions will enhance the adaptive capacity and resilience of stakeholders by providing technical assistance through the Program and Regional offices. These actions align with the National Climate Resilience Framework, which calls for providing communities with information and resources needed to assess their climate risks and develop the climate resilience solutions most appropriate for them as well as helping communities become not only more resilient, but also more safe, healthy, equitable, and economically strong.

EPA will continue to monitor progress toward established targets for each of the Long -Term Performance Goals in Objective 1.2 (“Accelerate Resilience and Adaptation to Climate Change Impacts”) of the *FY 2022-2026 EPA Strategic Plan*. The baseline and additional priority actions identified in the 20 Climate Adaptation Implementation Plans support EPA’s efforts to continue to fulfill its mission in the presence of climate change and associated impacts. This includes analyzing each of EPA’s programs for climate-related fiscal and programmatic risks, especially in climate sensitive programs, and investing mitigation of the risks. The requested resources also will be used to advance climate justice through the provision of technical assistance to protect communities that are disproportionately affected by climate change. In FY 2023, EPA completed 177 priority actions committed to in EPA’s Climate Adaptation Action Plan and in the Program and Regional Implementation Plans, exceeding the annual target of 100. These actions are in addition to the 151 priority actions completed in FY 2022.

In FY 2025, the Program will continue to modernize EPA financial assistance programs to encourage climate-resilient investments across the Nation. Particular attention will be given to ensuring that the outcomes of investments made with funds from the Infrastructure Investment and Job Act (IIJA) and the Inflation Reduction Act (IRA) to modernize the Nation’s infrastructure will be resilient to the impacts of climate change, as well as support climate mitigation goals. EPA will implement practices provided by the Climate-Smart Infrastructure Interagency Working Group to minimize the projected climate change impacts on federal infrastructure and all of EPA’s infrastructure programs.

The *FY 2022-2026 EPA Strategic Plan* commits the Agency to consider the current and future impacts of climate change in its rulemaking processes. As such, EPA will continue to integrate climate adaptation into regulations and permits to make its regulatory actions resilient and adaptive to climate change and natural hazards. EPA is already making progress integrating considerations of climate change risks into rulemakings. For example, in May 2023, EPA proposed a rule related to Coal Combustion Residuals (CCR) from Electric Utilities, including CCR surface impoundments, CCR management units, and CCR landfills that considers climate change impacts on facilities.

In FY 2025, EPA will continue to enhance the climate literacy of its workforce with respect to adaptation and resilience by coordinating, facilitating, and sustaining peer-to-peer learning

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<sup>208</sup> For additional information, please see: <https://www.epa.gov/climate-adaptation/climate-adaptation-plans>.

and engagement on climate adaptation across program and regional offices. EPA will continue to track and coordinate its climate adaptation learning and training opportunities.

### *Permitting Strategies*

EPA implements its statutory authority through various permitting programs. In FY 2025, EPA requests an additional investment of \$3.0 million and 6.0 FTE. The Agency continues to focus efforts across EPA program and regional offices and with state and tribal co-regulators to support coordination, efficiencies, oversight, automation, and integration of EJ and climate change for environmental permitting. The Office of Federal Activities (OFA) coordinates across 13 other federal agencies, the Federal Permitting Improvement Steering Council, the Council on Environmental Quality, and the Office of Management and Budget to coordinate on permitting and meet EPA's Permitting Action Implementation Plan goals. EPA uses its EPA Permitting Action Implementation Plan to help address the expansion of permitting for major infrastructure projects, expanded FAST-41 covered sectors,<sup>209</sup> and to address seven critical elements of the Plan:

- Accelerating smart permitting through early cross-agency coordination.
- Establishing clear timeline goals and tracking key project information.
- Engaging in early and meaningful outreach and communication with stakeholders.
- Improving agency responsiveness, technical assistance, and support.
- Using agency resources and the environmental review process to improve environmental and community outcomes.
- Ensuring staffing levels are adequate to address anticipated environmental review and permitting-related workloads.
- Addressing, elevating, and resolving schedule delays, disputes, and other issues impacting the environmental and permitting process in a timely manner.

Additionally, OFA addresses cross-cutting permitting and major infrastructure topics that are identified as critical for infrastructure development. These topics, often new or cutting-edge national priorities (*e.g.*, critical minerals production, quantum processing/manufacture, etc.), require integration of permitting policy, implementation, and evaluation.

EPA is working to transition the Agency's major permitting programs from paper submissions to electronic processes through the automation of permit application review and issuance. The benefits of permit automation will reduce the processing time on issuing permits, decrease the time between receiving monitoring data and engaging in enforcement actions, and increase transparency by allowing communities to search, track, and access permit actions easily. Permit automation improves the integration of climate change and EJ considerations into permit processes and ensures that climate change and EJ are evaluated and addressed appropriately within the terms and conditions of the permit. For the regulated community, permit automation provides a simplified, streamlined, and transparent permitting process, resulting in both time and cost savings.

To start physical permit automation, EPA had to complete a number of tasks, including defining automation, inventorying existing automated processes, identifying processes that needed to be

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<sup>209</sup> Current covered sectors are renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource, broadband, pipelines, manufacturing, mining, and carbon capture sectors. FPISC is currently undergoing rulemaking to add a critical mineral sector.

automated, and establishing a baseline of processes to automate, all of which was completed in FY 2022. With those determinations made, EPA has automated one process out of the thirteen baseline processes identified and is currently automating two other processes. EPA has committed to automate an additional 30 percent of its baseline (or 3.9 processes) in FY 2024 and the same amount in FY 2025, and is on track to achieving those commitments.

EPA's renewed focus on effective integration of EJ and climate change considerations within the Agency's various decentralized permitting programs continues to play a leading role in coordinated efforts aligned with the Administration's priorities including:

1. Coordinating permit support for major infrastructure projects, including carbon capture/use/sequestration and renewable energy projects requiring a permit.
2. Supporting integration of EJ and climate change analysis into permit development.
3. Supporting EPA and FAST-41 oversight, permit quality, permit timelines, and permit program integrity.
4. Documenting best practices and addressing cross-cutting permitting and policy issues (*e.g.*, Endangered Species Act and National Historic Preservation Act coordination); and, in partnership with other federal agencies, state and tribal permitting offices, continuing to streamline and gain efficiencies in the review of all permits.
5. Expanding a successfully piloted e-permitting application tool to other permitting program areas.

### *Smart Sectors*

EPA's Smart Sectors Program (SSP) provides a platform for the Agency to collaborate with industry to develop innovative approaches to protect the environment and public health from a multi-media perspective. SSP serves as a hub for understanding and addressing sector-specific environmental challenges and opportunities, facilitating dialogue with industry representatives and other stakeholders, and managing a network of SSPs in all 10 EPA regional offices. The Program will continue as a liaison to connect, convene, and facilitate discussions among agency experts and business leaders to address discrete issues unique to each sector and help sectors drive improvements that serve the Agency's greater mission of protecting human health and the environment.

In FY 2025, SSP will continue to focus activities in three areas: broad multi-stakeholder engagement, cross-agency coordination, and policy and program initiatives as they relate to industry sectors. Multi-stakeholder engagements will provide a platform for working with industry trade associations and leading companies, as well as other stakeholders on key issues such as climate change, EJ, and fostering environmentally sustainable infrastructure development. In addition to industry, the Program will work with non-governmental organizations, organized labor, the academic community, state/local governments, and overburdened and vulnerable communities with EJ concerns, as appropriate. The Program will coordinate or lead cross-agency, sector-based projects and activities to address the Administration's priorities, including tackling climate change, delivering EJ, advancing green procurement, and securing environmentally responsible and resilient supply chains.

### *Community-Driven Environmental Protection*

The IES 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, leading to improved environmental and public health protection. In FY 2023, the Program prioritized interagency collaboration towards the development of community driven approaches to support reinvestment in underserved communities with water, air, and infrastructure driven challenges. In FY 2025, the Program will continue to deliver direct technical assistance to communities, especially in underserved areas of the country. EPA will continue to deploy tools and expertise, through technical assistance delivery. These resources will continue to strengthen EPA's efforts to leverage public and private sector investments in support of improved economic development and environmental outcomes.

In FY 2025, the Program will continue to support community-driven solutions to local environmental challenges, focusing on the Administration's priorities, such as leveraging private investment and aligning federal investments to maximize benefits to vulnerable and underserved communities, and increasing climate resilience. Technical assistance and training are the cornerstones of EPA's cooperative approach to addressing environmental challenges in communities, particularly communities that are economically distressed. In FY 2025, the Program will continue to prioritize technical assistance, capacity building and training, and promote more equitable approaches towards improved public health and environmental resilience. Where appropriate, EPA will partner with stakeholders to help achieve locally led, community-driven approaches towards protecting air, land, and water in parallel with supporting equitable development and revitalization. In FY 2025, the Program will partner with EPA programs and regional offices to support their delivery of outreach, resources, and assistance to communities in ways that align with the principles of community driven solutions. The Program will continue to expand on partnerships, like the Recreation Economies for Rural Communities initiatives in FY 2023, providing assistance to rural communities and small towns to help them leverage the power of a growing outdoor recreation economy. EPA worked with the USDA Forest Service, the Northern Border Regional Commission, and the Appalachian Regional Commission, to develop and complete 25 workshops in FY 2023. This type of community-driven assistance, and others like it, are focusing on technical assistance, capacity building and training, to promote more equitable approaches towards improved public health and environmental resilience.

In FY 2025, the Program will continue analyses on emerging trends, innovative practices, and tools that support equity, climate resilience, greenhouse gas (GHG) reduction, and clean air, land, and water outcomes. EPA will continue to develop tools to help interested communities incorporate innovative, equitable approaches to infrastructure and land development policies. This assistance helps deliver multiple economic, community, and human health goals embedded in EPA's core mission, including managing stormwater, improving local air and water quality, cleaning up and reusing previously developed sites, and supporting revitalization and redevelopment in economically distressed communities to create economic opportunities while reducing GHG emissions and protecting the environment.



*Energy Communities*

In FY 2025, EPA will continue its cross-government leadership role on the federal *Interagency Working Group on Coal & Power Plant Communities & Economic Revitalization* (IWG). The additional \$5.0 million and 3.0 FTE will be used to support and increase the cross-government number of Rapid Response Teams (RRTs) in energy communities from three in FY 2023 to at least ten by the end of FY 2025. The RRTs will help energy communities in transition address their critical redevelopment challenges. A desired outcome is the transition to low carbon electricity generation as a competitive advantage for economic redevelopment.

**Performance Measures Targets:**

**(PM AD07) Number of priority actions completed in EPA’s Climate Adaptation Action Plan and Program and Regional Implementation Plans.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| Target |         |         |         |         | 100     | 100     | 105     | 105     | Priority Actions |
| Actual |         |         |         |         | 151     | 177     |         |         |                  |

**(PM AD09) Cumulative number of federally recognized tribes assisted by EPA to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023           | FY 2024 | FY 2025 | Units  |
|--------|---------|---------|---------|---------|---------|-------------------|---------|---------|--------|
| Target |         |         |         |         | 100     | 150               | 330     | 370     | Tribes |
| Actual |         |         |         |         | 110     | Data Avail 3/2024 |         |         |        |

**(PM AD10) Cumulative number of states, territories, local governments, and communities (i.e., EPA partners) assisted by EPA to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023           | FY 2024 | FY 2025 | Units    |
|--------|---------|---------|---------|---------|---------|-------------------|---------|---------|----------|
| Target |         |         |         |         | 250     | 300               | 500     | 525     | Partners |
| Actual |         |         |         |         | 242     | Data Avail 3/2024 |         |         |          |

**(PM AD11) Number of tribal, state, regional, and/or territorial versions of the Climate Change Adaptation Resource Center (ARC-X) or similar systems developed by universities with EPA support.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         | 3       | 6       | 7       | 8       | Systems |
| Actual |         |         |         |         | 1       | 7       |         |         |         |

**(PM AD12) Hours of appropriate subject matter expert time provided by EPA to help communities adapt to climate impacts, build long-term resilience, and support the most underserved and vulnerable communities after federally declared disasters.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023               | FY 2024               | FY 2025               | Units |
|--------|---------|---------|---------|---------|-----------------------|-----------------------|-----------------------|-----------------------|-------|
| Target |         |         |         |         | No Target Established | No Target Established | No Target Established | No Target Established | Hours |
| Actual |         |         |         |         | 9,763                 | 7,130                 |                       |                       |       |

**(PM AD13) Number of capacity building trainings, tools, and events, developed or hosted by EPA, that serve a unique purpose, unique audience, and/or provide new or updated information.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         |         |         | 27      | 32      | Actions |
| Actual |         |         |         |         |         | 17      |         |         |         |

**(PM OCR02) Cumulative number of communities that, as a result of OCR assistance, have been able to attract new investment and/or enact policies that produce improved public health and environmental outcomes.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024               | FY 2025 | Units       |
|--------|---------|---------|---------|---------|---------|---------|-----------------------|---------|-------------|
| Target |         |         |         |         |         |         | No Target Established | TBD     | Communities |
| Actual |         |         |         |         |         |         |                       |         |             |

**(PM PAT) Annual Percentage of EPA permitting processes automated.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| Target      |         |         |         |         |         | 10      | 30      | 30      | Percent              |
| Actual      |         |         |         |         |         | 8       |         |         |                      |
| Numerator   |         |         |         |         |         | 1       |         |         | Permitting Processes |
| Denominator |         |         |         |         |         | 13      |         |         |                      |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$700.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$19,300.0 / +14.5 FTE) This change is an increase provided for EPA’s Climate Adaptation Program to support increased resilience of EPA programs and strengthen the adaptive capacity of states, tribes, territories, local governments, communities, and businesses. This investment includes approximately \$2.8 million for payroll.
- (+\$5,000.0 / +3.0 FTE) This program change will support additional cross-government rapid response teams assisting energy communities challenged by mine and power plant closures. It also with support EPA’s interagency work as part of the *Interagency Working Group on Coal & Power Plant Communities & Economic Revitalization* (IWG). This investment includes \$572.0 thousand for payroll.

- (+\$3,000.0 / +6.0 FTE) This program change is an increase to integrate Administration priorities to support the coordination, streamlining, oversight, automation, and integration of EJ considerations and climate change within the scope of environmental permitting decisions on all FAST-41 covered projects across the Agency's decentralized permitting authorities. This investment includes \$1.1 million for payroll.
- (+\$900.0) This program change is an increase to support core program capacity and build the Program by addressing the Administration's priorities and adhering to the goals in the *FY 2022 – 2026 EPA Strategic Plan*.

**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); National Environmental Policy Act; CAA § 309; Endangered Species Act; National Historic Preservation Act; Archaeological and Historic Preservation Act; Fishery Conservation and Management Act; Fish and Wildlife Coordination Act; and Title 41 of the Fixing America's Surface Transportation Act.

## Legal Advice: Environmental Program

Program Area: Legal / Science / Regulatory / Economic Review  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$60,207</i></b>   | <b><i>\$60,061</i></b>      | <b><i>\$86,615</i></b>           | <b><i>\$26,554</i></b>                                       |
| Hazardous Substance Superfund                         | \$844                    | \$599                       | \$482                            | -\$117   |
| Total Budget Authority                                | \$61,051                 | \$60,660                    | \$87,097                         | \$26,437   |
| Total Workyears                                       | 258.8                    | 273.3                       | 352.5                            | 79.2   |

Total Workyears in FY 2025 include 8.3 FTE funded by TSCA fees and 22.0 FTE to support Legal Advice working capital fund (WCF) services.

### **Program Project Description:**

The Legal Advice: Environmental Program provides legal representational services, legal counseling, and legal support for all the Agency's environmental activities. The legal support provided by this program is essential to the Agency's core mission to protect human health and the environment. The personnel assigned to this program possess essential expertise in critical fields that EPA relies on for all decisions and activities in furtherance of its mission. The Program includes the Office of General Counsel's (OGC's) Air and Radiation Law Office, Cross-Cutting Issues Law Office, Ethics Office, National Freedom of Information Act (FOIA) Office, Pesticides and Toxic Substances Law Office, Resource Management Office, Solid Waste and Emergency Response Law Office, and Water Law Office, as well as ten Offices of Regional Counsel (ORCs).

The Program provides legal counsel on nearly every major action the Agency takes. It plays a central role in all statutory and regulatory interpretation of new and existing rules, as well as rule and guidance development under EPA's environmental authorities. The Program also provides essential legal advice for every petition response and 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, the Program provides counsel on the Agency's authority to take that action. The Program then provides the advice and support necessary to finalize and implement that action. When agency action is challenged in court, the Program defends it, in coordination with the U.S. Department of Justice (DOJ). The Program also provides support and legal counsel in adhering to court orders and mandates. The Program also supports EPA's National FOIA Office and the Ethics Office as part of the legal services activity within the Agency's Working Capital Fund.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an additional investment of \$26.6 million and 75.2 FTE for the Program to provide legal advice and counsel and to defend EPA's environmental programs as the Agency undertakes increased efforts to tackle the climate crisis, protect drinking water sources and waters of the United States, and safeguard the public from harmful toxic substances, among many other initiatives and responsibilities. This investment includes an increase of approximately \$5.8 million in fixed costs for existing FTE. The Program will continue to provide expert legal counseling for agency programs and regional offices, as well as support for judicial and administrative litigation, under all the environmental statutes administered by EPA. The Program also will continue to provide cross-cutting legal advice and counsel on important administrative law developments that are crucial to EPA's issuance of durable and defensible actions.

In FY 2025, the Program will use the additional resources to strengthen staffing and attorney training for those who provide legal advice and counsel in furtherance of the Agency's mission to protect human health and the environment. The Program will provide legal support to EPA's environmental programs under the Clean Air Act (CAA), Clean Water Act (CWA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Federal Insecticide Fungicide and Rodenticide Act (FIFRA), Food Quality Protection Act (FQPA), Resource Conservation and Recovery Act (RCRA), Safe Drinking Water Act (SDWA), Toxic Substances Control Act (TSCA), and other authorities within the Agency's purview. The Program also will continue to strengthen its FOIA implementation to enhance transparency and work toward achieving the *FY 2022 - 2026 EPA Strategic Plan* long-term performance goal to eliminate the backlog of overdue FOIA responses. The Program also will continue to lead the Agency's ethics program.

Legal counseling resources continue to be highly sought after, and the Program has experienced increasing demand for its services in the last ten years. The Program has seen a significant increase in work on rulemakings related to the regulation of greenhouse gas (GHG) emissions and toxic substances such as per- and polyfluoroalkyl substances (PFAS), among many other high priority agency matters that the Program supports. EPA OGC's and ORCs' workloads have significantly outpaced staffing resources, particularly as the Program has added work on critical Administration priorities, including climate change and environmental justice. Many of the FTE requested would increase staffing for the Program's ORCs. The Program's FOIA workload (which is now within the ORCs' purview) has increased and the ORCs' civil rights and environmental justice portfolios also have increased exponentially in recent years, as has other environmental law work. Increasing FTE for the ORCs, and the Program overall, is critical to ensuring continued legal support for the Agency's headquarters and ten regional offices.

The following are examples of recent FY 2023 accomplishments and work being completed to illustrate this program's role in implementing the Agency's core mission:

- The Program provided critical legal and strategic counsel in developing the Heavy-Duty Nitrogen Oxides (NO<sub>x</sub>) Rule, the strongest ever national clean air standards to cut smog- and soot-forming emissions from heavy-duty trucks. Program attorneys were crucial to the development of EPA's proposed New Source Performance Standards and Emission Guidelines for Greenhouse Gas Emissions from Fossil-Fuel-Fired Power Plants to help ensure that the rulemaking is developed and implemented in a legally durable manner. The

Program also continues to play a key role in implementing the American Innovation and Manufacturing (AIM) Act, which requires the phase down of hydrofluorocarbons (HFCs), a potent class of GHGs.

- The Program was EPA’s legal advisor (at both the headquarters and regional level) on the East Palestine train derailment. Program attorneys provided crucial legal advice on all aspects of the response, including key issues related to interstate transportation of hazardous waste, public disclosure of waste shipments, and other challenging issues. The Program’s critical legal advice concerning PFAS contamination has been central to advancing the Agency’s efforts on this top Administration priority; for example, Program attorneys counseled on two ongoing RCRA rulemakings that will help promote cleanup of PFAS contamination at RCRA hazardous waste management facilities. Program attorneys also provided important legal counseling on multiple actions pertaining to coal combustion residuals (CCR), including the Agency’s issuance of a proposed rule to regulate legacy CCR surface impoundments and management units.
- Program attorneys provided significant legal support on development of the Agency’s latest rulemaking defining “waters of the United States,” a key CWA term that defines the limits of federal jurisdiction over discharges into, or filling of, surface waters throughout the United States. The Program also played a crucial role in responding to the May 2023 Supreme Court decision in *Sackett v. EPA*, which was the most consequential decision the Court has ever rendered regarding CWA jurisdiction. Program attorneys also provided significant legal support for high profile agency actions under SDWA to address PFAS, including through a new precedent-setting drinking water standard.
- Program attorneys provided specialized legal and strategic expertise to programs and other EPA attorneys on a wide range of cross-cutting legal issues. For example, Program attorneys provided critical counseling on the Major Questions Doctrine. The Program provided expert counsel on a range of National Environmental Policy Act (NEPA) activities, including support for EPA’s responsibilities under CAA Section 309 to review federal agency environmental impact statements. The Program also published the Cumulative Impacts Addendum to EPA Legal Tools to Advance Environmental Justice (EJ), which furthers the Agency’s Strategic Plan goals related to EJ and equity. In addition, the Program continued to serve an essential role in counseling on the Agency’s international law efforts and initiatives.
- Program attorneys provided key legal support to EPA’s Office of Pesticide Programs on an update to the Endangered Species Act (ESA) Workplan, which proposed interim ecological measures intended to reduce exposure to non-target species. The Program provided crucial legal advice in support of EPA’s implementation of numerous high-priority, time-sensitive actions under amended section 6 of TSCA, including the Agency’s development of the proposed risk management rulemaking on methylene chloride, one of the first 10 chemicals that underwent risk evaluation under TSCA. The Program also concluded a 12-year megasuit with a unique settlement that avoids the lengthy process of ESA pesticide consultation for several of the remaining active ingredients.

- The Program continued to manage the overall agency ethics program to ensure that employees carry out their duties ethically. The Program met programmatic goals for confidential financial disclosure filing. Of the more than 7,700 confidential financial disclosure reports filed across the Agency, nearly 96 percent were timely filed and nearly 89 percent of those were timely reviewed and certified. Program attorneys also continued to provide excellent customer service to the Agency’s 100 plus deputy ethics officials, as well as to EPA employees and former employees. Program attorneys also continued to deliver high quality trainings within and outside of EPA.
- The Program continued to lead the Agency’s implementation of the FOIA program and nationwide FOIA policies. The National FOIA Office procured and deployed FOIAXpress, the Agency’s new FOIA case management system. The Program led EPA’s efforts to reduce the backlog of overdue FOIA responses by nearly 26 percent, reducing the backlog from 950 down to 704 requests. The Program provided critical legal support for 70 of EPA’s most complex and high profile FOIA requests, including requests pertaining to the East Palestine, Ohio train derailment and emergency response. The Program also completed the initial review and assignment of 5,238 FOIA requests, processed 275 expedited FOIA processing requests and 769 applications for fee waiver, and processed and closed more than 1,171 FOIA requests.

**Performance Measure Targets:**

**(PM FO2) Number of FOIA responses in backlog.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|
| <b>Target</b> |         |         |         |         | 845     | 712     | 474     | 236     | Responses |
| <b>Actual</b> | 2,761   | 2,128   | 1,395   | 1,056   | 950     | 704     |         |         |           |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$5,751.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$10,389.0 / +37.0 FTE) This program change addresses a need for increased demand for legal counseling services, supporting the Agency on defensive litigation on all its environmental programs in the regions and headquarters. The Program will provide legal support to EPA’s environmental programs under the Clean Air Act (CAA), Clean Water Act (CWA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Federal Insecticide Fungicide and Rodenticide Act (FIFRA), Food Quality Protection Act (FQPA), Resource Conservation and Recovery Act (RCRA), Safe Drinking Water Act (SDWA), Toxic Substances Control Act (TSCA), and other authorities within the Agency’s purview. These additional resources also will assist EPA in tackling the climate crisis and securing environmental justice. This investment includes \$8.7 million in payroll.

- (+\$10,051.0 / +36.7 FTE) This program change addresses a need for increased demand of legal counseling services, including in the Agency's Offices of Regional Counsel, which support the Agency on defensive litigation, civil rights, and environmental justice-related counseling. This investment includes \$8.6 million for payroll.
- (+\$363.0 / +1.5 FTE) This program change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes \$354.0 thousand for payroll.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$15,922</i></b>           | <b><i>\$18,957</i></b>               | <b><i>\$20,584</i></b>                    | <b><i>\$1,627</i></b>  |
| Total Budget Authority                                | \$15,922                         | \$18,957                             | \$20,584                                  | \$1,627  |
| Total Workyears                                       | 73.4                             | 83.7                                 | 93.7                                      | 10.0   |

Total Workyears in FY 2025 include 6.1 FTE funded by TSCA fees.

**Program Project Description:**

The Legal Advice: Support Program includes the Office of General Counsel’s (OGC’s) Civil Rights and Finance Law Office (CRFLO) and General Law Office (GLO), as well as certain positions in EPA’s ten Offices of Regional Counsel (ORCs). The Program supports EPA, across the Agency’s headquarters and ten regional offices, in maintaining high professional standards throughout the Agency and in complying with all laws and policies that govern EPA’s operations. The Program provides critical support for EPA’s work under various civil rights statutes, including comprehensive counseling on civil rights matters, such as equal protection. The Program provides crucial legal representational services, legal counseling, and legal support for a wide variety of activities necessary for EPA’s operation and success, including providing legal counseling and support on a range of employment, appropriations, intellectual property, national security, and information law-related matters.

The Program’s legal support is key to fulfilling the Agency’s role in Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>210</sup> and is instrumental in advancing the environmental justice (EJ) and civil rights goals in the *FY 2022 - 2026 EPA Strategic Plan*. The Program provides critical legal support for EPA’s newly formed Office of Environmental Justice and External Civil Rights (OEJECR), which was created in Fall 2022 to improve oversight and enforcement of civil rights and prioritize and advance EJ concerns. The Program’s employment law expertise is critical to ensuring fair and impartial hiring and retention of a qualified workforce, and to supporting the Agency in adverse employment actions. The Program also provides counsel and advice for settlement of Equal Employment Opportunity (EEO) claims against the Agency. In addition, the Program’s Freedom of Information Act (FOIA) legal counseling and litigation support are key to ensuring transparency and accountability.

**FY 2025 Activities and Performance Plan:**

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<sup>210</sup> Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 86 Fed. Reg. 7009 (Jan. 20, 2021), available at <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an additional investment of \$1.6 million and 7.0 FTE to strengthen EPA's Legal Advice: Support Program. In FY 2025, EPA will continue to provide legal support for the Agency's crucial civil rights work, which has expanded considerably in recent years and continues to increase; will continue to provide legal counsel and support on legal advice and support on matters related to contracts, grants, finance, appropriations, and employment law matters for the Agency, including work related to the Federal Tort Claims Act (FTCA), which has increased in recent years and involves incredibly complex, billion-dollar cases; and will continue to counsel and advise on information law matters. The requested investment also is critical to ensuring that the Program has staffing resources sufficient to provide legal support for the new OEJECR.

Legal counseling resources continue to be highly sought after, and the Program has experienced increasing demand for its services in the last 10 years. EPA OGC's and ORCs' workloads in program areas have significantly outpaced staffing resources. In particular, the Program has seen a significant increase in workload related to providing critical legal support for the Agency on civil rights matters, which support key Administration priorities. The Program also has seen an increase in demand for legal counseling from certain agency programs related to implementation of Congressionally Directed Spending (CDS) and has seen increased demand for legal support related to FTCA matters. The majority of the FTE requested would increase staffing for the Program's ORCs. Additional resources also are necessary to provide legal support for the newly formed OEJECR. Increasing FTE for the ORCs, and the Program overall, is critical to ensuring continued legal support for the Agency's headquarters and ten Regional offices.

The Program is critical to ensuring the Agency's compliance with its legal obligations so that the Agency can focus on fulfilling its core mission of protecting human health and the environment. The additional resources for this program are crucial to ensuring that the Agency continues to make legally sound decisions that advance EPA's mission, support EPA's operations, and serve the American public. Increasing FTE for the ORCs' work in these program areas is critical to ensuring continued legal support for the Agency's ten regional offices. Additional resources are required to maintain staffing levels sufficient to keep pace with the increasing demands placed on the Program and the ORCs' work in Program areas, and to support OEJECR.

The following are examples of FY 2023 accomplishments:

- The Program completed over 3,770 Confidential Business Information (CBI) determinations on CBI claims submitted pursuant to the Toxic Substances Control Act (TSCA). Program attorneys also provided critical legal counseling and support on several significant TSCA-related rulemakings. This determination rate represents an extraordinarily successful effort to improve transparency and reduce litigation risk that continues the significant achievements gained in FY 2022. The TSCA CBI team is now working on some of the most complex and oldest pending determinations. In January 2021, the TSCA CBI team's backlog was at 1,160. This backlog was reduced to 207 at the end of FY 2022. At the end of July 2023, the TSCA CBI team further reduced its backlog to

fewer than 28 TSCA CBI determinations and hopes to clear out its backlog by the end of FY 2023.

- The Program counseled the Agency on its Diversity, Equity, Inclusion, and Accessibility (DEIA) efforts, including the Agency's DEIA Action plan, DEIA data reporting, and barrier analyses. This activity furthers the Agency's implementation of Executive Order 14035's directive to advance equity within the Federal Government and "cultivate a workforce that draws from the full diversity of the nation." The Program facilitated the completion of OGC's Equity Assessment contract, which advanced OGC's efforts to assess equity in the workplace and captured suggestions for ways to improve the workplace. The Program also is working to improve DEIA hiring, outreach, and recruitment efforts through a new outreach program as well as informational interviewing.
- Program attorneys successfully defended the Agency in both information law and employment law litigation. Specifically, the Program skillfully defended EPA in 43 FOIA cases and more than 90 employment law matters, including 15 district court cases or court of appeals employment matters. In addition, the Program resolved more than 44 matters through settlement or victory on the merits. The Program also timely completed 92 FOIA administrative appeals.
- The Program counseled the Agency's infrastructure programs on evaluating the applicability of the Build America, Buy America (BABA) Act and implementation of BABA requirements throughout the Agency. This BABA authority was included in the Infrastructure Investment and Jobs Act and applied domestic preference requirements to several EPA infrastructure program as well as Superfund. Program attorneys provided comprehensive legal guidance to impacted agency programs. The Program also helped to develop government-wide BABA regulations promulgated in 2023.
- The Program provided expert legal counsel to EPA's regional offices, as well as the Office of Water (OW), Office of Land and Emergency Management (OLEM), and Office of Research and Development, to support the Community Project Funding (CPF)/CDS/Community Grants grant program. Program attorneys assisted OW with the development and publication of the final implementation guidance for the newly formed grant program, providing CDS recipients training on federal procurement requirements under EPA assistance agreements; ensuring EPA's regional offices have the appropriate delegations of authority in place to be able to approve grant awards; working with regional staff regarding applicant and recipient questions pertaining to their projects; and resolving cross-cutting legal issues involving the Davis-Bacon Act, National Environmental Policy Act, and BABA/American Iron and Steel compliance.
- In FY 2023, the Program provided critical legal support for 66 external civil rights and compliance cases and 47 EEO cases. The Program also developed and led 20 equal protection law trainings for agency leadership and staff in programs including OW, OLEM, the Office of Enforcement and Compliance Assurance, and the Office of Air and Radiation, as well as several regional offices.

- Program attorneys analyzed the legal intersections between Clean Air Act’s Section 110(a)(2)(E)’s requirement for State Implementation Plan submissions to demonstrate a necessary assurance of compliance with federal laws and Title VI of the Civil Rights Act’s requirement that recipients of federal financial assistance must comply with all federal civil rights laws. The Program collaborated on various policy deliverables regarding EPA’s Lead and Copper Rule and initiatives associated with lead service line replacements, which included discussions about Title VI of the Civil Rights Act and due process legal risks that may arise as well as risk mitigation.

**Performance Measure Targets:**

Work under this program supports performance results in the Legal Advice: Environmental Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$158.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,469.0 / +7.0 FTE) This net program change addresses a need for increased demand for legal counseling services and support on defensive litigation; increased demand for advising on FOIA and other information law matters; ensuring the Agency’s work on contracts, grants, and appropriations is handled in accordance with the law; and providing sufficient legal support for the new OEJECR. This change will provide critical staffing resources particularly to the Program’s ORCs and includes \$1.6 million in payroll.

**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).

## Regulatory/Economic-Management and Analysis

Program Area: Legal / Science / Regulatory / Economic Review

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

Objective(s): Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$16,032</i></b>   | <b><i>\$17,475</i></b>      | <b><i>\$19,526</i></b>           | <b><i>\$2,051</i></b>  |
| Total Budget Authority                                | \$16,032                 | \$17,475                    | \$19,526                         | \$2,051  |
| Total Workyears                                       | 71.4                     | 73.7                        | 77.2                             | 3.5  |

Total workyears in FY 2025 include 0.2 FTE to support Regulatory/Economic, Management, and Analysis working capital fund (WCF) services.

### Program Project Description:

The Regulatory/Economic, Management, and Analysis Program is responsible for reviewing the Agency’s 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, scientific, and policy assumptions. Further, the Program ensures consistent and appropriate economic analysis of regulatory actions, conducts analyses of regulatory and non-regulatory approaches, and considers interactions between regulations across different environmental media. The Program provides technical support on the Social Cost of Greenhouse Gases (GHGs) to develop final social cost of carbon (SC-CO<sub>2</sub>), social cost of nitrous oxide (SC-N<sub>2</sub>O), and social cost of methane (SC-CH<sub>4</sub>) for use in regulatory and programmatic analysis, consistent with Executive Order (EO) 13990, *Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis*.<sup>211</sup> The Program helps to implement EO 14094 *Modernizing Regulatory Review*<sup>212</sup> and EO 14096 *Revitalizing Our Nation’s Commitment to Environmental Justice for All*<sup>213</sup> by developing appropriate modeling, data, and analysis to inform the consideration of environmental justice (EJ) concerns in regulatory and non-regulatory actions. The Program ensures the Agency’s regulations comply with statutory and EO requirements, including the Congressional Review Act,<sup>214</sup> the Regulatory Flexibility Act (as amended by the Small Business Regulatory Enforcement Fairness Act),<sup>215</sup> and EOs 12866, *Regulatory Planning and Review*<sup>216</sup>, 13563, *Improving*

<sup>211</sup> For more information on EO 13990, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

<sup>212</sup> For more information on EO 14094, please see: <https://www.federalregister.gov/documents/2023/04/11/2023-07760/modernizing-regulatory-review>.

<sup>213</sup> For more information on EO 14096, please see: <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>.

<sup>214</sup> For more information on the Congressional Review Act, please see Subtitle E: <https://www.govinfo.gov/content/pkg/PLAW-104publ121/pdf/PLAW-104publ121.pdf>.

<sup>215</sup> For more information on the Regulatory Flexibility act, please see: <https://www.govinfo.gov/content/pkg/STATUTE-94/pdf/STATUTE-94-Pg1164.pdf>, and as amended by the Small Business Regulatory Enforcement and Fairness Act, please see: <https://www.govinfo.gov/content/pkg/PLAW-104publ121/pdf/PLAW-104publ121.pdf>.

<sup>216</sup> For more information on EO 12866 Regulatory Planning and Review, please see <https://www.archives.gov/files/federal-register/executive-orders/pdf/12866.pdf>.

*Regulation and Regulatory Review*<sup>217</sup>, and 14094, *Modernizing Regulatory Review*<sup>218</sup> regarding the Office of Management and Budget (OMB) regulatory review. The Program manages the development and deployment of EPA's economy-wide model for analyzing the economic impacts of environmental regulations and the macroeconomic impacts from climate transition and physical risks. The Program also includes the Agency's Chief Statistical Official charged with implementing major elements of the *Foundations for Evidence Based Policy Act*.<sup>219</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Strategic Goal 2/Objective 2.2, Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities in the *FY 2022 - 2026 EPA Strategic Plan*.

The Program assists the Administrator and other senior agency leaders in implementing regulatory policy priorities. In FY 2025, EPA requests a total investment of \$19.5 million and 77.0 FTE in the Regulatory/Economic, Management, and Analysis Program. This includes an additional \$2.1 million and 3.5 FTE in support of the Administration's goal to tackle the climate crisis. The Agency will continue its efforts to assess and review the benefits and costs to communities, businesses, government entities, and the broader economy associated with each economically significant regulatory action to maximize the net benefits of policies protecting human health and the environment. EPA will conduct and integrate analysis of EJ concerns in the rulemaking process to address the Administration's priorities. EPA will collect data and build models to assess regulatory proposals and their impacts on benefits, economic performance, and EJ. Planned key program activities in FY 2025 include:

- Conduct analysis, engage the public, stakeholders, and experts, as appropriate, and develop tools to support the updating and application of the Social Cost of GHGs, including the SC-CO<sub>2</sub>, SC-N<sub>2</sub>O and SC-CH<sub>4</sub> to ensure that these costs are based on the best available economics and science.
- Represent EPA in recommending improvements to modernize the regulatory review process to promote policies that reflect new developments in scientific and economic understanding, fully accounts for regulatory benefits that are difficult or impossible to quantify and does not have harmful anti-regulatory or deregulatory effects. Develop procedures that consider the distributional consequences of regulations as part of any quantitative or qualitative analysis of the benefits and costs of regulations, to ensure that regulatory initiatives appropriately benefit and do not inappropriately burden underserved, vulnerable, or marginalized communities across all life stages.
- Support EPA's Chief Statistical Official, who will provide technical support for projects under EPA's Learning Agenda, evaluation plan, and capacity assessment; design

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<sup>217</sup> For more information on EO 13563 Improving Regulation and Regulatory Review, please see: <https://obamawhitehouse.archives.gov/the-press-office/2011/01/18/executive-order-13563-improving-regulation-and-regulatory-review>.

<sup>218</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/04/06/executive-order-on-modernizing-regulatory-review/>.

<sup>219</sup> For more information, please see: <https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf>.

statistically sound policy analyses and evaluations; assist in the continued development of EPA's Learning Agenda; and promote a culture of evidence-based decision making.

- Conduct training for EPA regulatory staff on a broad range of topics, including EPA's internal Action Development Process, developing EJ analysis for rulemakings, *Guidelines for Preparing Economic Analyses*, and Congressional Review Act requirements to help ensure that rules meet policy goals and address legal and administrative requirements and are informed by high quality EJ and economic analyses.
- Expand analytic capabilities for conducting EJ analyses for rulemaking through development of flexible analytic tools and novel datasets.
- Implement EPA's updated *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis*, including training on new additions that address how the EJ analysis can be used to inform policy options and newer techniques for conducting EJ analyses.
- Provide updates to *EPA's Guidelines for Preparing Economic Analyses*, revised to incorporate updated analytic requirements and practices developed under the President's Memorandum on *Modernizing Regulatory Review*,<sup>220</sup> updates to OMB's Circular A-4, and the recommendations from the Science Advisory Board's peer review. The guidelines help ensure that EPA's economic analyses provide a complete accounting of the economic benefits, costs, and impacts of regulatory actions, including distributional consequences, and are consistent across EPA programs.
- Continue to deploy both long-run and near-term models of the U.S. economy to assess how climate change impacts and the risk of extreme weather events affect Americans and the economy. This includes assessing distributional impacts, costs, and broader macroeconomic performance of the U.S. economy in the face of physical impact and transition risks under EO 14030, *Climate-Related Financial Risk*.<sup>221</sup>
- Continue to deploy and develop EPA's economy-wide model for analyzing the economic impacts of environmental regulations.<sup>222</sup> EPA will continue to update the model consistent with recommendations from EPA's Science Advisory Board, deploy the model in regulatory analyses where appropriate, and advance the development of open-source data resources to support transparent analyses. This modeling capacity provides critical evidence-based analyses to inform decision making.
- Continue to manage EPA's response to recently issued EOs, including EO 14094, particularly with an eye toward identifying regulatory actions that advance human health and environmental protection for all people. Position EPA to effectively respond to recent

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<sup>220</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/modernizing-regulatory-review/>.

<sup>221</sup> For more information on EO 14030, please see: <https://www.federalregister.gov/documents/2021/05/25/2021-11168/climate-related-financial-risk>.

<sup>222</sup> For more information, please see: <https://www.epa.gov/environmental-economics/cge-modeling-regulatory-analysis>.

OMB guidance on *Broadening Public Participation and Community Engagement in the Regulatory Process*.

- Review economic analyses prepared by EPA to ensure compliance with statutory and other related requirements. Provide the Administrator and the public with high-quality analyses of the costs, benefits, and impacts on jobs, businesses, and communities of major regulatory proposals to better inform decision-making and ensure transparency about the consequences of regulation.<sup>223</sup>
- As the economy makes structural shifts to dramatically reduce greenhouse gas emissions, this program will use macroeconomic and sectoral models to assess the economic effects of climate policy, to ensure equitable outcomes, spur well-paying union jobs and economic growth, and identify regions and subpopulations that need additional assistance as the economy transitions. Continue development of open-source data and economic models, including sector-specific cost models, to support these efforts in a manner that maximizes the transparency of these EPA analyses.
- Continue development of a modeling platform capable of assessing the benefits of national regulations that affect water quality. This effort will provide important evidence-based data and analyses, consistent with economic science best practices, to inform decision making.
- Strengthen available data and methods to estimate the monetized benefits of health outcomes of chemical exposures, water pollution, and air pollution for use in EPA's benefit cost analyses.
- Lead EPA's support for the U.S. System of National Environmental Accounts in line with the national strategy.<sup>224</sup>
- Continue to develop EPA's semiannual unified Regulatory Agenda and manage EPA's compliance with the Congressional Review Act.<sup>225</sup>
- Manage EPA's internal Action Development Process and expand and upgrade regulatory planning and tracking tools to facilitate timely decisions and coordination across programs, on multimedia regulatory and policy issues such as Per- and Polyfluoroalkyl Substances (PFAS), climate, and EJ.
- Review all regulatory actions prior to signature by the EPA Administrator to ensure agency actions are of consistently high quality and supported with strong analysis.
- Serve as EPA's liaison with the Office of Information and Regulatory Affairs within OMB.

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<sup>223</sup> For more information, please see: <https://www.epa.gov/environmental-economics/guidelines-preparing-economic-analyses>.

<sup>224</sup> For more information on the National Strategy to Develop Statistics for Environmental-Economic Decisions, please see: <https://www.whitehouse.gov/wp-content/uploads/2023/01/Natural-Capital-Accounting-Strategy-final.pdf>.

<sup>225</sup> For more information on the Congressional Review Act, please see: <https://www.govinfo.gov/content/pkg/PLAW-104publ121/pdf/PLAW-104publ121.pdf>.



- 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.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$2,488.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,442.0 / +1.0 FTE) This program change is an increase to supports the Administration’s goal to tackle the climate crisis and ensures consistent and appropriate economic analysis of regulatory actions including advancements in the ability to model the economic impacts of climate change for assessing the mitigation benefits and macroeconomic effects. This investment includes \$192.0 thousand for payroll.
- (+\$1,400.0) This program change will support the Climate-Macro Interagency Technical Working Group and assessments of the Federal Financial Climate Risk Interagency Working Group.
- (+\$1,001.0 / +1.0 FTE) This program change is an increase for the National Center for Environmental Economics and natural capital accounting work, in line with the national strategy.
- (+\$696.0 / +1.5 FTE) This program change is an increase to support cross-agency coordination, analysis, and review of regulatory activity across statutory programs in which particular emphasis is to be placed on pending climate regulations. This investment includes \$288.0 thousand for payroll.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$4,219</b>                   | <b>\$4,155</b>                       | <b>\$4,671</b>                            | <b>\$516</b>   |
| Total Budget Authority                                | \$4,219                          | \$4,155                              | \$4,671                                   | \$516  |
| Total Workyears                                       | 19.3                             | 18.7                                 | 18.7                                      | 0.0  |

**Program Project Description:**

EPA’s Science Advisory Board Staff Office (SABSO) manages two Federal Advisory Committees. Congress established the Agency’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 under the Clean Air Act Amendments of 1977 to provide independent advice to EPA Administrator on the technical bases for EPA’s National Ambient Air Quality Standards (NAAQS). 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, tribes, independent research institutions, non-governmental organizations, and industry. The 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.<sup>226</sup>

Thus far in FY 2024, the SAB has finalized four scientific peer reviews of regulatory actions and submitted two reports on the science supporting decisions regulatory reviews. As of January 2024, the SAB also is actively working on three peer reviews and multiple regulatory action reviews. Thus far in FY 2024, CASAC has been forming a panel to assess the Nitrogen Oxides NAAQS. SABSO expects these totals to maintain at their current level in FY 2024 and FY 2025 as both Committees have several current activities on-going that we anticipate completing this fiscal year. In September 2024, the Program expects to announce new members for both the SAB and CASAC to serve as expert advisors to EPA. This will include a new Chair of the CASAC. SABSO is following a thorough and transparent public process and the new members will have scientific and technical expertise that align with the Agency’s strategic priorities. We anticipate the Administrator will make his final membership selections in August 2024. Since SABSO provides an in-house resource for EPA peer reviews, the Program costs are low in comparison to external peer review conducted by groups such as the National Academy of Sciences (NAS).

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<sup>226</sup> For more information, please see: <http://www.epa.gov/sab/> and <http://www.epa.gov/casac/>.

## **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

Using the best available science and a credible, defensible, and transparent scientific approach, SABSO supports EPA's mission by conducting independent, scientific, public, peer reviews of some of the most challenging regulatory and science-based topics facing EPA and America. In FY 2025, SABSO anticipates SAB and CASAC will complete 16-18 peer reviews, consultations, and regulatory reviews. In FY 2025, the CASAC is expecting completing reviews of NAAQS for several critical NAAQS pollutants, including nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), ozone, and lead. The SAB will conduct peer reviews on Integrated Risk Information System (IRIS) chemical reviews, risk assessment models, climate science reports, economic analyses, Environmental Justice (EJ) reports, and other similar projects. In addition, SABSO also expects to conduct four to seven regulatory reviews.

The SAB will directly support EPA Administrator Michael Regan's message "Our Commitment to Environmental Justice" issued on April 7, 2021,<sup>227</sup> in addition to supporting implementation of Executive Order (EO) 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*;<sup>228</sup> EO 14008: *Tackling the Climate Crisis at Home and Abroad*;<sup>229</sup> and Strategic Goal 4, *Ensure Clean and Healthy Air for all Communities*. In FY 2024, the EJ Science Committee and Climate Science Committee (both standing committees of the SAB) expect to complete three climate and EJ risk analyses. Included in these reports will be an SAB self-initiated report on how to best conduct EJ analyses to support rulemaking activities.

## **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

## **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$58.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$574.0) This program increase supports the Science Advisory Board in conducting independent, scientific, public, peer reviews of priority regulatory and science-based topics, including PFAS and several critical pollutants.

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<sup>227</sup> For more information, please see: <https://www.epa.gov/newsreleases/epa-administrator-regan-announces-new-initiatives-support-environmental-justice-and>.

<sup>228</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>229</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

**Statutory Authority:**

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

## Science Policy and Biotechnology

Program Area: Legal / Science / Regulatory / Economic Review  
 Goal: Ensure Safety of Chemicals for People and the Environment  
 Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$1,628</i></b>    | <b><i>\$1,811</i></b>       | <b><i>\$1,642</i></b>            | <b><i>-\$169</i></b>   |
| Total Budget Authority                                | \$1,628                  | \$1,811                     | \$1,642                          | -\$169   |
| Total Workyears                                       | 5.1                      | 4.6                         | 4.6                              | 0.0  |

### Program Project Description:

The Science Policy and Biotechnology Program provides scientific and policy expertise supporting independent, external scientific peer review of matters related to pesticides and toxic substances, including biotechnology. The Program primarily supports two federal advisory committees: the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP), and the Science Advisory Committee on Chemicals (SACC) established under the 2016 amendments to the Toxic Substances Control Act (TSCA). The FIFRA SAP and the SACC are both statutorily mandated, chartered Federal Advisory Committees drawing from a balanced range of non-EPA scientists and technical specialists from, for example, academia, other federal government agencies, states, non-governmental organizations, and industry. These Committees provide the EPA's Administrator independent advice and objective scientific peer review on the technical aspects of pesticide and toxic substance issues as well as the science used to establish guidelines and regulations, as requested. The scientific peer review conducted under this program promotes coordination among EPA programs including but not limited to pesticides, toxic substances, air, water, and research and development, facilitating coherent and consistent scientific policy from a broad agency perspective.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, the Science Policy and Biotechnology Program will continue to support the peer review of the scientific and technical issues associated with pesticide and chemical safety. In addition, other science policy issues will be supported by the Program when decisions require expert scientific advice from independent, external scientific peer reviewers (*e.g.*, biotechnology and new approach methodologies).

### FIFRA Scientific Advisory Panel

The FIFRA SAP, operating under the rules and regulations of the Federal Advisory Committee Act, will continue to serve as the primary external independent scientific peer review mechanism for EPA's pesticide programs. As the Nation's primary pesticide regulatory agency, EPA makes decisions that require EPA to review scientific data on pesticide risks to wildlife, farmworkers, pesticide applicators, sensitive and vulnerable populations, ecosystems, and the general public. The scientific data involved in these decisions are complex. A critical component of EPA's use of the best available science to address such issues is seeking technical advice and scientific peer review from the FIFRA SAP.

The FIFRA SAP conducts reviews each year on a variety of scientific topics. Specific topics to be placed on the FIFRA SAP agenda are usually confirmed in advance of each session and include difficult, new, or controversial scientific issues identified in the course of EPA's pesticide program activities. In FY 2024, EPA will address four vacancies that will occur on the FIFRA SAP as a result of expiring membership terms. Three to six FIFRA SAP meetings are tentatively planned for FY 2024. Consistent with the FIFRA SAP Charter, EPA anticipates convening approximately five FIFRA SAP meetings in FY 2025. These meetings will focus on the impact of pesticides on human health and the environment and include the peer review of scientific data, methodologies, models, and assessments, as needed.

### Science Advisory Committee on Chemicals

The SACC, operating under the rules and regulations of the Federal Advisory Committee Act, will continue to serve as the primary external independent scientific peer review mechanism for EPA's chemical safety programs. EPA makes decisions that require the Agency to review scientific data on risks that chemicals pose to a variety of populations including women, children, and other potentially exposed or susceptible subpopulations. The scientific data, assessments, methodologies, and measures involved in these decisions are complex. Many of EPA's tools and models for examining exposures to industrial chemicals rely on inputs that are sensitive to climate data. The SACC provides independent, expert scientific advice and recommendations to EPA on the scientific basis for risk assessments, methodologies, and pollution prevention measures and approaches for chemicals regulated under the Toxic Substances Control Act (TSCA) and is a critical component of EPA's use of the best available science to protect human health and the environment.

The SACC conducts reviews each year on a variety of scientific topics. Similarly, to the FIFRA SAP, specific topics to be placed on the SACC agenda include difficult, new, or controversial scientific issues identified in the course of EPA's chemicals program activities. In FY 2024, EPA will address nine vacancies that will occur on the SACC as a result of expiring membership terms. Two SACC meetings are planned for FY 2024. Consistent with the SACC Charter, EPA anticipates convening approximately four to six SACC meetings in FY 2025. These meetings will focus on the impact of industrial chemicals on human health and the environment and include the peer review of scientific data, methodologies, models, and assessments, as needed.

### Planned Committee Meetings

Based on the estimates reflected in the 2022-2024 committee charters,<sup>230</sup> EPA anticipates convening up to a total of nine to eleven meetings in FY 2025. These meetings will focus on the impact of pesticides and chemicals on human health and the environment and include the peer review of scientific data, methodologies, models, and assessments, as needed.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$169.0) This program change is a decrease that will reduce support of science advisory committee oversight and reflects additional changes to fixed support costs.

### **Statutory Authority:**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug and Cosmetics Act (FFDCA), §408; Toxic Substances Control Act (TSCA); Federal Advisory Committee Act (FACA).

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<sup>230</sup> For additional information, please visit: <https://www.epa.gov/sap/fifra-scientific-advisory-panel-charter> and <https://www.epa.gov/tsca-peer-review/science-advisory-committee-chemicals-charter>.

## **Operations and Administration**



**Acquisition Management**

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$33,034</i></b>           | <b><i>\$37,251</i></b>               | <b><i>\$42,085</i></b>                    | <b><i>\$4,834</i></b>  |
| Leaking Underground Storage Tanks                     | \$173                            | \$181                                | \$136                                     | -\$45  |
| Hazardous Substance Superfund                         | \$22,835                         | \$27,247                             | \$34,172                                  | \$6,925  |
| Total Budget Authority                                | \$56,042                         | \$64,679                             | \$76,393                                  | \$11,714   |
| Total Workyears                                       | 268.9                            | 307.7                                | 355.7                                     | 48.0   |

**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 (IT) improvements for acquisition.

**FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$4.8 million and 20.0 FTE for this program. The Agency will continue to strengthen EPA’s capacity to process new, increased, and existing contract award actions in a timely manner; advance EPA utilization of small and disadvantaged businesses; support "Made in America" initiatives; and address supply chain risk management activities for information and communication technology. EPA processes and awards contract actions in line with Federal Acquisition Regulation (FAR) and guidance from the Office of Management and Budget’s (OMB) Office of Federal Procurement Policy (OFPP).

In FY 2025, EPA will continue to support the implementation of supply chain risk requirements in Section 889 of the 2019 National Defense Authorization Act and the “Made in America Laws” referenced in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America's Workers*,<sup>231</sup> while furthering Category Management. The Agency will develop a Made in America Acquisition training curriculum to train EPA’s acquisition workforce and will develop a comprehensive EPA Made in America intranet site which includes resources on agency and

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<sup>231</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/25/executive-order-on-ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers/>.

Federal Market Resources, compliance requirements and process guidance for both procurement and assistance agreements. EPA also will establish a Supply Chain Risk Management (SCRM) Program Management Office and task force to formally develop a comprehensive architecture for the Agency's supply chain, as well as mechanisms to identify and mitigate risk.

In FY 2025, EPA will continue to identify activities and resources to enhance and modernize its acquisition process. This will allow the Agency to connect with a more diverse business base to address inequities in the acquisition process and build domestic markets and capabilities. EPA will leverage its three-year Acquisition Forecast database and existing spend data to engage in early market research to ensure adequate time to thoroughly analyze the market for domestic vendors or seek a waiver if none exist. The Agency will overhaul the Advance Procurement Planning component of the Agency's requisition dashboard to easily gather data regarding the planning phase of the procurement process. In FY 2023, EPA launched the Acquisition Lab Toolkits for Agency Acquisition personnel. Furthermore, EPA will expand the Acquisition Portal to include an up to date Made in America toolkit, a Contingency Planning toolkit, and a repository for vendor marketing information.

In FY 2025, EPA will continue working to eliminate barriers to full and equal participation in agency procurement and contracting opportunities for all communities and will continue serving as an active member of the Procurement Equity Workgroup. The Agency will promote the equitable delivery of government benefits and opportunities by making contracting and procurement opportunities available on an equal basis to all eligible providers of goods and services. This work aims to increase the percentage of EPA contract spend awarded to small businesses located in Historically Underutilized Business Zones (HUBZones). These businesses often lack dedicated resources and in-house capacity to capitalize on agency acquisition and financial assistance opportunities.

EPA remains committed to leveraging Category Management principles and enabling Spend Under Management (SUM) in each of its programs and purchasing areas to save taxpayer dollars and improve mission outcomes. In FY 2025, EPA will continue to utilize data provided by OFPP and the General Services Administration, to implement spend analysis, trend analysis, and data visualization tools to measure progress toward EPA's Category Management goals.

OMB's SUM initiative focuses on managed total acquisition spend and agency activities which transition spend to contract vehicles aligned with Category Management principles. Since FY 2023, EPA has elevated its focus on employing Category Management from purely strategic sourcing to broader monitoring and management of EPA's primary spend categories—Facilities & Construction, Professional Services, IT, Industrial Products & Services, Office Management, and Human Capital. Category Liaisons were established to oversee and improve progress with EPA's development of Category-level strategies in the primary spend categories. In FY 2025, EPA Category Liaisons will partner with Federal and EPA Category Managers to execute established Category-level strategies to enable greater SUM and improve the Agency's ability to achieve its Category Management goals.

In FY 2025, EPA will continue to implement SUM principles to leverage pre-vetted agency and government-wide contracts. Through SUM solutions, acquisition experts will optimize spending

within the government-wide category management framework and increase the transactional data available for agency-level analysis of buying behaviors. To modernize the acquisition process and remove barriers to entry for obtaining government contracts, EPA has developed two innovative tools available agencywide: the EPA Solution Finder, which provides solution and ordering information for all EPA enterprise-wide contract solutions; and the SUM Opportunity Tool, which recommends existing solutions to address newly identified agency requirements for commodities and services and those supported on expiring contracts.

EPA also will elevate its focus on the Category Management approach to improve management and results of its portfolio of contracts. EPA will continue to maximize considerations for implementing Strategic Sourcing Initiatives (SSIs), thereby enhancing purchase coordination, improving price uniformity and knowledge-sharing, and leveraging small business capabilities to meet acquisition goals. EPA will continue to implement strategic sourcing initiatives first launched in FY 2023 in the areas of Lab Equipment Maintenance; Diversity, Equity, Inclusion, and Accessibility; Organizational Development and Coaching; Business and Financial Services; and Intellitrak software.

The Category Management Program allows the Agency to research, assess, and award contract vehicles that will maximize time and resource savings. Long-term implementation of the Category Management Program is transforming the Agency's acquisition process into a strategically driven function, ensuring maximum value for every acquisition dollar spent. In FY 2023, EPA realized approximately \$20.3 million in cost avoidance in specific, measurable costs for twelve agencywide solutions: Secure Socket Layer (SSL) certificates; print services; cellular services; content and data subscriptions; shipping; infrastructure services; office supplies; lab supplies; computers; furniture and furniture management services; COVID-19 testing; and laboratory equipment maintenance. Since the Category Management Program's inception in 2013, EPA has avoided approximately \$924 million in costs.

In support of the IT Category-level Strategy, EPA will continue to increase transparency and visibility for IT purchases, including improving the Financial Information Technology Acquisition Reform Act (FITARA) process.<sup>232</sup> Since FY 2023, EPA developed a FITARA numbering system and the FITARA Approval ID custom data field in the EPA Acquisition System (EAS) agency contract writing system. The Agency can now track IT purchases from FITARA approval to contract award, which expands the potential to build greater effectiveness in identifying trends in IT acquisitions, streamlines the applicability of FITARA approvals to classes of contracts, and enables the Agency to be responsive to audits and inquiries.

For the Professional Services Category, the Agency will continue to build understanding of mission-critical services and explore opportunities to develop enterprise-wide solutions in mission support areas nuanced to EPA's specific needs. In FY 2022, EPA established the Office of Air and Radiation (OAR) Environmental, Analytical, Research, Technical, and Hybrid (EARTH) Support Services Blanket Purchase Agreement, its first omnibus mission support acquisition solution available for agencywide use. OAR EARTH has proven integral to the effective execution of EPA activities funded by the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act

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<sup>232</sup> For additional information, please refer to: <https://www.congress.gov/113/plaws/publ291/PLAW-113publ291.pdf#page=148%5D>.

(IRA). In FY 2025, EPA will expand its mission support solutions to the Office of Land and Emergency Management and the Office of Water. These enterprise-wide mission support solutions focus on small business utilization through use of total small business set-asides or support area “tracks” restricted to small business awards, which furthers EPA’s emphasis on small business utilization and ensures continued alignment of federal category management and equity goals.

**Performance Measure Targets:**

Work under this program supports performance results in the Small Minority Business Assistance Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$700.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$4,134.0 / +20.0 FTE) This program change will strengthen EPA’s capacity to process new, increased, and existing award contract actions in a timely manner; advance EPA utilization of small and disadvantaged business; support "Made in America" initiatives; and support supply chain risk management activities for information and communication technology. This investment includes \$3.65 million for payroll.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$85,840</i></b>   | <b><i>\$87,099</i></b>      | <b><i>\$100,595</i></b>          | <b><i>\$13,496</i></b>                                       |
| Leaking Underground Storage Tanks                     | \$373                    | \$457                       | \$474                            | \$17   |
| Hazardous Substance Superfund                         | \$32,914                 | \$31,338                    | \$30,512                         | -\$826   |
| Total Budget Authority                                | \$119,128                | \$118,894                   | \$131,581                        | \$12,687   |
| Total Workyears                                       | 441.2                    | 472.0                       | 486.7                            | 14.7   |

Total workyears in FY 2025 include 2.0 FTE funded by TSCA fees.

Total workyears in FY 2025 include 45.7 FTE to support Central Planning, Budgeting, and Finance working capital fund (WCF) services.

### **Program Project Description:**

Activities under the Central Planning, Budgeting, and Finance Program support the management of integrated planning, budgeting, financial management, performance and accountability processes, risk assessments and reporting, and financial systems to ensure effective stewardship of resources. This includes managing and supporting the Agency’s financial management systems. The Program functions include financial payment and support services for EPA; general and specialized fiscal and accounting services for many of EPA’s programs; strategic planning and accountability for environmental, fiscal, and managerial results; developing and executing an Enterprise Risk Management Program to support mission delivery and decision-making; providing policy, systems, training, reports, and oversight essentials for EPA’s financial operations; managing the agencywide Working Capital Fund (WCF); and managing the Agency's annual budget process. This program supports agency activities to meet requirements of the Government Performance and Results Modernization Act (GPRMA) of 2010,<sup>233</sup> as amended by the Foundations for Evidence-Based Policymaking Act of 2018 (“Evidence Act”), with an emphasis on Title I of the Act;<sup>234</sup> the Digital Accountability and Transparency (DATA) Act of 2014;<sup>235</sup> the Federal Information Technology Acquisition Reform Act (FITARA) of 2015;<sup>236</sup> the Federal Management Financial Integrity Act (FMFIA);<sup>237</sup> the Inspector General Act of 1978.<sup>238</sup>

<sup>233</sup> For more information, please see: <https://www.congress.gov/111/plaws/publ352/PLAW-111publ352.pdf>.

<sup>234</sup> For more information, please see: <https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf>.

<sup>235</sup> For more information, please see: <https://www.congress.gov/113/plaws/publ101/PLAW-113publ101.pdf>.

<sup>236</sup> FITARA became law as a part of the National Defense Authorization Act for Fiscal Year 2015 (Title VIII, Subtitle D), <https://www.congress.gov/113/plaws/publ291/PLAW-113publ291.pdf>.

<sup>237</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/STATUTE-96/pdf/STATUTE-96-Pg814.pdf>.

<sup>238</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/USCODE-2012-title5/pdf/USCODE-2012-title5-app-inspector.pdf>.

## **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Program requests an additional \$13.5 million and 13.1 FTE. This increase includes an investment in a solution that would move the Agency forward in assessing enterprise and programmatic risk, internal control and audit management; expands agency capacity for conducting evaluations and provides for necessary fixed costs increases. The additional FTE will support evidence and evaluation work, system enhancements, and agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility, management integrity, and efficient financial services are delivered nationwide. The Program will continue maintaining key planning, budgeting, performance measurement, and financial management activities. Additionally, the Program also will implement enhancements to technical training, outreach, and reporting to assistance programs with the goal of reducing the barriers of managing complex federal requirements. The Program will ensure secure operations and maintenance of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget Formulation System, which includes a Performance Module, and related financial reporting systems.

The Agency continues to modernize its financial systems to gain greater efficiencies through leveraging the accounting system, providing accessible tools to manage resources and track agency performance goals. In FY 2025, Robotics Process Automation (RPA) will be incorporated as a part of the overall strategy to reduce manual work and improve efficiency of the Agency's financial management responsibilities. The Program will begin activities for major upgrades to the Agency's financial management system (Compass) based on an alternatives analysis conducted in FY 2024. EPA will continue to expand and enhance easy to use financial dashboards for management and other analysis work. Dashboards are now in place to support payroll and FTE management. The dashboards support GPRMA performance planning and systematic tracking of supplemental funding. The Program will continue to modify systems and data flows to meet Justice40 location reporting needs. This will involve extensive evaluation of systems architecture to streamline and modernize interconnections and to improve system performance for customer experience.

In FY 2025, EPA will continue to standardize and streamline internal business processes. In FY 2023, EPA began processing new interagency agreements within G-invoicing, as per the Treasury guidelines. This improved process and system implementation will continue to evolve over the next few years as more agencies come online and start to do business with the Agency in G-invoicing. EPA will continue to work transferring its entire catalog of interagency agreements to G-invoicing by the end of FY 2025, however, this transfer is dependent on the trading partners' ability to move into G-invoicing. In FY 2024, EPA will prepare to initiate the acquisition process and transition planning for the Agency's Time and Attendance system based on the results of its FY 2023 alternatives analysis.

In the current climate of cybercrime, data hacking and foreign interference, the Program is focused on the Agency's ability to adapt network and data systems to meet increased transparency and

cybersecurity needs. The DATA Act reporting will continue to evolve with more stringent timelines, certification requirements, data standardization, validation checks, as well as additional areas of federal financial spending. The Agency plans to be flexible to adapt to the new transparency requirements and to provide timely and accurate spending information to the public while ensuring appropriate security controls and data governance are in place.

In FY 2025, the Program will continue to support formal evaluations, improve critical data collections and data sharing in priority areas as directed by the Evidence Act. In alignment with the Act, EPA has been steadily building the capacity for this important work, and in FY 2022 the Agency published its first Learning Agenda. The first Learning Agenda helped established the policy framework for the Agency's evaluation program. In FY 2025, the Agency will continue implementing the objectives of the Act. In alignment with the Act, EPA is strategically assessing its capacity to engage in three areas of evidence-building activity – program evaluation, statistics, and continuous improvement. In FY 2023 and 2024, all organizations will report the activities, staff expertise, infrastructure, and resources that they have committed to each evidence-building area, as well as their plans to expand these activities over the next three years. In FY 2025, the results will be used to identify baseline skills and capabilities, offer resources, training, and tools. The results will be used to inform the development of the *FY 2026 – FY 2030 EPA Strategic Plan*, underscoring the Agency's progress in incorporating evidence into core management deliberations and decision-making. The Act requires EPA to develop an evidence-building portfolio to support policy and program implementation decisions by generating evaluation studies to help the Agency improve, advance, or modify existing programs, policies, projects, or operations. In order to build a portfolio of evaluation findings and build staff capacity to oversee and implement evaluations, the Agency is funding evaluations that leverage administrative and other readily available data. Evaluations will be conducted in FY 2024 and will be expanded in FY 2025 to support evaluation studies for decision-making and continuous improvement. In FY 2025, EPA will continue to execute the Agency's Learning Agenda, build evaluation and evidence-building into the planning for new and enhanced programs, enhance strategic and annual planning, collaborate with external evaluation experts, and implement EPA's evaluation policy framework. EPA will invest in evaluation and other evidence-building activities addressing environmental justice (EJ), climate change, community engagement, and diversity, equity, inclusion, and accessibility (DEIA). With a commitment to reversing decades of underinvestment in small, disadvantaged, and Tribal communities that are most impacted by environmental hazards, pollution, and climate change. The Program will offer cooperative agreement awards to help develop tools, strategies, and technical assistance that will build knowledge and skills in the evidence-building process. The cooperative agreement awards will enhance communities' evidence-building capacity to generate high-quality information that supports learning and improvement of outcomes and impacts.

In FY 2025, the Program will continue to focus on core responsibilities in the areas of strategic planning; performance measurement, assessment, and reporting; and enterprise risk management. As the Agency lead in designing and implementing performance measurement 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 targets, monitoring and mitigating risks, and adjusting strategies as needed. This includes convening Quarterly Performance Reviews (QPRs) 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 of governance to enhance data quality. EPA also will continue to use the performance data evidence to answer fundamental business questions and identify opportunities for service improvements.

During FY 2025, EPA will continue to leverage a management system that uses Lean Management techniques and tools to promote continuous improvement. Lean Management techniques will continue to complement EPA's performance framework to help the Agency meet the requirements of the GPRMA. As of December 2023, EPA has improved more than 1,500 processes and implemented over 11,500 employee ideas. Improvements and innovations have been made in a variety of administrative areas, such as hiring and DEIA improvements.

EPA has made significant strides in recent years to strengthen programs considered susceptible to improper payment. However, the Agency continues to be vigilant in reducing fraud, waste, abuse, and strengthening internal controls over improper payments. In addition, as required by the Payment Integrity Information Act of 2019 (PIIA) (P.L. 116-117)<sup>239</sup> and OMB Memorandum M-21-19 Appendix C,<sup>240</sup> EPA conducts risk assessments of all its payment streams. Other improvements include the recent implementation of upgraded systems used for payments and invoice processing through which the Agency anticipates even fewer payment errors moving forward. To strengthen our processes, the Program is developing risk assessment plans for significant increases or new funding the Agency receives. These risk assessments will outline potential areas that may require additional guidance for tracking and reporting, performance measures, and internal controls to prevent and detect possible improper payment activities.

The Program will continue to conduct internal control program reviews and use the results and recommendations from the Office of Inspector General to provide evidence of the soundness of EPA's financial management program and identify areas for further improvement. Annually, the Agency conducts internal control reviews of multiple programs. The Program will collect key operational statistics for its financial management program to further evaluate its operations and for management decision-making. In FY 2023, EPA enhanced their enterprise risk management and risk assessment processes to help the collection and analysis of the Agency's risks and mitigating controls. In future years, EPA will be enhancing its controls on payments by re-evaluating and adjusting its Payment Integrity operations to allow for a broader reviews of payment transactions.

With increased focused on internal controls, audit management, and enterprise risk assessment, in FY 2025, the Agency will continue to expand the Program's efforts in this area including implementing a new internal control tool. The new tool will allow the Agency to easily crosswalk the anticipated increase in the number of audits for program integrity to the 600+ risks and internal controls. The tool also will help the Agency to better monitor the effectiveness, impact and testing of the internal controls set in place.

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<sup>239</sup> For more information, please see: <https://www.congress.gov/116/plaws/publ117/PLAW-116publ117.pdf>.

<sup>240</sup> For more information, please see: <https://www.whitehouse.gov/wp-content/uploads/2021/03/M-21-19.pdf>.



The Program will continue to support FITARA requirements in accordance with EPA’s Implementation Plan.<sup>241</sup> The Chief Information Officer will continue to be engaged throughout the budget planning process to ensure that information technology needs are properly planned and resourced in accordance with FITARA.

**Performance Measure Targets:**

**(PM OP1) Number of operational processes improved.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                 |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------------------|
| <b>Target</b> | 25      | 50      | 72      | 500     | 200     | 200     | 200     | 200     | Operational Processes |
| <b>Actual</b> | N/A     | 66      | 502     | 507     | 208     | 236     |         |         |                       |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$5,018.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$6,420.0 / +7.2 FTE) This program change supports implementation of the Evidence Act to continue to support the data, reporting, and evidence-building capacity of EPA grant recipients. In addition, this funding will boost support for EPA’s central evaluation function, including evaluation policy implementation activities and EPA’s program evaluation capacity. It also will support 3 to 4 comprehensive program evaluations and allow for a higher degree of planning to better prioritize and integrate evidence-building and evidence-based decision-making into agency programs. This investment includes \$1.3 million for payroll.
- (+\$1,570.0 / +3.4 FTE) This investment supports a new management integrity tool to turn manual data collection and analysis activities into a streamlined, customer-focused and agencywide tool that meets the agencywide analytical needs supporting enterprise risk management, internal control, and audit environments. The FTE will support system configuration, training, on-going administrative functions and expanded agency analysis activities. This investment includes \$630.0 thousand for payroll.
- (+\$488.0 / +2.5 FTE) This investment supports additional FTE to help the agencywide implementation process of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment provides \$463.0 thousand for payroll.

<sup>241</sup> For more information, please see: <http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan>.

**Statutory Authority:**

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

## Facilities Infrastructure and Operations

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$275,614</i></b>  | <b><i>\$283,330</i></b>     | <b><i>\$308,134</i></b>          | <b><i>\$24,804</i></b>                                       |
| Science & Technology                                  | \$65,328                 | \$67,500                    | \$72,906                         | \$5,406  |
| Building and Facilities                               | \$17,502                 | \$42,076                    | \$98,893                         | \$56,817   |
| Leaking Underground Storage Tanks                     | \$803                    | \$754                       | \$729                            | -\$25  |
| Inland Oil Spill Programs                             | \$692                    | \$682                       | \$643                            | -\$39  |
| Hazardous Substance Superfund                         | \$74,115                 | \$65,634                    | \$72,349                         | \$6,715  |
| Total Budget Authority                                | \$434,054                | \$459,976                   | \$553,654                        | \$93,678   |
| Total Workyears                                       | 304.7                    | 321.8                       | 331.1                            | 9.3  |

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### **Program Project Description:**

Environmental Programs and Management (EPM) resources in the Facilities Infrastructure and Operations Program fund the Agency’s rent, utilities, and security. The Program also supports centralized administrative activities and support services, including health and safety, environmental compliance and management, facilities maintenance and operations, space planning, sustainability and energy conservation, property management, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

This program also supports the Agency’s Protection Services Detail (PSD) that provides physical protection for the Administrator through security for daily activities and events. The PSD coordinates all personnel and logistical requirements including scheduling, local support, travel arrangements, and the management of special equipment. The Program also provides personnel and support for the Office of Federal Chief Sustainability Officer per Executive Order 14057 *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*, Section 501.<sup>242243</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

<sup>242</sup> For additional information, please refer to: <https://www.sustainability.gov/about.html>.

<sup>243</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>.

In FY 2025, EPA requests an additional \$24.8 million and 8.8 FTE in the Facilities Infrastructure and Operations Program to support agencywide climate sustainability and resiliency initiatives, and EPA facilities' operating costs and projects. Investing in the reconfiguration of EPA's workspaces enables the Agency to release office space and avoid long-term rent costs, consistent with the *Federal Assets Sale and Transfer Act*.<sup>244</sup> These resources are essential to help EPA reduce the number of occupied leased facilities, consolidate and optimize space within owned facilities, and reduce square footage. The Agency's space consolidation and energy efficiency efforts result in cost avoidances due to projected rent and utility increases in out-years. For FY 2025, the Agency requests \$154.22 million for rent, \$5.8 million for utilities, and \$23.8 million for security in the EPM appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level.

EPA will continue conducting climate resiliency assessments at EPA-owned facilities to identify critical upgrades that are necessary to improve facility resiliency against the impacts of climate change, such as roof stabilization or seawall construction projects. EPA also will continue incorporating natural hazard and climate vulnerability assessments into their real property risk management process. In FY 2025, EPA will conduct climate assessments at the Andrew W. Breidenbach Environmental Research Center, and Center Hill Research Facility in Cincinnati, OH, and the National Vehicle and Fuel Emissions Laboratory in Ann Arbor, MI. As a result of FY 2022 assessments, EPA initiated two high priority projects in FY 2023: a feasibility study to improve the resilience of the causeway leading to the Gulf Ecosystem Measurement and Modeling Division campus in Gulf Breeze, FL, and a solar array feasibility study at the research facility in Narragansett, RI.

Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce.<sup>245</sup> EPA will consider all opportunities for supporting organizational health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*. Even if modifications are kept to a minimum, each move requires initial funding to achieve long-term cost avoidance and sustainability goals. These investments support sustainable federal infrastructure and the clean energy goal of net-zero emissions by 2050.

In FY 2025, EPA will implement energy, water, and building infrastructure requirements with emphasis on environmental programs (e.g., Environmental Management Systems, Environmental Compliance Programs, Leadership in Energy and Environmental Design Certification, alternative fuel use, fleet reductions, telematics, and sustainability assessments). This funding will support investments in infrastructure (e.g., architectural and design) and mechanical systems (e.g., Optimized Building Managements Systems for heating and cooling with load demand driven

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<sup>244</sup> For additional information, please refer to: <https://www.congress.gov/bill/114th-congress/house-bill/4465>, *Federal Assets Sale and Transfer Act of 2016*.

<sup>245</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) and EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>).

controls). Further, EPA will direct \$4 million to continue transitioning to electric vehicles through direct purchase (mobile lab vehicles) or lease with the General Services Administration (GSA), and to build out the necessary charging infrastructure at EPA facilities. In line with federal sustainability goals, EPA will work to utilize 100 percent carbon pollution-free electricity on a net annual basis by 2030.

EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations determined through audits and assessments and will provide health and safety training to field staff (*e.g.*, inspections, monitoring, and on-scene coordinators). The Agency will continue its partnership with GSA to utilize shared services solutions, *USAccess*, and Enterprise Physical Access Control System (ePACS) programs. *USAccess* provides standardized HSPD-12 approved Personal Identity Verification (PIV) card enrollment and issuance and ePACS provides centralized access control of EPA facilities, including restricted and secure areas.

**Performance Measure Targets:**

**(PM CAA) Number of EPA-owned facility climate adaptation assessments completed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| <b>Target</b> |         |         |         |         | 2       | 7       | 11      | 14      | Assessments |
| <b>Actual</b> |         |         |         |         | 1       | 7       |         |         |             |

**(PM CRP) Percentage of priority climate resiliency Projects for EPA-owned facilities initiated within 24 months of a completed facility climate assessment and Project prioritization.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      |         |         |         |         |         | 100     | 100     | 100     | Percent  |
| <b>Actual</b>      |         |         |         |         |         | 100     |         |         |          |
| <b>Numerator</b>   |         |         |         |         |         | 1       |         |         | Projects |
| <b>Denominator</b> |         |         |         |         |         | 1       |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,764.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$10,694.0) This change to fixed and other costs is an increase due to adjustments to rent, utilities, security, and transit subsidy needs.
- (+\$5,646.0 / +7.8 FTE) This program change supports implementation of EO 14057: Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability requirements that will require EPA to increase facility resiliency against the impact of climate change and to advance sustainability of EPA operations. EPA will invest in facility climate assessments and Optimized Building Management Systems; EPA facilities projects to

ensure EPA has optimal footprint to support the proposed FTE increase in the FY 2025 Budget request; and EPA's Climate Adaptation Action Plan. This investment includes \$1.6 million for payroll.

- (+\$4,000.0) This program change supports the continuing implementation of transitioning the Agency's Federal motor vehicle fleet to clean and zero emission vehicles, as well as building out necessary charging infrastructure at EPA facilities.
- (+\$1,700.0 / +1.0 FTE) This program change provides the Office of the Chief Sustainability Officer additional FTE and resources necessary to lead implementation of Executive Order 14057.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$28,225</i></b>           | <b><i>\$30,188</i></b>               | <b><i>\$34,745</i></b>                    | <b><i>\$4,557</i></b>  |
| Hazardous Substance Superfund                         | \$4,855                          | \$4,002                              | \$4,660                                   | \$658  |
| Total Budget Authority                                | \$33,079                         | \$34,190                             | \$39,405                                  | \$5,215  |
| Total Workyears                                       | 145.5                            | 156.8                                | 184.5                                     | 27.7   |

**Program Project Description:**

Environmental Program and Management (EPM) resources in the Financial Assistance Grants and Interagency Agreement (IA) Management Program support the management of grants and IAs as well as suspension and debarment activities for assistance and procurement programs. Grants and IAs historically comprise a significant percentage of EPA’s annual appropriations. Resources in this program ensure EPA manages grants and IAs to meet the highest fiduciary standards and achieve measurable results for environmental programs and agency priorities, and that the government’s financial resources and business interests are protected from fraud and mismanagement.

**FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$4.6 million and 23.0 FTE for this program. The Agency will continue implementing the FY 2021-2025 Grants Management Plan, focusing on efficient award and management of assistance agreements, enhancing partnerships within the grants management community, promoting environmental justice (EJ), and ensuring effective grant oversight and accountability.

EPA will continue to provide technical assistance and outreach to recipients of federal funding; improve capacity for oversight and tracking of new and increased grant investments; and process financial assistance agreements in a timely manner. EPA will conduct a robust training program for EPA staff and grant applicants and recipients that will focus on:

- 1) Helping applicants find and apply for competitive and non-competitive grant opportunities.
- 2) Providing compliance assistance to ensure applicants and recipients are prepared to receive and administer funding from the annual appropriations as well as the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), and Congressionally Directed Spending.

3) Ensuring recipients understand and comply with the federal requirements that apply to them and primary recipients.

EPA will use and adapt the grant competition and grant-making processes to promote equity and support for underserved communities. For example, EPA will provide technical assistance to potential grantees from underserved communities on sound financial management practices to reduce barriers to competition for EPA grant resources. EPA also will track grant place of performance to help determine whether underserved communities realize the benefits of EPA grant programs.

EPA also will continue to ensure compliance with the Build America, Buy America Act and policies in its financial assistance programs, consistent with Executive Order 14005 and Office of Management and Budget (OMB) Memorandum M-24-02.<sup>246,247</sup> These efforts include establishing appropriate terms and conditions, developing information to share with recipients, conducting market research and industrial engagement, and, where absolutely necessary, providing limited and targeted waivers consistent with statutory requirements and OMB directive.

In FY 2025, the Agency will continue to make use of discretionary debarments and suspensions as well as statutory disqualifications under the Clean Air Act and Clean Water Act to protect the integrity of federal assistance and procurement programs. 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 federal assistance awards (e.g., grants, cooperative agreements, loans, and loan guarantees).

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$637.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$3,920.0 / +23.0 FTE) This net program change will support technical assistance and outreach to first time recipients of federal funding; improve capacity for oversight and tracking of new and increased grant investments; and the timely processing of financial assistance agreements. This investment includes \$4.2 million for payroll.

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<sup>246</sup> For more information, please refer to: <https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>.

<sup>247</sup> For more information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/10/M-24-02-Buy-America-Implementation-Guidance-Update.pdf>.



**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$51,882</i></b>   | <b><i>\$51,261</i></b>      | <b><i>\$68,124</i></b>           | <b><i>\$16,863</i></b>                                       |
| Hazardous Substance Superfund                         | \$7,382                  | \$7,419                     | \$9,303                          | \$1,884  |
| Total Budget Authority                                | \$59,264                 | \$58,680                    | \$77,427                         | \$18,747   |
| Total Workyears                                       | 210.6                    | 254.4                       | 328.7                            | 74.3   |

Total work years in FY 2025 include 1.5 FTE to support Human Resources Management working capital fund (WCF) services.

### **Program Project Description:**

Environmental Programs and Management (EPM) resources for the Human Resources (HR) Management Program support human capital management (HCM) activities throughout EPA. HCM activities include diverse outreach, recruitment, hiring, employee development, performance management, leadership development, strategic planning (including workforce planning, succession management, employee acclimation and experience management), data analysis and labor union engagement. These factors are critical for building, developing, and retaining a diverse and talented workforce at EPA. Additional HCM activities supported by EPM resources include personnel and payroll processing through the Human Resources Line of Business. EPM resources also support overall federal advisory committee management and Chief Human Capital Officer Council activities under applicable statutes and guidance, including the Agency’s Human Capital Operating Plan.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$18.75 million and 74.3 FTE across EPM and Superfund resources for the HR Management Program to continue to implement EPA’s Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan, establish a centralized EPA intern program, implement evidence-gathering and application under EPA’s Learning Agenda, and strengthen agencywide capacity to hire and onboard staff in a timely and equitable manner. The activities supported by EPA’s HR Management Program contribute to effective workforce management and are critical for strengthening the workforce, retaining expertise, and capturing institutional knowledge. EPA continues developing mechanisms to ensure employees have the right skills to successfully achieve the Agency’s core mission today and in the future.

EPA is committed to advancing equity, in line with President Biden’s Executive Orders (EOs) 13985,<sup>248</sup> 13988,<sup>249</sup> 14020,<sup>250</sup> 14035,<sup>251</sup> and 14075.<sup>252</sup> In FY 2025, in line with EO 14035, EPA requests an additional \$7.826 million to implement the actions identified in the DEIA Strategic Plan and to assess whether agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable. EPA will undertake an evidence-based and data-driven approach to determine whether, and to what extent, agency practices result in inequitable employment outcomes, and whether agency actions may help to overcome systemic societal and organizational barriers. Further, the Agency’s Chief Diversity Officer will oversee the assessment of the status and effects of existing DEIA initiatives or programs and review the institutional resources available to support human resources activities. For areas where evidence is lacking, the Agency will propose opportunities to advance DEIA. EPA will continue to involve employees at all levels of the organization in the assessment of DEIA initiatives and programs.

In FY 2025, EPA will manage and propose an additional \$1.36 million investment in its Senior Executive Service Candidate Development Program. The Program will focus on incorporating DEIA strategies to ensure future executives reflect the diversity of the American population and possess the skills necessary to lead a diverse and talented workforce operating in a hybrid work environment. The Agency will continue to implement a centralized paid internship program and with the additional funds requested, will expand on existing internship opportunities across the Agency to strengthen talent and workforce acquisition. This paid internship program focuses on expanding federal work experience opportunities for underrepresented and underserved populations which may have experienced barriers to applying or fully participating in existing opportunities. EPA’s program will provide a total of approximately 180 four-month internship opportunities across EPA Programs and Regional Offices. Additionally, EPA will implement a plan to convert eligible interns to permanent federal service based on performance and completing program requirements.

EPA has increased efforts to improve DEIA with virtual outreach events targeting diverse networks such as veterans, persons with disabilities, Returned Peace Corps Volunteers, and Historically Black Colleges and Universities and other Minority Serving Institutions. To recruit EPA’s next generation of employees, EPA will continue outreach to new potential sources for future employees and use all available hiring authorities including Schedule A and recruitment incentives. In FY 2025, EPA will continue to work with Science, Technology, Engineering, and Mathematics-focused institutions and organizations such as the Society of Hispanic Professional Engineers and National Society of Black Engineers. EPA also will participate in the President’s Management Council Interagency Rotational Program to create leadership development

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<sup>248</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

<sup>249</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01761/preventing-and-combating-discrimination-on-the-basis-of-gender-identity-or-sexual-orientation>.

<sup>250</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/03/11/2021-05183/establishment-of-the-white-house-gender-policy-council>.

<sup>251</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>.

<sup>252</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2022/06/21/2022-13391/advancing-equality-for-lesbian-gay-bisexual-transgender-queer-and-intersex-individuals>.

assignments for GS 13-15 level employees. EPA will continue to review applicant flow diversity data every quarter to assess progress and identify areas for improvement.

In FY 2025, in line with OMB Memoranda M-23-15 - *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*,<sup>253</sup> EPA will continue to implement, and update as necessary, its Work Environment Plan in a manner that emphasizes meaningful in-person work and advances organizational health and performance. EPA will continue to assess and implement any necessary investments in information technology and real property necessary to implement its Work Environment Plan. EPA also will continue to support front-line supervisor training for managing individuals and teams working in hybrid environments and effectively delivering results to customers and stakeholders. EPA will continue to support a data-driven culture which routinely uses performance measures for measuring, monitoring, and improving organizational health and organizational performance.

The Agency will continue to build Talent Teams to effectively expand recruitment and hiring to meet critical agency skill needs, as well as continue to leverage childcare subsidies to support retention. EPA also will continue to support and invest in evidence-building activities to carry out a workforce strategy guided by data-driven decisions as part of its implementation of the Evidence Act through the Workforce Planning learning priority area in EPA's Learning Agenda. This work also addresses implementing OMB's Statistical Policy No. 15, Standards for the Classification of Federal Data on Race and Ethnicity. This work includes determining Mission Critical Competencies, enhancement of EPA's competency assessment tool, conducting a skills gap analysis across the Agency, and implementing knowledge transfer strategies to support Succession Management.

In FY 2025, EPA will continue to operate and maintain the Talent Enterprise Diagnostic (TED) tool to allow EPA to make data-driven, strategic workforce decisions. TED data will serve a crucial role in EPA's Workforce Planning and Succession Management activities by identifying potential competency gaps across the Agency and by increasing management's understanding of where needed skill sets should reside within EPA. Additionally, EPA will continue to maintain and operate dashboards related to Mission Critical Occupations, Workforce Demographics, and Diversity. These dashboards provide data visualizations and easy-to-understand information about the current workforce, assisting EPA with Succession Management by identifying workforce gaps due to anticipated retirements and attrition trends. This is critical considering approximately 22 percent of EPA's workforce is retirement eligible and another 15 percent of the current workforce will become retirement eligible over the next five years.

The Agency will continue to implement Executive Order 14003, *Protecting the Federal Workforce*,<sup>254</sup> issued on January 22, 2021. EPA reviewed its unions' agreements to identify and eliminate provisions influenced by four revoked executive orders and will increase the focus on pre-decisional involvement and interest-based bargaining. In FY 2025, EPA will continue working to reset and repair relationships and involve unions in a collaborative way, promoting the Agency's

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<sup>253</sup> For additional information, please see: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

<sup>254</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/22/executive-order-protecting-the-federal-workforce/>.

and the unions’ shared goal of the positive and equitable treatment of newly empowered employees.

Finally, EPA’s advisory committees have proven effective in building consensus among the Agency’s diverse external partners and stakeholders. In line with President Biden’s *Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking*,<sup>255</sup> EPA remains committed to ensuring highly qualified external experts serve on agency committees and members and future nominees of EPA advisory committees reflect the diversity of America in terms of gender, race, ethnicity, geography, and other characteristics.

**Performance Measure Targets:**

**(PM DEIA) Diversity, Equity, Inclusivity, and Accessibility (DEIA) actions completed toward Maturity Level “Leading and Sustaining” achieved.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <b>Target</b> |         |         |         |         |         | 2       | 4       | 6       | Actions |
| <b>Actual</b> |         |         |         |         |         | 2       |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,877.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, changes to benefits costs, and changes to workers compensation and childcare.
- (+\$3,104.0 / +45.0 FTE) This program change is an increase to continue to develop and diversify its new paid internship program to strengthen talent and workforce acquisition and focus on expanding federal work experience opportunities for underrepresented and underserved populations. This investment includes \$2.6 million for payroll.
- (+\$7,257.0 / +5.0 FTE) This program change is an increase to support the implementation of Executive Order 14035 – Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce, carry out the actions identified in EPA’s DEIA Strategic Plan, and assess whether agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable. This investment includes \$812.0 thousand for payroll.
- (+\$1,629.0 / +8.5 FTE) This program change strengthens agencywide capacity to quickly increase staff levels in key offices and programs (*i.e.*, environmental justice, climate, infrastructure programs, etc.). This investment includes \$1.4 million for payroll.

<sup>255</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/>.

- (+\$1,000.0) This program change is an increase to support the continuation of the Senior Executive Service Candidate Development Program with a goal that EPA senior leaders reflect the diversity of the American people and will include a special focus on developing diversity, equity, accessibility, and inclusivity competencies.
- (+\$996.0 / +5.2 FTE) This program change is an increase in support of the Foundations for Evidence-Based Policymaking Act of 2018. Resources will be used for Learning Agenda's evidence-gathering activities. This investment includes \$844.0 thousand for payroll.

**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).

## Regional Science and Technology

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$1,879</i></b>    | <b><i>\$1,554</i></b>       | <b><i>\$7,287</i></b>            | <b><i>\$5,733</i></b>  |
| Total Budget Authority                                | \$1,879                  | \$1,554                     | \$7,287                          | \$5,733  |
| Total Workyears                                       | 0.3                      | 1.7                         | 16.7                             | 15.0   |

### Program Project Description:

EPA’s Regional Science and Technology (RS&T) Program provides direct regional support to multiple Agency programs including implementing the Resource Conservation and Recovery Act (RCRA); Toxic Substances Control Act (TSCA); Clean Water Act (CWA); Safe Drinking Water Act (SDWA); Clean Air Act (CAA); and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The RS&T Program supports the Agency’s strategic goals by performing laboratory analysis, and mobile laboratory services to provide credible scientific data on environmental pollutants and conditions for agency decision-makers. The RS&T Program also assists state environmental agencies by providing specialized technical assistance including assistance to vulnerable and highly exposed communities. Additionally, the Program assists tribal communities to help build tribal capacity for environmental monitoring and assessment.

The RS&T Program provides essential expertise and scientific data for a wide array of environmental media, including ambient air; surface, drinking, and groundwater; soil and sediment; solid and hazardous waste; and biological tissue. This work focuses on the immediate scientific information needed to make short-term local decisions. A strategic strength of the regional laboratories is their ability to respond to events requiring surge capacity. In the event of an emergency or project impacting a large area, regional laboratories work together to leverage the strengths and capacities of individual lab facilities and deploy mobile laboratory services where needed.

Extreme weather events often disproportionately affect vulnerable and highly exposed populations including fence line communities most closely adjacent to chemical facilities. As extreme weather events and related wildfires, flooding, and service interruptions increase in frequency due to climate change, the public expectation for a rapid and effective response will continue to grow over time. These events often require assistance from EPA’s regional labs for quick turnaround sample analyses as well as technical support. When extreme weather events occur, local area laboratories can become overwhelmed. Each year, in response to natural and/or man-made disasters across the county, the regions mobilize to provide critical support of urgent analytical results to assist communities whose drinking water is threatened, air quality is impacted, or properties are inundated. Regional laboratories have a strong record of backing up each other during incidents when there is a high demand for services, such as 2021’s Winter Storm Uri, where

Regions 4 and 7 assisted Region 6. Regional laboratories continue to stand ready to assist each other during increasing wildfire events and other natural disasters.

The RS&T Program provides support for areas such as environmental biology, microbiology, chemistry, field sampling, enforcement and criminal investigations, and quality assurance, as well as support for special or non-routine analytical requests that EPA cannot readily obtain from other sources within required timeframes. Funding for up-to-date scientific equipment and related IT security investments under this program is essential for maintaining high-level capabilities in EPA regional laboratories. New and improved technology strengthens science-based decision-making for regulatory efforts, environmental assessment of contaminants, and the development of critical and timely environmental data in response to accidents and natural or man-made disasters. As technology improves, the sensitivity of equipment advances to detect lower levels of contaminants. Newer, more advanced instrumentation improves environmental data collection, allows tight turn-around-time frames to be met with more reliable equipment, and enhances laboratory analytical capability for clients' needs.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, resources will continue to support regional implementation of the Agency's statutory mandates through fixed and mobile laboratory operations for environmental sampling, monitoring, and enforcement compliance support. Resources improve timely decision-making in regional program management and implementation of regulatory work across all media and enable the Agency to address environmental issues specific to geographic areas (*e.g.*, energy extraction, mining, wood treating operations, specialty manufacturing), natural disasters and extreme climate events such as flooding, drought and wildfires, and homeland security threats.

In FY 2025, regional laboratories will continue to coordinate within the Regional Laboratory Network (RLN) to provide needed expert analytical services. The regional laboratories have the capability to analyze a full suite of contaminants using an array of established methods, including regulatory or guidance methods such as the RCRA, CWA, and SDWA methods. Laboratories also utilize new methods and adapt methods based on immediate needs or circumstances. These efforts help support the underserved communities that benefit from response times for both routine and enforcement sample analyses related to contaminated sites in urban areas where legacy contamination persists. As the Agency implements an ambitious agenda on climate change, Environmental Justice, aging infrastructure, and emerging contaminants, the need for sound analytical capabilities and capacity increases. Additional state-of-the-science instrumentation is necessary to address these complex and interconnected challenges.

The RLN is experiencing an expansion of demands due to climate change, novel chemical threats, and increased impacts on our vulnerable populations. The RLN must adapt to these changes and be equipped to analyze emerging contaminants often at lower levels of detection. The FY 2025 investment will help the RLN adapt to these changing needs and provide necessary expertise and services to our partners (*e.g.*, other agency offices, states, and tribal communities).



In FY 2025, the regional laboratories will continue to work toward the replacement and upgrading of aging analytical equipment and the modernization of associated critical IT infrastructure. This will support the risk identification and assessment associated with pesticides, organic chemicals, and other high-risk chemicals. The Agency's mission to protect human health and the environment often requires the availability of scientific data at lower detection levels, which requires specialized equipment. Almost all scientific instrumentation is computer-controlled or interfaced. As computer technology improves, instrument efficiencies and sensitivity also improve – these advances in technology leading to lower detection levels of contaminants are essential for some compounds where health-based risk levels are decreasing (e.g., hexavalent chromium and per- and polyfluoroalkyl [PFAS] chemicals). When measuring these compounds, the instrument detection levels need to be as low as technically feasible, requiring laboratories to modify an existing method, modify existing equipment, or purchase newer instrumentation.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$83.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$5,650.0 / +15.0 FTE) This new investment will be used to replace and upgrade aging analytical equipment, modernize associated critical IT infrastructure, and provide additional staff necessary to meet increasing demands for immediate scientific information needed to make short-term local decisions. This investment includes \$2.627 million in payroll.

**Statutory Authorities:**

Resource Conservation and Recovery Act (RCRA); Toxic Substances Control Act (TSCA); Clean Water Act (CWA); Safe Drinking Water Act (SDWA); Clean Air Act (CAA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Pollution Prevention Act (PPA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)

## **Pesticides Licensing**

## Pesticides: Protect Human Health from Pesticide Risk

Program Area: Pesticides Licensing

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$59,740</i></b>   | <b><i>\$62,125</i></b>      | <b><i>\$66,281</i></b>           | <b><i>\$4,156</i></b>  |
| Science & Technology                                  | \$3,034                  | \$2,894                     | \$5,902                          | \$3,008  |
| Total Budget Authority                                | \$62,774                 | \$65,019                    | \$72,183                         | \$7,164  |
| Total Workyears                                       | 398.6                    | 385.6                       | 385.6                            | 0.0  |

### Program Project Description:

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)<sup>256</sup> and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA) and the Pesticide Registration Improvement Act of 2022 (PRIA 5),<sup>257</sup> 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 U.S. Registration is based on the review of scientific data sufficient to demonstrate that the product can perform its intended function without unreasonable adverse effects on people or the environment. 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.

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 an 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.<sup>258</sup> EPA must periodically review the registration and tolerances that the Agency issues to ensure that public health is adequately protected.

<sup>256</sup> For additional information on FIFRA, please visit: <https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act>.

<sup>257</sup> On December 29, 2022, Pesticide Registration Improvement Extension Act of 2022 (PRIA 5) was signed into law, which reauthorizes PRIA for 5 years through fiscal year 2027 and updates the fee collection provisions of the Federal Insecticide, Fungicide, and Rodenticide Act.

<sup>258</sup> 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 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

### Pesticide Review and Registration

In FY 2025, EPA will continue to review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with statutory requirements, making sure exposure to infants and children is reflected in the human health risk assessments supporting these regulatory determinations. Many assessments also address potential exposure to pregnant women. In addition, the Agency will evaluate pesticides that are already in the market against current scientific standards for human health. To advance EPA's work supporting environmental justice (EJ) and children's health, EPA also will evaluate these registration requests with special consideration for impacts on members of overburdened communities and sensitive life stages, especially infants and children. Under the FQPA, EPA is statutorily required to ensure that its regulatory decisions are protective of children's health and other vulnerable subpopulations. EPA also 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 U.S. Department of Agriculture (USDA), also 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 also 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 on the website and in print.

In FY 2025, EPA will continue to review the registrations of existing pesticides with a focus on assessing and ensuring that pesticides are 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 they continue to meet the FIFRA standard for registration.<sup>259</sup> With the reauthorization of PRIA 5 on December 29, 2022, the deadline to complete the initial registration review of each pesticide or pesticide case was extended four years to October 1, 2026, and EPA will continue working on registration review cases in FY 2025. For pesticides registered before October 1, 2007, EPA is required to make registration review decisions by October 1, 2026. EPA will focus its FY 2025 resources on completing decisions for cases with the FY 2026 statutory deadline and on cases with 15-year due dates in FY 2025 and beyond. Regarding the 789 registration review cases due by October 1, 2026, through FY 2023 Q4, there were 717 cases for which draft risk assessments were completed or not needed, and 614 final or interim decisions completed, with 72 draft risk assessments and 175 final or interim decisions remaining to be completed to meet the FY 2026 statutory deadline.

As EPA approaches the October 1, 2026 deadline, many of the remaining cases involve highly complex scientific and regulatory issues, which have resulted in requests from stakeholders to extend the comment periods for proposed decisions, lengthening the amount of time needed to complete the necessary reviews. In addition, EPA continues to await data and/or registrant input critical to finalizing several registration review decisions. Further ongoing challenges in

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<sup>259</sup> For additional information please visit the EPA Pesticide Registration Internet site: <https://www.epa.gov/pesticide-registration>.

completing actions that are due in October 2026 and beyond include: delayed registrant submittal of additional data, the need for inter- and intra-agency coordination, and resource constraints.

In FY 2025, EPA will continue the transformation of the pesticide programs information technology systems. Expanding the capabilities of the existing systems will 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, these enhancements 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 these efforts will improve over 150 existing business process workflows supporting the implementation of PRIA. This digital transformation will consolidate over 30 different custom-built systems into a single platform to track registration or re-registration of a chemical from the moment EPA receives a case to the final regulatory decision. Being able to track all reviews in a single system will eliminate the need for hundreds of spreadsheets or Access databases that are currently used to track work at a team, branch, divisional, or office level. This transformation focuses on improving both the employee's experience and the customer experience.

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

In FY 2025, 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).<sup>260</sup> 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, EPA will help reduce risks to Americans from foods imported from other countries. In FY 2025, EPA will continue to assist pesticide users in learning about new, safer products as well as safer methods for using existing products. Through its Center for IPM, educational webinars, science-based publications, informational social media outreach, and collaborations with federal partners, states, commodity and other non-governmental organizations, the Agency also will encourage the use of IPM tools, biological pesticides, and biotechnology where they present lower-risk solutions to pest problems.

#### 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. A very large proportion of these workers are members of communities with EJ concerns. EPA's work in this area will be guided by Executive Order (EO) 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* and, where regulatory action is taken, by the Agency's *Guidance on*

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<sup>260</sup>For more information, please see: <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program>. Please also see EPA's IPM website: [https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles#for\\_more\\_information](https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles#for_more_information).

*Considering Environmental Justice During the Development of an Action*<sup>261</sup> and its companion *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis*.<sup>262</sup> Protecting pesticide applicators, handlers and agricultural workers from potential effects of pesticides is an important role of the Pesticide Program. Pesticide handlers in a number of sectors 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. In FY 2025, EPA will continue to support the implementation of the Agricultural Worker Protection Standard (WPS)<sup>263</sup> and the Certification of Pesticide Applicators (CPA)<sup>264</sup> rule through regulation development, guidance development, education and outreach, and grant programs. Efforts to implement the WPS include addressing EJ issues in rural communities, especially by considering farmworkers and their families. In FY 2025, following the anticipated FY 2024 publication of a final rule for the WPS's Application Exclusion Zone provisions, EPA plans to develop and issue guidance and conduct outreach to support its implementation. Programs include a subaward program that supports community-based projects for the development of pesticide educational resources and training targeted toward agricultural workers and pesticide handlers. Efforts include addressing the education needs of the target audience to ensure trainings are effective and in the appropriate cultural context. PRIA 5 amended FIFRA to require farmworker training and health care provider training grant programs. In FY 2025, EPA will manage these grants to further support the implementation of the WPS, protect farmworkers from pesticide exposure, and to support healthcare providers in the recognition and management of pesticide-related illnesses. The health care provider training grant program will focus on training health care providers serving the migrant and seasonal farmworker community, aiming to improve the treatment of agricultural workers and rural communities potentially exposed to pesticides. Support also will include efforts to improve reporting of occupation-related pesticide incidents. In addition, EPA will continue to support the development of resources, training, and educational forums for applicators, including the ongoing development of a virtual pesticide training for certification of private applicators in Indian Country covered under the EPA-administered plan to meet the requirements of using restricted use pesticides in agriculture.

Implementation of the CPA rule also includes continued support of state Pesticide Safety Education Programs, which play a crucial role in training and certifying pesticide handlers in proper pesticide use, thereby enabling the handlers to protect themselves and other workers, as well as the public and the environment. Certification plans were amended to comply with the 2017 revisions to the CPA rule and were to be approved by early FY 2024. In FY 2025, EPA will continue to focus on implementation of amended state, tribal, and federal certification programs based on the 2017 CPA rule. EPA will support that effort by providing technical assistance for updates to state/tribal applicator training materials including manuals, exams, and other recertification materials to meet the CPA rule requirements.

PRIA 5 also amended FIFRA to require bilingual labeling on end use pesticide products for those parts of the label where translation exists in EPA's Spanish Translation Guide and provides a

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<sup>261</sup> For more information, please see: <https://www.epa.gov/environmentaljustice/guidance-considering-environmental-justice-during-development-action>.

<sup>262</sup> For more information, please see: <https://www.epa.gov/environmentaljustice/technical-guidance-assessing-environmental-justice-regulatory-analysis>.

<sup>263</sup> For more information, please see: <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>.

<sup>264</sup> For additional information, please visit: <https://www.epa.gov/pesticide-worker-safety/revised-certification-standards-pesticide-applicators>.

schedule for incremental implementation by registrants based on pesticide type and acute toxicity categories. EPA is directed to work with states on implementation and with stakeholders on ways to make these labels accessible to farmworkers, and to develop a plan to track adoption of the bilingual labeling. In FY 2025 EPA will continue the implementation of these bilingual labeling requirements.

#### Public Health Antimicrobials and Pandemic Preparedness

In FY 2025, the Pesticide Program will continue to update and modernize EPA's registered disinfectant lists. There are currently 16 disinfectant lists, lists A-Q, with different target public health microorganisms. The most viewed list, List N, contains disinfectants that are effective against SARS-CoV-2. The newest list, list Q, includes products that are effective against emerging viral pathogens including mpox (formerly monkeypox). Upcoming priorities include the announcement of enhanced search and sort functions for each of the disinfectant lists to improve usability and the creation of a new bloodborne pathogens list which will consolidate several existing lists into one comprehensive resource. OCSPP also is co-leading a PPDC (Pesticide Program Dialogue Committee) Emerging Pathogens Implementation Committee to develop implementation strategies for stakeholder recommendations and revisions/proposed additions to EPA's Emerging Viral Pathogen's guidance. In FY 2025, EPA expects to continue implementing recommendations from the Workgroup including but not limited to education through webinars and conferences on proper and effective antimicrobial pesticide use for different stakeholder groups (*e.g.*, schools, food service, hospitality, etc.)

In FY 2025, the Pesticide Program also is working on policy and method updates that will expand the range of public health antimicrobial products available. We anticipate finalization of minimum testing criteria to support chemical air treatment claims for unoccupied spaces and posting for comment testing criteria for occupied spaces. There are very few registered antimicrobial products intended to treat the air, an important route of transmission from public health pathogens. In addition, the Pesticide Program anticipates finalization of a policy to expand virucidal claims to sanitizer products which were previously not eligible to have these claims. Currently, revisions to the policy are being considered after the public comment period.

#### General Pesticide Outreach and Education

In FY 2025, the Pesticide Program will continue environmental education and training efforts for growers, pesticide applicators, and workers, as well as the public in general. Giving priority to reduced risk and Integrated Pest Management (IPM) friendly pesticides are two steps toward protecting human health. Also, the Pesticide Safety Education Program provides education through training and is a key component to the implementation of applicator certification programs across the nation, including on tribal lands and along the US-Mexico border, and helps ensure pesticides are used in a manner to protect human health and the environment. In addition, EPA will continue to make information easily accessible to the public and pesticide users, update safety information on pesticides, support the National Pesticide Information Center<sup>265</sup> that provides a bilingual hotline for pesticide information and develop outreach materials for the public and incident reporting.

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<sup>265</sup> For additional information, please visit: <http://npic.orst.edu/>.

### Tribal Pesticide Program Council (TPPC)

The Pesticide Program also will continue to manage the Tribal Pesticide Program Council (TPPC) cooperative agreement. This national partnership group was formed in 1999 as a forum for tribes and Alaska Native Villages to work with EPA to address pesticide issues and concerns. The TPPC also provides a forum for tribes and Alaska Native Villages to provide input in developing policies that would strengthen their pesticide programs, provide guidance for tribes that do not have such programs, and provide networking opportunities and support for tribal pesticide regulators. In FY 2025, EPA will continue to work with the TPPC to identify concerns related to EJ and climate change that EPA can begin to address.

### Reducing Animal Testing

In FY 2025, the Agency will continue to use its guiding principles on data needs<sup>266</sup> to ensure that it has sufficient information to support strong regulatory decisions to protect human health, while reducing and, in some cases, eliminating unnecessary animal testing. 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 21<sup>st</sup> Century—which recommended moving toward smarter testing strategies by waiving human health toxicity studies that do not provide useful information. Since its inception, HASPOC has waived hundreds of studies resulting in the saving of tens of thousands of animals and tens of millions of dollars without compromising the integrity of the science supporting EPA’s regulatory decision-making for pesticides. In addition, the Agency will continue to develop and implement 21<sup>st</sup> Century toxicology and exposure methods, including additional retrospective analysis of the reproductive avian study, and the use of computer-modeling and in vitro testing techniques for acute oral toxicity, skin and eye irritation, and inhalation toxicity. All of these activities advance more efficient and effective human health risk assessments that support sound, risk-based, regulatory decision-making.

### Performance Measurement

EPA will be tracking metrics related to pesticide safety training of farmworkers funded through a cooperative grant for the *National Farmworker Training Program* that runs through March 2026; metric details will be provided by the grantee and will capture the number of farmworkers trained and knowledge comprehension based on pre- and post-training assessment.

### **Performance Measures Targets:**

#### **(PM WPS1a) Number of farmworkers receiving EPA-supported WPS pesticide safety training.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| <b>Target</b> |         |         |         |         | 20,000  | 12,000  | 13,000  | 13,000  | Farmworkers |
| <b>Actual</b> |         |         |         |         | 12,716  | 15,155  |         |         |             |

<sup>266</sup> Additional information on reducing animal testing may be found at: <https://www.epa.gov/pesticides/new-epa-guidance-testing-pesticides-will-reduce-animal-testing>.



**(PM WPS1b) Percentage of pesticide safety content knowledge demonstrated by farmworker/trainees upon completion of EPA-supported WPS pesticide training.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         | 95      | 95      | 95      | 95      | Percent |
| Actual |         |         |         |         | 96      | 97      |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$706.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0. requirements.
- (+\$3,450.0) This program change is an increase of resources for the modernization of the pesticides incident database where the regulated community reports human health and ecological incidents related to misuse of, or an unexpected adverse event related to pesticide usage. EPA plans to make this data more accessible to the Public which requires a rebuild of the database to safeguard Personally Identifiable Information (PII) and other sensitive information.

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

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$45,217</i></b>   | <b><i>\$48,704</i></b>      | <b><i>\$75,963</i></b>           | <b><i>\$27,259</i></b>                                       |
| Science & Technology                                  | \$2,468                  | \$2,334                     | \$4,239                          | \$1,905  |
| Total Budget Authority                                | \$47,685                 | \$51,038                    | \$80,202                         | \$29,164   |
| Total Workyears                                       | 299.4                    | 259.6                       | 282.1                            | 22.5   |

### **Program Project Description:**

The goal of this program, authorized under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended by the Food Quality Protection Act of 1996 (FQPA) and the Pesticide Registration Improvement Act of 2022 (PRIA 5), is to protect the environment from the potential risks posed by pesticide use. To achieve this goal, 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 FQPA. This periodic review is accomplished through EPA's Pesticide Registration Review Program.<sup>267</sup> In addition to FIFRA responsibilities, the Agency has distinct obligations under the Endangered Species Act (ESA),<sup>268</sup> which include ensuring that pesticide regulatory decisions will not destroy or adversely modify designated critical habitat or jeopardize the continued existence of species listed as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) (jointly, "the Services"). Most EPA pesticide decisions do not comply with the ESA, creating significant legal vulnerability for the Agency and frustration uncertainty about the continued availability of pesticides among stakeholders. For these reasons, complying with the ESA is one of the pesticide program's top priorities.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

#### Protection of Endangered Species

EPA is responsible for complying with the Endangered Species Act (ESA) and for ensuring that federally endangered and threatened species are not harmed from exposure when it registers pesticides. This presents a great challenge given that there are approximately 1,200 active

<sup>267</sup> 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.

<sup>268</sup> For additional information, please visit: <https://www.epa.gov/endangered-species>.

ingredients in more than 17,000 pesticide products—many of which have multiple uses. Endangered species risk assessments are extraordinarily complex, national in scope, and involve comprehensive evaluations that consider risks to over 1,600 listed endangered species and 800 designated critical habitats in the U.S. with diverse biological attributes, habitat requirements, and geographic ranges.

Given the complexity of evaluating potential effects to diverse listed species under ESA, EPA has been subject to numerous successful litigation challenges to registration and registration review actions. This litigation has impacted EPA's ability to carry out its mission of protecting human health and the environment, including most recently in December 2023 where the court vacated EPA's registration of a new use for a currently registered chemical because the Agency did not meet its ESA obligations. In April 2022, EPA released its first-ever comprehensive workplan describing priorities for coming into full compliance with ESA across the many types of pesticide actions it completes each year. In the near term and given its existing resources, EPA prioritized meeting its ESA obligations for all conventional new active ingredient applications whereby all new active ingredient registrations will only be registered under conditions that comply with ESA. EPA also continued to prioritize ESA determinations in response to litigation commitments and court decisions. The increase that EPA received in the FY 2023 enacted budget serves as initial funding, which supports a portion of EPA's near-term work in meeting these specific workplan and court-ordered commitments.

In November 2022, EPA released a Workplan Update describing how it will incorporate additional mitigations for listed and non-listed species into registration review processes. The update also describes additional initiatives to expedite progress on some of our ESA goals. In particular, the update describes multiple programmatic approaches that the Agency is currently developing and will continue to be conducted and/or implemented in FY 2025 and beyond such as (1) developing mitigations for listed species that are particularly vulnerable to pesticides and applying them across pesticides (vulnerable species pilot), and (2) grouping pesticides such as herbicides for ESA analyses and early mitigations; and developing region-specific strategies such as for Hawai'i.

In FY 2023 and early FY 2024, EPA made significant progress towards developing more efficient, programmatic approaches. EPA released for public comment a draft: 1) vulnerable species pilot white paper which proposes mitigations for 27 species that EPA identified as being particularly vulnerable to pesticide exposure; 2) herbicide strategy that describes a framework to reduce pesticide exposure to listed plants and listed species that depend on plants; and 3) rodenticide (pesticides that target pest rodents such as rats and mice) strategy that identifies mitigations to reduce exposure to listed species with direct consumption or secondary consumption (consumption of poisoned prey) of rodenticides. The goal of the proposed mitigations in the vulnerable species pilot and strategies is to minimize exposure to listed species and their designated critical habitat, and thereby reduce potential population-level effects to listed species. In FY 2024 and 2025, after considering public comments, EPA plans to finalize all three of these efforts. EPA also is developing and plans to finalize a Strategy for the approximately 40 percent of the U.S. listed species that occur in Hawai'i. In FY 2025, EPA will be in the early stages of applying these frameworks to future pesticide registration and registration review decisions using existing mechanisms it already uses to register and re-register pesticides. The Agency also will continue to conduct outreach and develop and disseminate training materials to promote awareness and

compliance with these new ESA efforts. EPA also will continue to develop and expand on these programmatic approaches, which will ultimately reduce the Program's workload for future ESA environmental assessments and identification of mitigations for listed species for pesticide registration and registration review actions.<sup>269</sup> EPA has already begun developing a strategy for insecticides that will describe a framework to reduce pesticide exposure to listed insects (and resulting impacts to species that rely on insects as prey or for pollination services) which EPA plans to draft and release for public comment in FY 2024, and finalize and begin applying in FY 2025. EPA also continues to meet its court obligations for producing biological evaluations for specific pesticides. In FY 2025, along with the rodenticide strategy, EPA has committed to finalizing effects determinations for listed species as documented in biological evaluations for 11 rodenticide active ingredients. In addition to these efforts, EPA also has committed to drafting two additional draft and final biological evaluations in FY 2025.

In FY 2025, EPA requests an additional \$27 million and 20 FTE for the Pesticide Program in order to continue to support EPA's priority ESA commitments and increase the extent to which EPA can integrate ESA mandates into the pesticide registration processes as described in the Workplan and Update. As described above, these resources will enable EPA to make additional progress towards complying with the ESA for more pesticide registrations and registration review decisions. This includes resources to ensure EPA can implement the mitigations required in biological opinions from the Services following completion of consultation and to develop tools to expedite the incorporation of measures to protect listed species in pesticide decisions. These additional resources are needed to continue to demonstrate measured progress and increase EPA's ability to comply with its ESA obligations for all pesticides actions, and particularly to make progress in meeting its obligations for hundreds of conventional new use pesticide applications.

In FY 2025, the Agency also will assess whether listed endangered or threatened species or their designated critical habitat may be affected by use of pesticide products in a manner described in reports to Congress.<sup>270</sup> Where effects are identified in a biological evaluation, EPA will continue to work with the Services in a consultation<sup>271</sup> process to ensure these new or existing pesticide registrations meet the ESA standard.<sup>272</sup> As required by the 2018 Farm Bill, EPA will continue to develop processes to protect listed species earlier in the regulatory and consultation processes, and work with the Services, the U.S. Department of Agriculture (USDA), and other agencies to improve the consultation process and apply appropriate methods and exposure reduction measures to selected pesticide risk assessments.<sup>273</sup> EPA also will continue to work with the Services towards developing approaches to conduct consultations programmatically, which also will increase efficiency and reduce needed resources for EPA and the Services.

The Agency will continue to provide technical support for compliance with the requirements of the ESA. In FY 2025, EPA also will continue the advancement and integration of state-of-the-art

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<sup>269</sup> For more information, please see: <https://www.epa.gov/system/files/documents/2022-11/esa-workplan-update.pdf>.

<sup>270</sup> For additional information, please visit: <https://www.epa.gov/endangered-species/reports-congress-improving-consultation-process-under-endangered-species-act>.

<sup>271</sup> For additional information, please visit: <https://www.epa.gov/endangered-species/assessing-pesticides-under-endangered-species-act>.

<sup>272</sup> Additional information on how EPA protects endangered species from pesticides can be found at: <https://www.epa.gov/endangered-species>.

<sup>273</sup> For more information, please see: <https://www.epa.gov/endangered-species/epas-workplan-and-progress-toward-better-protections-endangered-species>.

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 also will provide improved support to the risk assessment process during registration review by allowing risk assessors to analyze complex scenarios more easily regarding endangered species. EPA also will continue to improve its system used to implement spatially explicit protections for listed species, *Bulletins Live! Two* (BLT).<sup>274</sup> EPA plans to continue to solicit and receive feedback on the usability of BLT, maintain and improve the underlying data, and enhance the usability of the system based on feedback as more bulletins continue to be created and released as part of registration and registration review decisions.

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

To accomplish the goals set out in FIFRA, in FY 2025 EPA will continue to conduct ecological risk assessments<sup>275</sup> to determine what risks are posed by each pesticide to plants, animals, and ecosystems that are not the targets of the pesticide and whether changes are necessary to protect these resources.<sup>276</sup> In FY 2025, EPA will continue to examine all toxicity and environmental fate data submitted with each new pesticide registration application to determine what potential risks the new active ingredient may pose to the environment. In FY 2025, EPA will continue to increase the number of pesticide registrations that include protections for listed species. When complex scientific issues arise, the Agency may solicit external review, such as consultation with the FIFRA Scientific Advisory Panel,<sup>277</sup> for independent scientific advice.

#### Ensuring Proper Pesticide Use through Labeling

In FY 2025, 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.<sup>278</sup>

#### Pesticide Registration Review

In FY 2025, EPA's activities will involve increased efforts on comprehensive risk assessments to protect the environment. With the reauthorization of PRIA on December 29, 2022, the deadline to complete the initial Registration Review of each pesticide or pesticide case was extended four years to October 1, 2026, and EPA will continue working on registration review cases in FY 2025. For pesticides registered before October 1, 2007, EPA is required to make registration review decisions by October 1, 2026. EPA will focus its FY 2025 resources on completing decisions for cases that meet the FY 2026 statutory deadline and on cases with 15-year due dates in FY 2025 and beyond. Regarding the 789 registration review cases due by October 1, 2026, through FY 2023 Q4, there were 717 cases for which draft risk assessments were completed or not needed, and 614 final or interim decisions completed, with 71 draft risk assessments and 175 final or interim decisions remaining to be completed to meet the FY 2026 statutory deadline.

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<sup>274</sup> For additional information, please visit: <https://www.epa.gov/endangered-species/bulletins-live-two-bl-tutorial>.

<sup>275</sup> For additional information, please visit: <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/factsheet-ecological-risk-assessment-pesticides>.

<sup>276</sup> Additional information may be found at: <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program>.

<sup>277</sup> For additional information, please visit: <https://www.epa.gov/sap>.

<sup>278</sup> Under FIFRA, it is illegal to use a registered pesticide in a manner inconsistent with the label instructions and precautions.

As EPA approaches the October 1, 2026, deadline, many of the remaining cases involve highly complex scientific and regulatory issues, which has resulted in requests from stakeholders to extend the comment periods for proposed decisions, lengthening the amount of time needed to complete the necessary reviews. In addition, EPA continues to await data and/or registrant input critical to finalizing several registration review decisions. Further ongoing challenges in meeting the FY 2026 deadline include delayed registrant submittal of additional data, the need for inter- and intra-agency coordination, and resource constraints.

#### Pesticide Registration and Risk Reduction Through the Use of Safer Pesticides and Methods

In FY 2025, EPA will continue to promote biopesticides and reduced-risk conventional pesticides 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 (IPM).<sup>279,280</sup> 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, EPA will help reduce risks to Americans from foods imported from other countries. In FY 2025, EPA will continue to assist pesticide users in learning about new, safer products as well as safer methods for using existing products. Through its Center for IPM, EPA will provide support for educational webinars, science-based publications, informational outreach, and collaborations with federal partners, states, commodity and other non-governmental organizations to encourage use of IPM and resistance management tools. The Agency also will increase its support for advancing biotechnology, where they present lower-risk solutions to pest problems.

#### Reducing Animal Testing

In FY 2025, EPA will continue its efforts to promote the use of alternative methods to whole animal toxicity testing for characterizing the effects of pesticide active ingredients on terrestrial and aquatic vertebrates. EPA also will continue its partnership with the National Toxicology Program Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM). A focus area will be the evaluation of Collaborative Acute Toxicity Modeling Suite (CATMoS) estimates of acute oral toxicity to potentially replace mammal testing in ecological risk assessment. EPA will continue an evaluation of the feasibility of reducing the number of tested species of fish used to characterize acute effects, based on the published results of a collaboration with NICEATM. This effort is expected to complement EPA's work with other federal agencies to collect, describe, and develop performance-based evaluations for a suite of *in-silico* and *in-vitro* methods for estimating acute lethal endpoints in fish. By addressing both the endpoint needs and the available estimation tools concurrently, EPA expects to increase the efficiency of performance evaluation and narrow the scope of needed estimation methods for consideration, thereby

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<sup>279</sup> Attaining risk reduction would be significantly hampered without availability of alternative products to these pesticides for consumers. Consequently, the Registration Program's work in ensuring the availability of reduced risk pesticides plays a significant role in meeting the environmental outcome of improved ecosystem protection. For additional information on pesticide risk, please visit: <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program>.

<sup>280</sup> For additional information on IPM, please visit: <https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles>.

expediting the acceptance process. Additionally, 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 also 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 IPM and other practices to maximize the benefits pesticides can yield while minimizing their impacts on the environment. As a continued requirement of the Office of Chemical Safety and Pollution Prevention's National Program Guidance, regional pesticide offices will initiate specific IPM-related projects that target disadvantaged communities, or vulnerable populations, such as children attending preschools and tribal schools. The Agency also will develop and disseminate pesticide safety brochures, videos, links, and webinars which provide education on potential benefits of IPM and promote outreach through its Center for IPM on the success of IPM to encourage its use.<sup>281</sup> To encourage responsible pesticide use that does not endanger the environment, EPA also will reach out to the public through its website and social media accounts, and to workers and professional pesticide applicators through worker training programs. The Pesticide Safety Education Program<sup>282</sup> provides education to professional pesticide applicators through training and is a key component to the implementation of applicator certification programs across the nation and helps ensure pesticides are used in a manner to protect human health and the environment.

#### 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 will improve pollinator health. EPA is part of this effort and is focusing on the potential role of pesticides while ensuring that the pesticides used represent acceptable risks to pollinators and that products are available for commercial beekeepers to manage pests that impact pollinator health.

EPA continues to carefully evaluate potential effects that pesticides may have on bees through the registration of new active ingredients and registration review, in cooperation with the Government of Canada and the California Department of Pesticide Regulation. EPA is continuing to work with USDA to identify and address factors associated with declines in pollinator health. EPA also has been working with a wide range of stakeholders in the government and private sectors, both domestically and internationally, to develop and implement strategies to address factors associated with pollinator declines and to ensure that the best available science serves as a foundation for regulatory decisions. EPA is working on advancing its scientific approaches and data needs for assessing and mitigating pesticide risks to pollinators.

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<sup>281</sup> For additional information, please visit: <https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles>.

<sup>282</sup> For additional information, please visit: <https://www.epa.gov/pesticide-worker-safety/pesticide-safety-education-programs-0>.

In FY 2025, EPA also will continue to apply the best available science and risk management methods to reduce potential exposures to pollinators from pesticides.<sup>283</sup> In addition, some of the endangered species protection work described previously will protect pollinators. For example, the herbicide strategy is intended protect several pollinator species and plants that sustain pollinator species. Similarly, the vulnerable species pilot includes several listed pollinating insects and plants that depend on pollinators. As described earlier, EPA has already begun work on a similar strategy for insecticides and potential impacts to listed insects and species that depend on insects, including pollinators.

#### 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. In FY 2025, the Agency will continue to evaluate monitoring data as it prepares aquatic exposure assessments and will continue to apply risk management measures, when appropriate, to reduce pesticide loadings in water. EPA also will update aquatic benchmarks so that states and other stakeholders can determine if measured pesticide levels might impact aquatic life. Water quality is a critical endpoint for measuring exposure and risk to the environment and a key factor in assessing EPA's ability to reduce exposure from these key pesticides of concern.<sup>284</sup>

#### **Performance Measurement:**

In FY 2025, the Agency will be measuring performance for the registration review cases with 15-year due dates in FY 2024 and beyond, tracking intermediate stages such as docket openings, draft risk assessment completion, and final registration review case completions under the 15-year cycle of pesticide registration review. The Agency expects to improve protections to endangered species by increasing the percentage of new active ingredient registrations and registration review risk assessments that incorporate considerations of threatened and endangered species and leverage those improvements for other related processes in subsequent years (*e.g.*, new uses). EPA is only registering new conventional and biopesticide active ingredients under conditions that address potential impacts to endangered species. Increasing the extent to which EPA can incorporate ESA into its registration review actions also is consistent with the 2022 Omnibus Appropriations Bill, which states that “any covered interim registration review decisions shall include, where applicable, measures to reduce the effects of the applicable pesticides on (A) species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or (B) any designated critical habitat.”

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<sup>283</sup> Additional actions EPA is taking to protect pollinators from pesticides can be found at: <https://www.epa.gov/pollinator-protection>.

<sup>284</sup> The most sensitive aquatic benchmarks for the chemicals are posted on the website: <http://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/aquatic-life-benchmarks-pesticide-registration>.



**Performance Measure Targets:**

**(PM ESA1) Percentage of risk assessments supporting pesticide registration decisions for new active ingredients that consider the effects determinations or protections for federally threatened and endangered species.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| Target      |         |         |         |         | 40      | 80      | 90      | 90      | Percent          |
| Actual      |         |         | 50      | 62      | 100     | 100     |         |         |                  |
| Numerator   |         |         | 8       | 8       | 14      | 12      |         |         | Risk Assessments |
| Denominator |         |         | 16      | 13      | 14      | 12      |         |         |                  |

**(PM ESA2) Percentage of risk assessments supporting pesticide registration review decisions that include effects determinations or protections of federally threatened and endangered species.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|
| Target      |         |         |         |         | 20      | 30      | 20      | 50      | Percent          |
| Actual      |         |         | 27      |         | 79      | 78      |         |         |                  |
| Numerator   |         |         | 29      |         | 27      | 7       |         |         | Risk Assessments |
| Denominator |         |         | 107     |         | 34      | 9       |         |         |                  |

**(PM FIFRA3a) Number of pesticide registration review cases completed.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| Target |         |         |         |         | 15      | 8       | 4       | 5       | Cases |
| Actual |         |         |         |         | 16      | 15      |         |         |       |

**(PM FIFRA3b) Number of pesticide registration review dockets opened for registration review cases.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target |         |         |         |         | 25      | 20      | 25      | 28      | Dockets |
| Actual |         |         |         |         | 35      | 25      |         |         |         |

**(PM FIFRA3c) Number of draft risk assessments completed for pesticide registration review cases.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units             |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------------------|
| Target |         |         |         |         | 9       | 16      | 4       | 4       | Draft Assessments |
| Actual |         |         |         |         | 25      | 10      |         |         |                   |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$1,764.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs due to annual payroll changes, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$478.0/ +2.5 FTE) This program change increases FTE to support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment also includes \$478 thousand in payroll costs and essential workforce support costs.

- (+\$28,545.0 / +20.0 FTE) This program change supports an increase in resources for EPA to increase its ability to meet its Endangered Species Act (ESA) obligations into pesticide regulatory decisions beyond those prioritized in the near term. These additional non-pay resources will allow EPA to continue to train employees across the Program, and develop the regulatory processes, strategies, and approaches to allow EPA to better meet requirements of the ESA and begin to close current gaps. This investment also includes \$3.816 million in payroll.

**Statutory Authority:**

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

## Pesticides: Realize the Value of Pesticide Availability

Program Area: Pesticides Licensing

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b>\$5,774</b>           | <b>\$7,637</b>              | <b>\$8,316</b>                   | <b>\$679</b>   |
| Science & Technology                                  | \$963                    | \$925                       | \$1,040                          | \$115  |
| Total Budget Authority                                | \$6,738                  | \$8,562                     | \$9,356                          | \$794  |
| Total Workyears                                       | 30.0                     | 35.8                        | 35.8                             | 0.0  |

### Program Project Description:

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 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. In fulfilling its mission, the Program manages the following types of pesticide registrations and regulatory actions under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA):<sup>285</sup>

- Special Local Needs under FIFRA Section 24(c).
- Federal registrations at the national level under FIFRA Section 3.
- Experimental Use Permit Section 5.
- Emergency, Quarantine, and Crisis Exemption Section 18; and,
- Periodic review of existing chemicals under the Registration Review Program.<sup>286</sup>

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

#### Meeting Agriculture’s Need for Safe, Effective Pest Control Products

With the passage of the Food Quality Protection Act (FQPA), Congress acknowledged the importance of and need for “reduced-risk pesticides” and supported expedited agency review to

<sup>285</sup> 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, FIFRA has been significantly amended several times, including by the Food Quality Protection Act of 1996 (FQPA) and the Pesticide Registration Improvement Extension Act of 2018 (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.

<sup>286</sup> Additional information may be found here: <https://www.epa.gov/pesticide-registration/types-registrations-under-fifra>.

help these pesticides reach the market sooner and replace other pesticides of higher risk.<sup>287</sup> In FY 2025, EPA will continue to support and develop procedures and guidelines for expedited review of applications for registration or amendments for reduced risk pesticides. EPA incentivizes this project area by reducing the review service fee and decision time periods for evaluating these actions. EPA expects to receive and review approximately 10 reduced risk pesticide applications in FY 2025.

#### Registration of Generic Pesticides

FIFRA authorizes EPA to register products that are identical to or substantially similar to already registered products (also known as “me too products”). Applicants for these 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, benefitting farmers and consumers. The Agency will continue to prioritize and review generic registrations consistent with the statutory decision-making schedule. Application submissions for these actions can generally be reviewed in four months. The Agency completed 755 conventional pesticide, 1,151 antimicrobial pesticide, and 358 biopesticide new products actions and amendments in FY 2022. The Agency expects to complete a similar volume of registrations in FY 2025.

#### Outreach and Education

The Pesticide Program is invested in outreach and training efforts for people who use pesticides and the public in general. In FY 2025, the Agency will continue to encourage Integrated Pest Management (IPM), which emphasizes minimizing the use of broad-spectrum chemicals and maximizing the use of sanitation, biological controls, and selective methods of application. Providing on-the-ground assistance to our partners, EPA’s regional offices work with states, tribes, and territories to implement their pesticide programs and carry out IPM projects that inform pesticide users about the pest control options, which pesticides to use, how to use them, and how to maintain the site so pests do not return. In addition, the Pesticide Program and its Center for IPM will provide outreach through webinars on a range of pest management and pollinator protection topics, many of which are important in areas with environmental justice (EJ) concerns and tribal communities.

#### Review and Registration

During FY 2025, EPA will continue to review and register new pesticides and new uses for existing pesticides, and act on other registration requests in accordance with FIFRA and Federal Food, Drug, and Cosmetic Act standards, as well as Pesticide Registration Improvement Extension Act timeframes. Many of these actions will be for reduced-risk conventional pesticides and biopesticides, which, once registered and used by consumers, will increase societal benefits, including for infants and children as well as susceptible subpopulations. Working together with the affected communities, through IPM and related activities, the Agency plans to accelerate the adoption of lower-risk products.

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<sup>287</sup> 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) or makes it more effective.”

During FY 2025, the Agency will continue to make progress on meeting its Endangered Species Act (ESA) obligations for registration and registration review. Per its policy released in January 2022, EPA will continue to only register new conventional active ingredients under conditions that are compliant with ESA. Moreover, as detailed in the Agency's April 2022 ESA Workplan and November 2022 ESA Workplan Update, EPA will continue to improve protections to non-target species, including federally threatened and endangered (listed) species, earlier in the process through pesticide registration review and other FIFRA actions. The Agency also will accelerate protections for listed species impacted by conventional herbicide use and ensure protections across conventional outdoor pesticides for some of the most vulnerable listed species as it implements its final herbicide strategy and final vulnerable species pilot into applicable registration and registration review actions.

The Agency's work to harmonize pesticide tolerance levels with its top trade partners will reduce international trade barriers. For FY 2025, EPA will undertake regulatory decisions on a number of new chemicals with food uses. For each of these evaluations, EPA will consider whether there are existing Maximum Residue Levels (MRLs) set by trade partners, and whether tolerance harmonization will be a component of a portion of these decisions. Also, during FY 2025, EPA will continue rulemaking and implementation efforts to improve its crop group system which provides the regulatory definitions for crops which are in inter-state and international commerce. Phase VI of this rulemaking project was completed in September 2022. The next steps for additional crop group expansion for a new group of crops will be undertaken in 2024 and will include a focus on harmonizing with Codex crop groups to further facilitate international trade.

#### Emergency, Quarantine, and Crisis Exemptions

In FY 2025, 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 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 2021, 2022, and 2023 the Agency received 76, 31, and 39 requests for emergency uses respectively; and EPA has received 5 requests for emergency uses in FY 2024 to date. Although emergency exemption submissions cannot be precisely predicted, EPA estimates it may receive approximately 45 requests in FY 2025.

#### Performance Measurement

In FY 2025, the Agency will be measuring performance for the registration review cases with 15-year due dates in FY 2025 and beyond, tracking intermediate stages such as docket openings, draft risk assessment completion, and final registration review case completions under the 15-year cycle of pesticide registration review. The Agency will continue to track metrics on the percentage of new active ingredient registrations and registration review risk assessments (conventionals, biopesticides, and antimicrobials) that incorporate considerations of threatened and endangered species and leverage those improvements for other related processes in subsequent years (*e.g.*, new uses). Additionally, EPA will be tracking metrics related to pesticide safety training of farmworkers funded through a cooperative grant for the National Farmworker Training Program that runs through March 2026.

**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 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$154.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$525.0) This program change is an increase that supports enhancement of pesticides registration processes for the program.

**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: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$37,176</i></b>           | <b><i>\$40,512</i></b>               | <b><i>\$42,105</i></b>                    | <b><i>\$1,593</i></b>  |
| Total Budget Authority                                | \$37,176                         | \$40,512                             | \$42,105                                  | \$1,593  |
| Total Workyears                                       | 162.5                            | 174.9                                | 174.4                                     | -0.5   |

**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. Implementing the Program’s 2030 Goals<sup>288</sup> and RCRA Corrective Action regulations and administrative orders, EPA and authorized states will continue to oversee cleanups conducted by facility owner/operators to ensure that the facilities meet their cleanup obligations and to protect taxpayers from having to pay the bill. RCRA cleanups contribute many environmental and economic benefits to their communities. A 2021 EPA analysis of 79 RCRA cleanups showed that these facilities support 1,028 on-site businesses providing economic benefits including \$39 billion in annual sales revenue, over 82 thousand jobs, and \$7.9 billion in estimated annual employment income.<sup>289</sup> A similar economic analysis is planned for FY 2025.

Approximately 118 million Americans live within three miles of a RCRA corrective action facility (roughly 35 percent of the U.S. population),<sup>290</sup> and the total area covered by these corrective action sites is approximately 18 million acres.<sup>291</sup> Additionally, a recent study has found evidence that the completion of cleanup leads to an average six to seven percent appreciation in the value of homes near treatment, storage or disposal facilities (TSDFs). A total capitalization of \$295 million can be attributed to the 195 TSDFs that were remediated since the inception of RCRA. The authors estimate that the completion of cleanup yields an average lower bound, ex post benefit of about \$14,000 per household.<sup>292</sup>

<sup>288</sup> U.S. EPA, Office of Resource Conservation and Recovery, 2020. RCRA Corrective Action Program Vision/Mission/Goals for 2030. [https://www.epa.gov/sites/default/files/2020-09/documents/rcra\\_corrective\\_action\\_program\\_vision.pdf](https://www.epa.gov/sites/default/files/2020-09/documents/rcra_corrective_action_program_vision.pdf).

<sup>289</sup> U.S. EPA, Office of Resource Conservation and Recovery, 2022. Summary of 2021 RCRA Corrective Action Economic Benefits Study and Research Methodology.

<sup>290</sup> U.S. EPA, Office of Land and Emergency Management, 2023. Data collected includes: 1) RCRA CA site information as of the end of FY 2022; and 2) population data from the 2017-2021 American Community Survey.

<sup>291</sup> Compiled RCRAInfo data.

<sup>292</sup> Journal of the Association of Environmental and Resource Economists, May 2023, Hazardous Waste and Home Values: An Analysis of Treatment and Disposal Sites in the U.S., Dennis Guignet and Christoph Nolte.



EPA works in close partnership with 44 states and one territory authorized to implement the Corrective Action Program<sup>293</sup> to ensure that cleanups protect 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.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests a total investment of \$42.1 million and 174.4 FTE for the RCRA Corrective Action Program. The Program will focus its resources on continuing cleanup of 3,983 priority contaminated facilities (the Corrective Action Progress Track), which include highly contaminated and technically challenging sites, and on assessing others to determine whether cleanups are necessary. As of the end of FY 2023, only 41 percent of these facilities have completed final and permanent cleanups, leaving approximately 2,300 facilities still requiring oversight and technical support to reach final facility-wide cleanup objectives. In FY 2023, EPA approved 117 RCRA corrective action facilities as ready for anticipated use (RAU), bringing the total number of RCRA RAU facilities to 2,043. In addition, in FY 2023, the Program achieved remedy construction at 48 facilities, resulting in a total of 2,943 with remedies constructed; and achieved performance standards attained at 58 facilities, resulting in a total of 1,716 facilities with standards attained.<sup>294</sup> The Program's goals are to control human exposures, control migration of contaminated groundwater, complete final cleanups for the Corrective Action Progress Track facilities, and identify, assess, and clean up additional priority facilities.

In FY 2025, EPA will:

- Continue to make RCRA corrective action sites RAU, ensuring that properties are returned to productive use and human health and the environment are protected into the future.
- Assess its universe of cleanup facilities, priorities, and measures to ensure that resources are directed to addressing those facilities that present the greatest risk to human health and the environment and supporting environmental justice and climate resiliency.
- Provide technical assistance to authorized states in the areas of site characterization, sampling, remedy selection, reaching final cleanup goals, and long-term stewardship for

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<sup>293</sup> State implementation of the Corrective Action Program is funded through the STAG Categorical Grant: Hazardous Waste Financial Assistance and matching state contributions.

<sup>294</sup> For more information concerning RCRA 2020 corrective action baseline facilities, please refer to: <https://www.epa.gov/hw/lists-facilities-resource-conservation-and-recovery-act-rcra-2020-corrective-action-baseline>.

cleanups with contamination remaining in place in order to support communities at risk from multiple health stressors and/or climate change impacts.

- Prioritize and focus the Program on completing site investigations to identify the most significant threats, establishing interim remedies to reduce or eliminate exposure, and selecting and constructing safe, effective long-term remedies that also maintain the economic viability of operating facilities.
- For high priority facilities, utilize oversight tools and work-sharing agreements to assist with facilities that have complex issues or special tasks.<sup>295</sup>
- Continue to improve cleanup approaches and share best practices and cleanup innovations to speed up and improve cleanups.<sup>296</sup>
- Update and 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; and which EPA relies upon to track hazardous waste imports and exports. RCRAInfo receives data from hazardous waste handlers for the National Biennial RCRA Hazardous Waste Report. The data from the 2021 biennial reporting cycle showed there were 19,141 generators of over 36 million tons of hazardous waste. RCRAInfo provides the only national-level RCRA hazardous waste data and statistics to track the environmental progress of approximately 20,000 hazardous waste units at 6,600 facilities.
- Contribute to efforts ensuring the proper management, disposal, and cleanup of per- and polyfluoroalkyl substances (PFAS).

**Performance Measure Targets:**

**(PM CA5RC) Number of RCRA corrective action facilities with final remedies constructed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|
| <b>Target</b> |         | 98      | 98      | 73      | 55      | 55      | 44      | 44      | Facilities |
| <b>Actual</b> | 70      | 80      | 64      | 57      | 55      | 48      |         |         |            |

**(PM RSRAU) Number of RCRA corrective action facilities made ready for anticipated use.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|
| <b>Target</b> | 75      | 91      | 117     | 133     | 114     | 100     | 85      | 70      | Facilities |
| <b>Actual</b> | 117     | 127     | 169     | 146     | 124     | 117     |         |         |            |

<sup>295</sup> For example, vapor intrusion, wetlands contamination, or extensive groundwater issues.

<sup>296</sup> For more information, please refer to: <https://www.epa.gov/hw/toolbox-corrective-action-resource-conservation-and-recovery-act-facilities-investigation-remedy>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,101.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes an increase for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (-\$508.0 / -0.5 FTE) This program change reduces FTE support for RCRA Corrective Action activities including cleanups. This includes a reduction of \$92.4 thousand for payroll.

**Statutory Authority:**

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

**RCRA: Waste Management**

Program Area: Resource Conservation and Recovery Act (RCRA)

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$70,129</i></b>           | <b><i>\$75,958</i></b>               | <b><i>\$91,500</i></b>                    | <b><i>\$15,542</i></b>   |
| Hazardous Waste Electronic Manifest System Fund       | \$10,962                         | \$0                                  | \$0                                       | \$0  |
| Total Budget Authority                                | \$81,091                         | \$75,958                             | \$91,500                                  | \$15,542   |
| Total Workyears                                       | 296.9                            | 307.8                                | 353.3                                     | 45.5   |

Total workyears in FY 2025 include 15.0 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 solid and 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 thousand facilities generate and safely manage hazardous waste in the United States.<sup>297</sup> Eighty percent of the U.S. population live within three miles of one of these facilities, making national standards and procedures for managing hazardous wastes a necessity.<sup>298</sup>

The Waste Management Program safeguards the American people while facilitating commerce by supporting an effective waste management infrastructure. Cradle-to-grave hazardous waste management regulations help ensure safe management practices through the entire process of generation, transportation, recycling, treatment, storage, and final disposal. The Program increases the capacity for proper hazardous waste management in states by providing grant funding and technical support.

The RCRA permitting program serves to protect the millions of people in surrounding communities by facilitating clean closure where applicable and managing permits and other controls to protect human health and the environment for the approximately 6,700 hazardous waste units (e.g., incinerators, landfills, and tanks) located at 1,300 permitted treatment, storage, and disposal facilities.<sup>299</sup> Just as businesses innovate and grow, the waste management challenges they

<sup>297</sup> Memorandum, February 18, 2014, from Industrial Economics to EPA, Re: Analysis to Support Assessment of Economic Impacts and Benefits under RCRA Programs: Key Scoping Assessment, Initial Findings and Summary of Available Data (Section 1), pages 5-11.

<sup>298</sup> U.S. EPA, Office of Solid Waste and Emergency Response Estimate. 2014. Data collected includes: 1) site information as of the end of FY 2011 from RCRAInfo; and 2) census data from the 2007-2011 American Community Survey.

<sup>299</sup> As compiled by RCRAInfo.

face also evolve; this requires new direction and changes in the federal hazardous waste program through updated regulations, guidance, and other tools.

EPA directly implements the RCRA Program in Iowa, Alaska, in some territories, and on tribal lands. EPA provides leadership, work-sharing, and support to the remaining states and territories authorized to implement the permitting program. Additionally, the Toxic Substances Control Act (TSCA) 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 exist, and PCBs can still be released into the environment from poorly maintained operations and sites that contain them.

Maintaining updated permits and controls ensures that facilities: 1) have consistent and protective standards to prevent release; 2) have proper standards for waste management to protect human health and prevent land contamination/degradation; and 3) avoid future cleanups and associated substantial costs. EPA will work with authorized states to ensure that permit decisions, including decisions to issue, renew, or deny permits, reflect the latest technology and standards. EPA also will work with authorized states to ensure that all communities, including those who are marginalized and overburdened, have an equitable opportunity to engage in the permitting process.

States, tribes, territories, communities, and RCRA facilities are beginning to experience impacts from climate change, such as extreme weather and wildfires, and these impacts are expected to increase in the future. EPA is working to implement the EPA Climate Adaptation Action Plan;<sup>300</sup> increase resilience of Corrective Action, PCB, and RCRA permitted facilities to extreme weather events and sea level rise; assist municipalities with natural disaster preparedness and debris management planning; and strengthen the capacity of states, tribes, territories, communities, and businesses to adapt to climate change.

Where communities adversely impacted by environmental conditions are advocating for more transparency or involvement in decision-making or where the trust is strained, providing enhanced, tailored engagement through the Community Engagement and Technical Assistance (CETA) Program will allow EPA to build a better bridge between the region, state, facility, and community. The CETA Program serves as the vehicle to deliver risk communications, technical assistance, and engagement support to frontline and overburdened communities, ensuring equitable access and the opportunity to participate in environmental decisions that impact their health and wellbeing.

There continues to be increased public and congressional attention to issues around post-consumer materials management, especially plastics, in the environment and EPA's role in addressing them (e.g., marine litter prevention and reduction, environmental justice concerns in countries to which the U.S. exports plastics, and the climate impacts of single-use plastics). Marine litter and plastic pollution is an increasingly prominent global problem that can negatively affect public health, the

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<sup>300</sup> For additional information, please see: <https://www.epa.gov/system/files/documents/2021-09/epa-climate-adaptation-plan-pdf-version.pdf>, [https://www.epa.gov/system/files/documents/2022-10/bh508-OLEM%20CAIP\\_August%202022\\_POST\\_OGReview\\_9.12.2022.pdf](https://www.epa.gov/system/files/documents/2022-10/bh508-OLEM%20CAIP_August%202022_POST_OGReview_9.12.2022.pdf).

environment, and the economy. Most marine litter and plastic is from land-based sources and makes its way into the Nation's waterways and ultimately to the ocean, creating a direct link between waste management practices and ocean pollution.<sup>301</sup> The Save Our Seas 2.0 Act,<sup>302</sup> enacted in December 2020, was passed with bipartisan congressional support and provides EPA with authority to further act on post-consumer materials management.

The Program also plays a central role in establishing and updating standards for analytical test methods that are used across the country and the world to provide consistent, reliable determinations as to whether waste is hazardous, as well as the presence and extent of hazardous waste in the environment. This work provides the foundation that underlies waste management approaches and ensures that method standards evolve with technology for conducting these analyses.

In addition to overseeing the management of hazardous waste under RCRA Subtitle C, EPA also plays a role in solid waste management under Subtitle D. While much of this area is delegated to the states, EPA is actively working on aspects of coal combustion residuals (CCR) under this area of the law, including the establishment and refinement of appropriate regulations and, as directed by the 2016 Water Infrastructure Improvements for the Nation Act (WIIN Act), the development of a new federal permitting program for CCR surface impoundments and landfills. In implementing regulations for CCR, EPA is taking action to ensure that the concerns of nearby communities are addressed in a protective manner.

While the majority of the work is focused on domestic issues, the Program also is responsible for issues related to international movement of wastes. EPA oversees the notification and consent process for hazardous waste imports and exports. Most of these movements are for recycling and, thus, are critical to resource conservation. In coordination with other agencies and departments, EPA represents the U.S. Government in numerous international forums concerned with waste issues. This type of representation is vital to protecting U.S. interests and furthering U.S. policy goals.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$15.5 million and 45.5 FTE for the RCRA Waste Management Recycling Program. The Program will:

- Provide technical assistance, guidance, tools, and support to regions, states, and tribes regarding the development and implementation of solid waste programs (*e.g.*, the RCRA hazardous waste generator, transporter, treatment, storage, and disposal regulations and implementing guidance; the RCRA non-hazardous waste program; the TSCA PCB disposal and cleanup program; and the hazardous waste import/export program).

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<sup>301</sup> U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service, "Ten Things you should Know about Marine Debris," <https://oceanservice.noaa.gov/news/marinedebris/ten-things.html>.

<sup>302</sup> For additional information, please refer to: <https://www.congress.gov/116/plaws/publ224/PLAW-116publ224.pdf>.

- Enhance risk communications and deliver technical assistance support directly to communities, particularly fenceline communities, with environmental concerns related to RCRA facilities.
- 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. Issuing PCB approvals is a federal responsibility and is not delegated to states.
- Manage and monitor the RCRA permitting program and ensure the issuance of permits efficiently to achieve program goals. This includes progress towards meeting the Agency's goal of increasing the percentage of permits kept up to date for the approximately 6,700 hazardous waste units (*e.g.*, incinerators, landfills, and tanks) located at 1,300 permitted treatment, storage, and disposal facilities.
- Implement the EPA Climate Adaptation Action Plan and provide technical assistance and guidance to strengthen the capacity of states, tribes, territories, communities, and facilities to adapt to climate change.
- Continue analysis of existing regulations to ensure protective standards for managing solid and hazardous waste. In FY 2025, this includes assessment of RCRA regulations to reflect current standards, policies, and practices.
- Manage the hazardous waste import/export notice and consent process in order to make shipping hazardous waste across borders more efficient. Managing hazardous waste imports and exports is a federal responsibility, non-delegable 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.
- Establish and update standards for analytical test methods that are used across the country and the world to provide consistent, reliable determinations as to whether waste is hazardous, as well as the presence and extent of hazardous waste in the environment.
- Take action to ensure protective management of CCR through the implementation of existing regulations, promulgation of additional regulations to address legacy surface impoundments, and the launch of a federal permitting program. The Agency promulgated regulations specifying improved management and disposal practices to ensure people and

ecosystems are protected. The Agency will continue to work with stakeholders through technical assistance and guidance as it develops and implements regulations.

- Implement applicable provisions of the WIIN Act, which enables states to submit state CCR permit programs for EPA approval. 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 in non-participating states and on tribal lands.
- As part of an EPA effort to reduce ocean pollution and plastics, the Program will provide technical expertise and funding to support development and implementation of solid waste management systems and infrastructure to help ensure that non-hazardous waste items are appropriately collected, recycled, reused, or properly disposed of to prevent litter from entering waterways from land.

**Performance Measure Targets:**

**(PM HW5) Number of updated permits issued at hazardous waste facilities.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target | 64      | 64      | 105     | 100     | 90      | 100     | 105     | 117     | Permits |
| Actual | 109     | 124     | 104     | 130     | 107     | 114     |         |         |         |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,700.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$6,754.0 / +22.0 FTE) This program change will expand the Community Engagement and Technical Assistance Program to help protect economically disadvantaged communities from hazardous substance releases from facilities. This investment includes \$4.2 million for payroll.
- (+\$4,598.0 / +21.0 FTE) This program change is to provide sufficient staffing levels to implement the coal combustion residual federal permitting program. This investment includes \$3.9 million for payroll.
- (+\$1,190.0 / +1.0 FTE) This program change will help implement the EPA Climate Adaptation Action Plan, support increased resilience at Treatment, Storage, and Disposal Facilities and PCB Storage facilities, and strengthen the capacity of states, tribes, territories, communities, and businesses to adapt to climate change. This investment includes \$190.0 thousand for payroll.



- (+\$300.0 / +1.5 FTE) This program change increases FTE to support agencywide implementation of EPA's Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements. This investment includes approximately \$285.0 thousand for payroll.

**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. Save our Seas 2.0, 2020, Pub. L. 116-224.

**RCRA: Waste Minimization & Recycling**

Program Area: Resource Conservation and Recovery Act (RCRA)

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$9,375</i></b>            | <b><i>\$10,252</i></b>               | <b><i>\$15,799</i></b>                    | <b><i>\$5,547</i></b>  |
| Total Budget Authority                                | \$9,375                          | \$10,252                             | \$15,799                                  | \$5,547  |
| Total Workyears                                       | 39.7                             | 43.4                                 | 68.4                                      | 25.0   |

**Program Project Description:**

EPA’s Resource Conservation and Recovery Act (RCRA) Waste Minimization and Recycling Program supports the sustainable management of resources, including managing materials that sustainably promote economic growth, reducing environmental impacts, and advancing a circular economy for all.

The U.S. recycling industry provides approximately 680 thousand jobs and \$5.5 billion annually in tax revenues and there is opportunity for greater contribution to the economy and environmental protection, as recent data indicate materials worth as much as \$9 billion are thrown away each year.<sup>303</sup> Recycling is an important part of a circular economy, which refers to a system of activities that is restorative to the environment, enables resources to maintain their highest values, and designs out waste. A circular economy approach provides direct, measurable reductions in greenhouse gas (GHG) emissions, as natural resource extraction and processing make up approximately 50 percent of total global GHG emissions.<sup>304</sup>

Further, living near waste and waste-related facilities can place burdens on communities when waste is not properly managed, which can lead to higher levels of chronic health issues. Communities whose residents are predominantly persons of color, Indigenous, or low-income continue to be disproportionately impacted by high pollution levels, resulting in adverse health and environmental impacts. It is critical to implement materials management strategies that are inclusive of communities with environmental justice concerns as well as pursue innovations that offer the benefits of cleaner processing of materials to all. Recycling is not enough to achieve a circular economy, but it is an important part of addressing climate change, creating jobs, and reducing environmental and social impacts.

EPA established a National Recycling Goal to increase the recycling rate from a rate of 32.1 percent in 2018 to 50 percent by 2030,<sup>305</sup> and finalized and released the National Recycling

<sup>303</sup> For more information, please refer to: <https://www.epa.gov/smm/recycling-economic-information-rei-report>.

<sup>304</sup> U.N. Environment International Resource Panel, Global Resources Outlook, 2019, p. 8. <https://www.resourcepanel.org/reports/global-resources-outlook>.

<sup>305</sup> In 2018, in the United States, approximately 292 million tons of municipal solid waste (MSW) were generated. Of the MSW

Strategy on November 15, 2021.<sup>306</sup> The National Recycling Strategy is part one of a series of strategies the Agency is developing to build a stronger, more resilient, and cost-effective recycling system and a circular economy for all. Reducing waste helps alleviate burdens on populations that bear the brunt of poorly run waste management facilities and transfer stations. When applied to critical minerals, a circular economy approach facilitates end-of-life recycling and the recovery of critical minerals in order to support a secure supply chain. In 2023, EPA released parts two and three of the series, the *Draft Strategy to Prevent Plastic Pollution*, and the *Draft National Strategy for Reducing Food Loss and Waste and Recycling Organics*. Future strategies will focus on critical minerals and electronics, textiles, and the built environment (*e.g.*, construction and demolition debris).

Congressional and public interest continues to grow regarding plastics in the environment and EPA's role in addressing them (*e.g.*, ocean plastics, environmental justice concerns in countries to whom the U.S. exports plastics, and the climate impacts of single-use plastics). The Save Our Seas 2.0 Act,<sup>307</sup> enacted in December 2020, was passed with bipartisan congressional support and provides EPA with authority to further act on domestic recycling and address plastic waste through new grant programs, studies, and increased federal coordination. Additionally, the Infrastructure Investment and Jobs Act (IIJA), as well as STAG annual appropriations, provide funding for recycling infrastructure grants authorized by section 302(a) of the Save Our Seas 2.0 Act. IIJA also provided funding for education and outreach grants focused on improving material recycling, recovery, and management and established new programs focused on battery recycling and labeling. EPA also was charged with developing a model recycling program toolkit, increasing coordination and review of federal procurement guidelines, and providing assistance to the educational community to incorporate recycling best practices into school curriculum.

The RCRA Waste Minimization and Recycling Program also promotes the efficient management of food as a resource. Reducing food loss and waste means more food for communities, fewer GHG emissions and climate impacts, and increased economic growth. EPA works to meet the national goal of reducing food loss and waste by 50 percent by 2030 by providing national estimates of food waste generation and management; convening, educating, and supporting communities seeking to reduce food waste; working collaboratively with the U.S. Department of Agriculture and U.S. Food and Drug Administration to reduce food waste; and providing funding to demonstrate anaerobic digester applications.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$5.5 million, including 25.0 FTE for the RCRA Waste Minimization and Recycling Program to manage grants under the new Solid Waste Infrastructure for Recycling (SWIFR) grant program. This investment also will focus on efforts to strengthen the

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generated, approximately 94 million tons were recycled or composted, equivalent to a 32.1 percent recycling and composting rate. [https://www.epa.gov/sites/default/files/2021-01/documents/2018\\_ff\\_fact\\_sheet\\_dec\\_2020\\_fnl\\_508.pdf](https://www.epa.gov/sites/default/files/2021-01/documents/2018_ff_fact_sheet_dec_2020_fnl_508.pdf).

<sup>306</sup> For more information, please refer to: <https://www.epa.gov/system/files/documents/2021-11/final-national-recycling-strategy.pdf>.

<sup>307</sup> For more information, please refer to: <https://www.congress.gov/116/plaws/publ224/PLAW-116publ224.pdf>.

U.S. recycling system by investing in solid waste management infrastructure and consumer education and outreach, address the global issue of plastic waste, engage communities, and prevent and reduce food loss and waste. The Program will conduct the following activities:

- Provide national leadership and direction on approaches to reduce environmental impacts and increase the safe and effective reuse/recycling of materials, with a special focus on plastic waste, food waste, and critical minerals and electronics.
- Contribute towards global climate change efforts and demonstrate U.S. leadership internationally through participation in resource efficiency dialogues.
- Implement the National Recycling Strategy through the SWIFR grant program, the Recycling Education and Outreach (REO) grant program, and other activities.
- Develop, finalize, and/or implement additional strategies in key areas with the greatest potential to reduce the lifecycle impacts of materials, including plastic waste, food waste, critical minerals and electronics (*e.g.*, batteries), textiles, and construction and demolition debris.
- Gather data and provide high-quality scientific information on materials management. Information on the status of the Nation's solid waste generation and management will provide evidence for prioritizing programs, grant monies, and policy development. This information also will illustrate how the U.S. is striving toward the National Recycling Goal to increase the nation's recycling rate to 50 percent by 2030 and the U.S. 2030 Food Loss and Waste Reduction Goal to cut food loss and waste in half by the year 2030. To track progress on these goals, EPA's efforts will focus on gathering data on national waste management pathways, including recycling participation and food loss and waste generation rates.
- Continue to administer grants for state, territorial, tribal, and local governments to build and enhance recycling capacity, infrastructure, and consumer education and outreach around the country. The grant programs will continue to support state, territorial, and tribal communities seeking to enhance their capacity to recover and recycle materials by modernizing local waste management systems and improving education and outreach.
- Provide technical assistance to communities to enhance their capacity to apply for federal funding opportunities. Announce new funding opportunities for the SWIFR and REO grant programs that are primarily funded by IIJA.
- Administer and enhance the model recycling program toolkit developed for use in carrying out the REO grant program funded by IIJA and provide assistance to the educational community to promote the introduction of recycling principles and best practices into public school curricula.

- Continue coordinating with federal agencies to reduce food waste in their facilities, increase composting, complete food waste prevention pilot projects, and connect stakeholders with food waste reduction technologies such as anaerobic digestion.
- Enhance the Knowledge Management System for grant programs for recycling infrastructure and education and outreach to assist in tracking funded project development through completion and expedite result reporting.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,363.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes an increase for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$4,184.0 / +25.0 FTE) This program change is an increase to assist EPA with implementation of the National Recycling Strategy, oversight of the Infrastructure Investment and Jobs Act grants, and challenges on recycling and the circular economy. This investment includes \$4.5 million for payroll.

**Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA); Save our Seas 2.0 Act, 2020, Pub. L. 116-224; Infrastructure Investment and Jobs Act (IIJA), Pub. L. 117-58

## **Toxics Risk Review and Prevention**

## Endocrine Disruptors

Program Area: Toxics Risk Review and Prevention

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$6,010</i></b>    | <b><i>\$7,614</i></b>       | <b><i>\$7,701</i></b>            | <b><i>\$87</i></b>   |
| Total Budget Authority                                | \$6,010                  | \$7,614                     | \$7,701                          | \$87   |
| Total Workyears                                       | 6.9                      | 7.6                         | 7.6                              | 0.0  |

### Program Project Description:

The Endocrine Disruptor Screening Program (EDSP) was established in 1996 under authorities contained in section 408(p) of the Food Quality Protection Act (FQPA) and the Safe Drinking Water Act (SDWA) amendments. Envisioned as a two-tiered screening and testing program, the EDSP was developed to screen chemicals for their potential to disrupt the endocrine system of humans and wildlife. Section 408(p) also requires EPA to “as appropriate, take action...to ensure the protection of public health” for “any substance that is found...to have an endocrine effect on humans.” After over two decades of challenges in implementing the EDSP and other aspects of section 408(p), EPA is now rebuilding the EDSP, especially by obtaining needed endocrine data and by integrating the FQPA endocrine data and decisions into FIFRA decisions.

In October 2023, EPA issued new policies and scientific explanations to advance these objectives and engage stakeholders in the process. These new policies will help ensure that EPA is meeting its section 408(p) FQPA obligations and reducing litigation risk. EPA also will continue to advance the science on screening and testing chemicals that may disrupt the endocrine system of humans or wildlife. For example, EPA will continue to transition to using high throughput (HT) screening and computational toxicology (*CompTox*)<sup>308</sup> tools that can screen thousands of chemicals for endocrine activity. This will allow EPA to more rapidly and meaningfully prioritize the evaluation of chemicals for possible endocrine disrupting effects and integrate that information into registration and registration review decisions, thereby ensuring chemical safety by protecting human health and the environment from endocrine disrupting chemicals. Implementing EDSP work into the Agency’s risk assessment and risk management functions also supports EPA’s environmental justice (EJ) priorities, both by targeting substances based on effects to sensitive life stages and deploying rapid methods for assessing disparate chemical exposures to vulnerable communities.

For over two decades, EPA’s progress in implementing the EDSP and other obligations in section 408(p) has been limited for several reasons. One reason is that the Agency did not arrive at clear

<sup>308</sup> For additional information, please visit: <https://www.epa.gov/endocrine-disruption/use-high-throughput-assays-and-computational-tools-endocrine-disruptor>.

internal decisions on how to address several complex science-policy issues, including what types of data to require of pesticide registrants. This led to implementation of section 408(p) that was largely separate from implementation of FIFRA. As part of rebuilding the EDSP, EPA is starting with two overall approaches to address its historic challenges with the Program. First, EPA intends to use the FIFRA registration and registration review processes to obtain needed endocrine data to support the Agency's FIFRA determinations and its FQPA determinations related to endocrine effects. This approach will allow EPA to efficiently use an existing process (FIFRA) to obtain endocrine data as part of our FQPA mandates. Second, EPA will integrate FQPA endocrine decisions into FIFRA decisions. Specifically, when EPA is registering a new pesticide active ingredient or reevaluating an existing active ingredient as part of registration review, the Agency will begin to integrate its FQPA endocrine data and decisions into the FIFRA decision. This will help ensure that EPA is timely identifying endocrine data needs and making FQPA decisions.

On October 27, 2023, EPA published a Federal Register Notice (FRN), EDSP Near-Term Strategies for Implementation (EPA-HQ-OPP-2023-0474; FRL-11384-01-OCSP), that describes these overall approaches in further detail and that describes three initial strategies to support implementation. The strategies include prioritizing potential human endocrine effects while EPA pursues other strategies to protect wildlife from chemical exposure; using existing endocrine data to inform FIFRA and FQPA decisions and to inform whether additional endocrine data are needed for conventional pesticide active ingredients; and through registration review, phasing in any new data requirements to address potential human estrogen, androgen, and thyroid effects for registered conventional pesticide active ingredients, starting with priority chemicals. In conjunction with the FRN, EPA released a list of 30 priority chemicals for public comment and intends to begin issuing FIFRA data call-ins for needed endocrine data for these chemicals in spring 2024. In addition to identifying the 30 first priority chemicals, EPA identified 86 chemicals for which it likely has sufficient estrogen and androgen data for human health, and listed second priority (126 chemicals) and third priority (161 chemicals) groupings for determining additional endocrine data needs. Finally, to further support the Near-Term Strategies, EPA released a science document and an update on data recommendations for List 1 chemicals which had previously gone through Tier 1 endocrine screening.

Embedded into the EDSP approach is a focus on sensitive life stages during the tiered testing and assessment processes. As these data are incorporated into conceptual risk assessment models, they can specifically inform decisions important to EJ and vulnerable subpopulations, including children's health, women's health, and reproductive health more broadly. To advance endocrine science, EPA continues to explore enhancements to existing test methods and has run thousands of chemicals through HT assays, including the estrogen receptor (ER) and androgen receptor (AR) pathway models and the HT steroidogenesis assay. The Agency continues to engage the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP) in the scientific peer review of endocrine screening methods including HT tools to evaluate their use in chemical screening and testing. In some cases, these new methods may serve as alternatives to existing guideline tests. Further, as EDSP prioritizes future chemical assessments, HT tools such as *ToxCast*<sup>309</sup> and *ExpoCast*<sup>310</sup> may assist in the identification of priority chemical targets with vulnerable subpopulations and EJ concerns for further investigation.

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<sup>309</sup> For additional information, please visit: <https://www.epa.gov/chemical-research/toxicity-forecasting>.

<sup>310</sup> For additional information, please visit: <https://www.epa.gov/chemical-research/rapid-chemical-exposure-and-dose-research>.



## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

Under the current tiered framework, imposing the EDSP Tier 1 battery for all 10,000+ substances in the EDSP Universe of Chemicals would cost the regulated community more than \$10 billion in addition to EPA resources for staff to manage the regulatory infrastructure to order and review the tests.<sup>311</sup> Given the current national and international laboratory testing capacity, it would take many years to complete, and involve the sacrifice of many millions of animals. To address these issues, in FY 2025, the Agency will:

- Continue implementing a multi-year plan for the EDSP for pesticide active ingredients and inserts, focusing first on conventional pesticide active ingredients.
- Make chemical-specific decisions on whether the Agency has enough data through Tier 2 testing or other scientifically relevant information to issue FQPA and FIFRA decisions for potential human endocrine effects such that Tier 1 data are not required, consistent with the policy that EPA announced in October 2023.
- Continue collaborations with EPA’s research programs to optimize available endocrine screening and testing methods and increase scientific confidence in HT approaches, which will support a more efficient, refined, and integrated approach to EDSP chemical screening and assessment.
- In collaboration with EPA’s research programs, continue HT screening on pesticide substances that were not part of the *ToxCast* chemical sets, considering the priority groupings that were announced in October 2023.

In FY 2025, consistent with the implementation strategies announced in October 2023, these efforts will address several key milestones in implementing EDSP evaluations of conventional pesticide active ingredients to support pesticide registrations and registration review, in line with Administration priorities on EJ. EPA will ensure that new, conventional pesticide active ingredients have adequate data to address endocrine effects in humans and will phase any additional human endocrine data needs for existing chemicals into the registration review process, starting with 30 high priority active ingredients. The EDSP screening and testing framework explicitly includes evaluations on vulnerable subpopulations such as differences among life stages including pregnancy, infancy, and early childhood. Moreover, the EDSP Tier 1 battery is designed to identify potential effects on reproduction, a key indicator for EJ. In FY 2025, EPA also will continue research to develop and refine methods to evaluate endocrine effects in wildlife.

The EDSP will continue to collaborate with relevant bodies and international partners, such as the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM), the Organization for Economic Co-operation and Development (OECD), the World Health Organization (WHO), and bilateral partners to maximize the efficiency of EPA’s resources and

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<sup>311</sup> <https://www.sciencedirect.com/science/article/pii/S0273230011000055?via%3Dihub>, <https://www.epa.gov/endocrine-disruption/universe-chemicals-potential-endocrine-disruptor-screening-and-testing> & <https://www.federalregister.gov/documents/2023/01/19/2023-00940/availability-of-new-approach-methodologies-in-the-endocrine-disruptor-screening-program-notice-of>.

promote adoption of internationally harmonized test methods, particularly high throughput, or computational approaches, for evaluating the potential endocrine effects of chemicals. EPA represents the U.S. as either the lead or a participant in OECD and other international projects involving pesticide regulation and the improvement of assay systems, including the development of both animal and non-animal screening and testing methods.

Consistent with recommendations in the 2021 OIG report, the October 2023 release of the EDSP Near-Term Strategies for Implementation represents the new strategic plan for the Program. EPA is developing performance metrics to track implementation progress and intends to regularly update the public via the EPA website and other outreach.<sup>312</sup>

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$101.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$14.0) This is a programmatic decrease for endocrine disruption screening contractual support.

**Statutory Authority:**

Federal Food Drug and Cosmetic Act (FFDCA), § 408(p); Safe Drinking Water Act (SDWA), § 1457.

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<sup>312</sup> <https://www.epa.gov/office-inspector-general/report-epas-endocrine-disruptor-screening-program-has-made-limited>

## **Pollution Prevention Program**

Program Area: Toxics Risk Review and Prevention

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Promote Pollution Prevention

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$12,568</i></b>           | <b><i>\$12,987</i></b>               | <b><i>\$29,193</i></b>                    | <b><i>\$16,206</i></b>   |
| Total Budget Authority                                | \$12,568                         | \$12,987                             | \$29,193                                  | \$16,206   |
| Total Workyears                                       | 47.9                             | 51.2                                 | 69.2                                      | 18.0   |

### **Program Project Description:**

EPA's Pollution Prevention (P2) Program is one of the Agency's primary tools for advancing environmental stewardship and sustainability for federal, state, and tribal governments as well as for businesses, communities, and individuals. The Program is the primary implementation mechanism for the Pollution Prevention Act (PPA) of 1990. The P2 Program seeks to alleviate environmental problems by helping businesses and others with developing and implementing source reduction practices before pollution is created. As a result of these approaches, the P2 Program protects the environment by conserving and protecting natural resources while strengthening economic growth through cost reductions and increased market opportunities. P2 approaches include, but are not limited to, reducing or eliminating hazardous releases to air, water, and land; use of hazardous materials; generation of greenhouse gases; and/or use of water. The Program's efforts advance EPA's priorities to pursue sustainability; to act on climate change; to make a visible difference in communities, including advancing environmental justice (EJ) in disadvantaged communities; and to ensure chemical safety. The Program includes a counterpart P2 Categorical Grants Program in the State and Tribal Assistance Grants (STAG) account.<sup>313</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.2, Promote Pollution Prevention in the *FY 2022 – 2026 EPA Strategic Plan*. FY 2025 funding will continue to support the following P2 programs:

#### P2 Technical Assistance

The P2 technical assistance program supports businesses, states, tribes, and other partners to promote and facilitate the adoption of source reduction approaches that make good business sense and to improve multimedia environmental conditions and climate impacts through reductions in the release of hazardous materials and pollutants such as greenhouse gases. EPA invests in analyses, tool development, training, outreach, and partnerships to provide the information and tools needed to bring awareness to industries of P2 approaches and benefits and to enable their

<sup>313</sup> For additional information about the EPA P2 Program, please visit: <http://www.epa.gov/p2/>.

widespread implementation to prevent or reduce pollution. The P2 Program leverages the success of EPA grantees and client businesses by amplifying and replicating environmental stewardship and sustainability successes for similar businesses in other locales.<sup>314</sup> Such economies of scale for P2 are central to maximizing the effectiveness of the program.

To further advance EJ in FY 2025, EPA will use analyses of toxic chemical releases from the Toxics Release Inventory (TRI) and other chemical release data to identify facilities and industries near communities with EJ concerns. These analyses will be combined with sector-specific case studies, best practices, and outreach and training efforts to facilitate adoption of P2 practices in such communities. In FY 2025, EPA also will continue efforts to work with stakeholders to identify technically and economically feasible opportunities for small businesses to adopt safer alternatives for uses of TSCA High Priority Substances undergoing risk evaluation.

P2 reporting under the TRI Program collects information on facility-level P2 practices associated with reductions in use and release of toxic chemicals. With requested funding for a grant program to facilitate small business transitions to use of safer chemicals in FY 2025, EPA will evaluate and integrate P2 case studies and best practices relevant to TSCA risk management efforts by small businesses, clarify technical and economic factors associated with such transitions, and develop and deploy pilot programs to leverage training and ongoing support for small businesses expected to make P2 transitions in response to TSCA risk management.

#### Safer Choice Program

Safer Choice is a voluntary program that certifies safer products so consumers, businesses, and purchasers can find products that work well and contain ingredients safer for human health and the environment, including helping reduce exposure to carcinogens in products. EPA certifies and allows use of the Safer Choice label<sup>315</sup> on products containing ingredients that meet stringent health and environmental criteria and undergo annual audits to confirm the products are manufactured in conformance with the Safer Choice Standard's rigorous health and environmental requirements. Under the same stringent criteria, EPA certifies disinfectant products registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) using the Design for the Environment logo.

With hundreds of partner companies and about 1,800 certified products in the marketplace, companies have invested heavily in this EPA partnership. Consumer, retailer, and industry interest in Safer Choice and safer chemical products continues to grow across chemical product value chains. Through a stakeholder engagement process started in August 2023, the Safer Choice Program will expand into additional product categories and implement pollution prevention approaches in seeking to increase consumer and commercial recognition of Safer Choice products, including certifying products in categories that currently contain PFAS ingredients (and which would have to avoid PFAS ingredients to gain Safer Choice certification). In 2023, EPA also solicited comment on technical updates to the Safer Choice Standard to reflect the latest science and will finalize these updates in 2024. In FY 2025, EPA will continue its Partner of the Year

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<sup>314</sup> For additional information, please see the Pollution Prevention Program narrative under the STAG account/appropriation.

<sup>315</sup> For additional information about the Safer Choice Program, please visit: <https://www.epa.gov/saferchoice>.

Awards Program,<sup>316</sup> which recognizes organizations and companies for their leadership in formulating products made with safer ingredients and making them available to communities.

In FY 2025, Safer Choice will integrate and address EJ concerns through outreach and partnership activities. Efforts to make Safer Choice-certified products more accessible to communities with EJ concerns will expand with particular focus on low-income, tribal, and indigenous populations and other vulnerable populations such as the elderly, children, and those with pre-existing medical conditions. Safer Choice will work with retailers and product manufacturers to help them develop even more products containing safer chemical ingredients that are easy to identify and purchase. Safer Choice will work to empower custodial staff and house cleaning companies and enable facilities through education to gain access to Safer Choice-certified products to improve indoor air quality and reduce exposure-related asthma.<sup>317</sup>

To enhance transparency and to facilitate expansion and use of safer chemicals and products, EPA has included on the Program's website a list of non-confidential chemicals that meet the Safer Choice Program criteria and that are allowed in the Program's labeled products. In FY 2023, the Safer Chemical Ingredients List (SCIL) contained 1,071 safer chemicals, and EPA will continue to update this list in future years as the Program evaluates additional chemical ingredients and chemical categories (including finalizing removal of PFAS from SCIL) and approves products for the use of the Safer Choice label.

#### Environmentally Preferable Purchasing Program (EPP)

The Environmentally Preferable Purchasing (EPP) Program<sup>318</sup> implements direction provided to EPA in the Pollution Prevention Act, the National Technology Transfer and Advancement Act,<sup>319</sup> Federal Acquisition Regulations, and Executive Orders that mandate and set goals for sustainable federal procurement. The EPP Program assists all federal agencies in meeting these various requirements and goals including through development and use of private sector sustainability standards and ecolabels. In FY 2015 the EPP Program issued the EPA Recommendations of Specifications, Standards, and Ecolabels for Federal Purchasing (Recommendations) per direction from E.O. 13693. The Recommendations help federal purchasers determine which private sector standards and ecolabels are appropriate and effective in meeting various sustainability goals such as net-zero emissions procurement, identification of products that do not contain or use substances of concern such as PFAS reduction of single-use plastics, circularity, embodied carbon, environmental justice and more. The Recommendations have been updated and maintained through all subsequent fiscal years and now include over 40 private sector standards and ecolabels covering over 30 product and service categories. Per the latest Executive Order 14057 and the Federal Sustainability Plan, federal purchasers are required to use the Recommendations to the "maximum extent practicable". In addition, the Federal Acquisition Regulation (FAR) is in the process of being updated to align with the latest E.O. directives (FAR Case 2022-006).

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<sup>316</sup> For additional information on the Partner of the Year Awards program, please visit: <https://www.epa.gov/saferchoice/safer-choice-partner-year-awards>.

<sup>317</sup> For additional information, please see:

[https://journals.lww.com/joem/Fulltext/2003/05000/Cleaning\\_Products\\_and\\_Work\\_Related\\_Asthma.17.aspx](https://journals.lww.com/joem/Fulltext/2003/05000/Cleaning_Products_and_Work_Related_Asthma.17.aspx).

<sup>318</sup> For additional information on the EPP Program, please visit: <http://www.epa.gov/greenerproducts/buying-green-federal-purchasers>.

<sup>319</sup> For additional information on the National Technology Transfer and Advancement Act, please visit: <https://www.nist.gov/standardsgov/national-technology-transfer-and-advancement-act-1995>.

In FY 2023, the EPP Program began the process to expand and update the Recommendations to continue to support the Biden-Harris Administration's federal sustainable procurement goals and mandates. The Program received applications to assess over 80 standards/ecolabels from 42 organizations for potential inclusion in the Recommendations for federal purchasing. Based on available resources, the Program moved forward with assessing standards and ecolabels in the following five categories: Food service ware, laboratories, healthcare, professional services, and uniforms/clothing. Any standards/ecolabels that pass the assessment process will be added to the Recommendations in FY 2024 following a notice and comment period and input from an Interagency Advisory Group. The Program will continue to expand into additional product and service categories as time and resources allow.

The EPP Program also is working with the Council on Environmental Quality (CEQ), General Services Administration (GSA) and Office of Management and Budget's Office of Federal Procurement Policy (OMB OFPP) to complete a review of all Best in Class (BIC) contracts through our Sustainability Check program. The Sustainability Check initiative will ensure that language in the federal government's largest contracts align with federal sustainable purchasing requirements. This work is ensuring effective integration of, and compliance with, the applicable sustainable procurement requirements, which will further help to shift the market to offering more sustainable products and services.

The EPP Program has generated significant cost savings and environmental benefits to the federal government. For example, for electronics products, the federal government purchased nearly 9 million Electronic Product Environmental Assessment Tool (EPEAT)-registered products in 2022, resulting in a cost savings to the federal government of about \$291 million and reduction of about 1.5 billion kilograms of CO<sub>2</sub> equivalents. EPEAT is just one of the over 40 private sector sustainability standards and ecolabels included in the Recommendations that help federal purchasers identify and procure environmentally preferable products and services.<sup>320</sup>

The EPP Program also coordinates closely with the General Services Administration, and other federal agencies to implement the Recommendations and all other applicable sustainable purchasing requirements into key federal procurement tools and contracts.

In FY 2023 and FY 2024, as a first step toward helping federal purchasers avoid the purchase of products that contain per- and polyfluoroalkyl substances (PFAS), the EPP Program published a new webpage that describes whether and how the private sector standards/ecolabels included in the Recommendations either restrict or eliminate PFAS in products. Additionally, EPA hosted a webinar with the standard/ecolabel organizations included in the Recommendations to facilitate the sharing of best practices to address PFAS through standards and encouraged the organizations to update or develop new criteria to address PFAS.

In FY 2025, the EPP Program will continue to protect human health and the environment via sustainable products and procurement through the following activities:

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<sup>320</sup> For additional information on Recommendations for Specifications, Standards and Ecolabels for Federal Purchasing, please visit: <https://www.epa.gov/greenerproducts/recommendations-specifications-standards-and-ecolabels-federal-purchasing>.

- Continue to assess and recommend additional private sector ecolabels and standards in key federal purchase categories that support the various sustainability goals including PFAS use reduction<sup>321</sup>, climate impact mitigation, plastics use reduction, advancing circularity, EJ, and more.
- Continue to build, implement, maintain, and update tools for integrating EPA recommendations into federal e-procurement systems and initiate identification and monitoring of relevant government contracts for sustainable purchasing requirements. Initiate and engage in private sector standards development activities in partnership with EPA’s Office of Resource Conservation and Recovery (ORCR) that will result in the significant reduction of single use plastics.

### Green Chemistry

The Green Chemistry Challenge Award Program<sup>322</sup> encourages and recognizes the sustainable design of chemical products and processes. This program serves a critical role in raising the profile, importance, and credibility of innovative and market-ready green and sustainable chemistry technologies. During the Program’s more than 25 years of progress, EPA has received more than 1,800 nominations and presented awards to 133 technologies, demonstrating the interest among stakeholders to be recognized at the national level for developing market-ready and/or market-mature green chemistry solutions. The contribution of greener chemistries to addressing climate change is clear. Winning technologies are estimated to eliminate 7.8 billion pounds of carbon dioxide equivalents released to air—the equivalent of taking 770,000 cars off the road each year.<sup>323</sup> In FY 2025 EPA will develop training materials to help state, tribal, local, and industry stakeholders acquire information and understanding of the benefits from these innovations.<sup>324</sup>

In FY 2025 the Green Chemistry Program will continue to work with awardees and nominees to pursue the goal of market-oriented environmental and economic progress through increased adoption of these innovations. EPA will support and lead portions of EPA’s responsibilities for implementation of the Sustainable Chemistry Research and Development Act of 2020.

### Climate Adaptation

An additional \$1.6 million and 1.0 FTE will fund the implementation of activities to fulfill the P2-related Long-Term Performance Goals of EPA’s Strategic Plan (Objective 1.2), meet commitments in the EPA Climate Adaptation Action Plan, support increased resilience of EPA’s programs, strengthen the adaptive capacity of states, tribes, territories, communities, and businesses, and increase the resilience of the nation, with a particular focus on advancing environmental justice. Resources will be used to oversee the integration of climate adaptation planning into these programs, policies, rules, and operations (including ensuring EPA facilities and supply chains are resilient to climate impacts).

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<sup>321</sup> For additional information, please visit: <https://www.epa.gov/greenerproducts/how-epas-recommended-standards-and-ecolabels-address-and-polyfluoroalkyl-substances>.

<sup>322</sup> For additional information on the Green Chemistry Program, please visit: <https://www.epa.gov/greenchemistry>.

<sup>323</sup> For additional information, please visit: <https://www.epa.gov/greenchemistry/information-about-green-chemistry-challenge>.

<sup>324</sup> P2 Training materials are available to the public on various EPA websites including but not limited to: 1) <https://www.epa.gov/p2/grant-programs-pollution-prevention> (Grant Programs for P2); 2) <https://www.epa.gov/p2/p2-grant-program-resources-applicants> (Resources for grant applicants [FAQs, application checklist, P2-EJ Facility Mapping Tool and a recorded webinar]); 3) <https://www.epa.gov/p2/pollution-prevention-tools-and-calculators> (P2 Tools and calculators); and 4) <https://www.epa.gov/p2/p2-resources-business> (P2 resources for business).

Providing needed resources for the P2 technical assistance program is an important part of the Agency’s efforts to mitigate the effects of climate change, and to support identification and adoption of P2 practices that promote transitions to safer chemistry by small businesses, thereby complementing and amplifying EPA’s work under TSCA through a targeted grant program. The environmental results of the P2 technical assistance program are numerous and varied. EPA’s strategic plan focuses on the impacts on the reduction of metric tons of carbon dioxide equivalent (MMT<sub>CO2e</sub>) released attributed to EPA P2 grants. MMT<sub>CO2e</sub> is calculated by using an online tool to convert standard metrics for electricity, green energy, fuel use, chemical substitutions, water management, and materials management into MMT<sub>CO2e</sub>. In FY 2022, there was a reduction of 0.98 MMT<sub>CO2e</sub><sup>325</sup>. Providing needed resources for the P2 technical assistance program is an important part of the Agency’s efforts to mitigate the effects of climate change.

**Performance Measure Targets:**

**(PM P2mtc) Reduction in million metric tons of carbon dioxide equivalent (MMT<sub>CO2e</sub>) released per year attributed to EPA pollution prevention grants.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021               | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units               |
|---------------|---------|---------|---------|-----------------------|---------|--------------------|---------|---------|---------------------|
| <b>Target</b> |         |         |         | No Target Established | 1.2     | 1.2                | 1.2     | 1.2     | MMT <sub>CO2e</sub> |
| <b>Actual</b> | 1.6     | 1.5     | 1.4     | 1.1                   | 1.0     | Data Avail 10/2024 |         |         |                     |

**(PM P2sc) Number of products certified by EPA’s Safer Choice program.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b> |         |         |         |         | 1,950   | 2,000   | 1,792   | 1,795   | Products |
| <b>Actual</b> | 1,958   | 1,989   | 1,929   | 1,892   | 1,835   | 1,788   |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$544.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$7,830.0/ +9.0 FTE) This program change is an increase to the grant program supporting small businesses with transitioning to TSCA compliant practices and with mitigation of economic impacts. This includes \$1.757 million in associated payroll and essential workforce support costs.
- (+\$6,180.0/ +8.0 FTE) This program change is an increase supporting analyses, tool development, training, outreach, and partnerships to provide the information and tools needed to bring awareness to industries of P2 approaches and benefits and to enable their

<sup>325</sup> Source <https://www.epa.gov/p2/pollution-prevention-tools-and-calculators>.



widespread implementation to prevent or reduce pollution. This includes \$1.562 million in associated payroll and essential workforce support costs.

- (+\$1,652.0 / +1.0 FTE) This program change is an increase to implement the EPA Climate Adaptation Action Plan, support increased resilience of EPA's programs, and strengthen the capacity of states, tribes, territories, communities, and businesses to adapt to climate change. This includes \$195 thousand in associated payroll and essential workforce support costs.

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

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$91,216</i></b>   | <b><i>\$82,822</i></b>      | <b><i>\$131,900</i></b>          | <b><i>\$49,078</i></b>                                       |
| Total Budget Authority                                | \$91,216                 | \$82,822                    | \$131,900                        | \$49,078   |
| Total Workyears                                       | 297.3                    | 360.8                       | 534.8                            | 174.0  |

Total program workyears in FY 2025 includes 83.0 FTE funded by TSCA fees. TSCA Service Fees and associated FTE are not included in the budget formulation nor in the explanations of change. TSCA fee collections are dependent on full funding of the program.

### **Program Project Description:**

EPA has significant responsibilities under the Toxic Substances Control Act (TSCA) for ensuring the safety of chemicals in or entering commerce and addressing unreasonable risks to human health and the environment. These responsibilities are executed by EPA as part of its Chemical Risk Review and Reduction (CRRR) Program.

The CRRR Program plays an important role in achieving the Administration’s goals to enhance environmental justice (EJ) and to tackle the climate crisis. Examples include engaging underserved and vulnerable communities, including tribes, in identifying exposure pathways; issuing proposed risk management regulations to ensure needed low-global warming potential chemicals are available to manufacture refrigerants as the American Innovation and Manufacturing (AIM) Act is implemented; incorporating into TSCA chemical risk evaluations the assessment of risks to communities potentially facing disproportionate impacts from chemical exposure because they are located near industrial activity; adhering to EPA’s Guidance on Considering Environmental Justice During the Development of Regulatory Actions and TSCA’s statutory requirement to consider risks to potentially exposed and susceptible subpopulations;<sup>326</sup> ensuring that TSCA chemical safety data analytical tools are made publicly available in ways that are accessible to vulnerable communities; and informing decision making that advances the introduction of more environmentally sustainable chemicals into commerce.

Under TSCA, EPA works to ensure the safety of:

- Existing chemicals,<sup>327</sup> by collecting chemical data, prioritizing chemicals for risk evaluation, conducting risk evaluations, and developing and issuing risk management rules to prevent any

<sup>326</sup> For more information, please see EPA’s [Guidance on Considering Environmental Justice During the Development of an Action](#).

<sup>327</sup> “Existing Chemicals” are 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. These include certain prevalent, high-risk chemicals known generally as “legacy

unreasonable risk posed by their manufacture, processing, use, distribution in commerce, and/or disposal; and

- New chemicals, by reviewing new chemical submissions from manufacturers and processors and taking action to mitigate unreasonable risks to health or the environment before those chemicals enter the marketplace.

Many elements of EPA's implementation of TSCA, including new chemicals, existing chemicals, and the information technology supporting those programs, contribute to the Biden-Harris Administration's Cancer Moonshot. While not all chemicals cause cancer, when information about a chemical designated for TSCA evaluation indicates that cancer risk may be a concern, EPA evaluates the risk of an individual getting cancer during their lifetime from exposure to the chemical. If the Agency finds that the risk is unreasonable, EPA establishes requirements and regulations to eliminate the unreasonable risk.

TSCA authorizes EPA to collect fees from chemical manufacturers and processors to defray up to 25 percent of the costs for administering certain sections<sup>328</sup> of TSCA.<sup>329</sup> Fee levels are set by regulation and may be adjusted on a three-year basis for inflation and to ensure that fees defray approximately 25 percent of relevant costs. The first TSCA Fees rule became effective on October 1, 2018.<sup>330</sup> TSCA program fees collected in FY 2019–21 under this rule equated to approximately 14 percent of estimated program costs. EPA proposed revisions to the rule in January 2022, and in light of public comments supplemented the proposal in November 2022.<sup>331</sup> EPA expects to publish a final rule in the second quarter of FY 2024.

The final rulemaking is intended to establish TSCA fees that would defray up to 25 percent of relevant costs, as statutorily allowed,<sup>332</sup> and consistent with direction by Congress that the Agency should properly consider full costs in its rulemaking as intended by the Lautenberg Act.<sup>333</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety, in the *FY 2022 – 2026 EPA Strategic Plan*.

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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.

<sup>328</sup> The costs of implementing TSCA Sections 4-6 are defrayable up to the statutory caps, as are the costs of collecting, processing, reviewing, and providing access to and protecting from disclosure, as appropriate, chemical information under Section 14.

<sup>329</sup> The authority to assess fees is conditioned on appropriations for the CRRR Program, excluding fees, being held at least equal to the amount appropriated for FY 2014.

<sup>330</sup> The statute authorizes EPA to collect fees from chemical manufacturers (including importers) and, in limited instances, processors who: are required to submit information (Section 4); submit notification of or information related to intent to manufacture a new chemical or significant new use of a chemical (Section 5); manufacture (including import) a chemical substance that is subject to an EPA-initiated risk evaluation (Section 6); or request that EPA conduct a risk evaluation on an existing chemical (Section 6), subject to the Agency's approval of the request.

<sup>331</sup> For more information on 87 FR 68647, please see <https://www.epa.gov/tsca-fees/proposed-revisions-tsca-fees-rule>.

<sup>332</sup> This rule is expected to go into effect in FY 2024. <https://www.federalregister.gov/documents/2022/11/16/2022-24137/fees-for-the-administration-of-the-toxic-substances-control-act-tsca>

<sup>333</sup> Joint Explanatory Statement from the House and Division G – Department of Interior, Environment, and Related Agencies Appropriations Act, 2022.

In FY 2025, EPA will continue to emphasize the integrity of scientific products, adherence to statutory intent and requirements, and timelines applicable to pre-market review of new chemicals, chemical risk evaluation and management, data development and information collection, the review of Confidential Business Information (CBI) claims, and other statutory requirements. The FY 2025 budget includes an additional \$49 million for the Program above FY 2024 annualized continuing resolution level. These additional resources are essential for EPA to address its substantial workload, including:

- Maintaining at least 20 EPA-initiated existing chemical risk evaluations in development at all times and completing EPA-initiated existing chemical risk evaluations within the statutory timeframe.
- Having up to 10 existing chemical risk evaluations requested by manufacturers in development.
- Issuing protective regulations in accordance with statutory timelines addressing unreasonable risks identified in each risk evaluation.
- Establishing a pipeline of chemicals to be prioritized for future risk evaluation.
- Using test orders and a new strategy for tiered data collection, requiring development of data critical to existing chemical risk evaluation and risk management activities, and systematically collecting, reviewing, and synthesizing data for risk assessments in a transparent manner as mandated by the 2016 TSCA Amendments.
- Conducting risk assessments for approximately 500 new chemical notices and exemption submissions and managing the identified risks associated with the chemicals.
- Maintaining the statutorily required TSCA Inventory under Section 8(b) which includes over 86,000 chemicals manufactured or processed, including imports, in the United States for uses under TSCA.
- Continuing to support the implementation of a collaborative research program focused on developing new scientific approaches for increasing the scientific defensibility and timeliness of risk assessments for new chemical substances.
- Reviewing and making determinations on CBI claims contained in TSCA submissions; making certain non-CBI information available to stakeholders; and publishing identifiers for each chemical substance for which a confidentiality claim for specific chemical identity is approved.
- Stabilizing and modernizing the information technology (IT) environment that supports all aspects of EPA's TSCA program.
- Carrying out other required TSCA CRRR activities as described below.

#### Primary TSCA Implementation Activities

*Section 4: Testing of Chemical Substances and Mixtures.* In FY 2025, the resources requested will support agency review of test protocols; review of test data submitted voluntarily or in response to Test Orders, Test Rules, and Enforceable Consent Agreements (ECAs); initial implementation of additional phases of the National Per- and polyfluoroalkyl substances (PFAS) Testing Strategy; and issuance of additional Test Orders. In January 2021, the Agency issued Test Orders for nine additional chemicals undergoing TSCA risk evaluation and issued additional Test Orders for eight of these chemicals in March 2022. EPA will continue to support remaining testing requirements in these Test Orders as recipients complete the required testing. Additionally, EPA anticipates it will issue Test Orders to support data needs for additional chemicals undergoing TSCA risk

evaluation. In addition, EPA will continue to implement and refine the National PFAS Testing Strategy in FY 2025. EPA issued the first Test Orders for PFAS starting in June 2022. EPA will issue additional Test Orders for PFAS chemicals in FY 2025. In parallel with the Test Order approach, EPA has requested voluntary submission of PFAS test data. In FY 2025, EPA intends to refine the initial structural categories developed by EPA's Office of Research and Development (ORD) to incorporate additional substances as appropriate, to consider physical-chemical properties and potential exposure.

*Section 5: New Chemicals.* The New Chemicals Program is critical for ensuring the safety of new chemicals before they enter commerce. The 2016 TSCA amendments significantly changed the way EPA implemented the New Chemicals Program. Under the prior law, EPA issued formal written unreasonable risk determinations for about 20 percent of new chemical submissions. Under the amended law, EPA is required to issue determinations for 100 percent of new chemical submissions (a five-fold increase). In FY 2025, the Agency expects to conduct risk assessments for approximately 500 new chemical notices and exemption submissions;<sup>334</sup> make affirmative determinations on whether unreasonable risks are posed under those chemicals' conditions of use; manage identified risks associated with the chemicals through the issuance of Orders and Significant New Use Rules (SNURs); and require development of additional data where information is insufficient to conduct a reasoned evaluation and then evaluate such data received.<sup>335</sup> The Agency also will conduct a similar effort on notices received in previous years that are not yet complete.

In FY 2025, EPA will continue to implement innovative approaches to add consistency and efficiency to new chemical submission reviews for categories such as has been done for, mixed metal oxides, photo acid generators, and PFAS and to develop new streamlined approaches. Additionally, the Agency will continue to support outreach to submitters on how to provide the most complete submissions to enable timely reviews. EPA also intends to continue its commitment to transparency by making information generated in the review of notices available to the public via the *ChemView* database<sup>336</sup> and on EPA websites, including TSCA Sections 5 and 8(e) data, CDR 2024 data, TSCA section 5 communications from submitters received via CDX, Notice of Commencement (NOC) data, and TSCA section 4 data.

In FY 2025, EPA expects to complete finalization of three SNURs associated with approximately 150 consent orders previously issued for PFAS. Issuance of the SNURs will ensure that companies planning a significant new use beyond those allowed for these PFAS must notify EPA. Following its Framework for Addressing New PFAS and New Uses of PFAS, EPA will then have the opportunity to conduct a risk assessment of the new use and impose any needed restrictions before it is allowed into commerce. Additionally, EPA will continue to implement a performance metric to measure compliance with past TSCA regulatory actions, including consent orders and SNURs

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<sup>334</sup> New chemical submissions may include Pre-Manufacture Notices (PMNs), significant new use notifications (SNUNs), microbial commercial activity notices (MCANs), low volume exemptions (LVEs), low releases and low exposures exemptions (LoREX), test marketing exemption (TME), TSCA experimental release application (TERA), and Tier 1 and 2 exemptions.

<sup>335</sup> For PMNs, MCANs, and SNUNs, as required by law, the Agency must generally complete the review, determination, and associated risk management activities within 90 days of receiving the submission, subject to extensions or suspension under certain circumstances.

<sup>336</sup> To access *ChemView*, please visit: <https://chemview.epa.gov/chemview>.

issued for PFAS. Through this measure, the Agency is tracking its success in managing the risks presented by new chemicals.

EPA will continue to implement its Framework for Addressing New PFAS and New Uses of PFAS, which outlines EPA's planned approach when reviewing new PFAS and new uses of existing PFAS to ensure that, if allowed to enter commerce, they will not be harmful to human health and the environment.<sup>337</sup>

The New Chemicals Program also will continue implementation of its PFAS Low Volume Exemption (LVE) Stewardship Program to encourage industry to voluntarily withdraw LVEs for PFAS already granted under the exemption. EPA anticipates finalization of a rulemaking amending TSCA section 5 procedural regulations to better align with the 2016 Lautenberg Amendments in FY 2025. If the rulemaking is finalized in FY 2025, EPA will begin implementation of the rule. Among other provisions, this rule would codify EPA's current policy of generally denying LVEs submitted for PFAS and also would make certain persistent, bioaccumulative, and toxic chemicals ineligible for LVEs (88 FR 34100). EPA also will continue to make strides in its efforts to review and revise hundreds of critical high-priority standard operating procedures (SOPs) and science policies to increase consistency and ensure protection of human health and the environment when conducting new chemical reviews.

The New Chemicals Program has developed and implemented new strategies that will standardize new chemical review and risk management approaches to support the Administration's climate adaptation goals. Under the Office of Chemical Safety and Pollution Protection's Climate Adaptation Plan, goals and priorities have been established to take actions that directly support climate adaptation related to new chemistries and innovative technologies or other related processes. Additionally, the New Chemicals Program is complementing the office's work related to the Climate Adaptation Plan with improvements in information technology systems and models under Section 60115 of the Inflation Reduction Act to increase efficiency in reviews of new chemicals in sectors that support climate adaptation.

In addition, EPA continues to implement the standardized risk assessment and risk management approach for mixed metal oxides (MMOs), which include new and modified cathode active materials (CAMs), which are a key component in lithium-ion batteries used in electric vehicles. MMOs also have applications in semi-conductors and renewable energy generation and storage, such as solar cells and wind power turbines. Both efforts support the Biden-Harris Administration's agenda to tackle the climate crisis and will complement resources provided to EPA from legislative enactments such as clean energy initiatives under the Inflation Reduction Act, tax credits for electric vehicles, and the Bipartisan Infrastructure Law.

*Section 6: Existing Chemicals.* TSCA requires a continuing process of prioritizing existing chemicals for evaluation to identify unreasonable risks and, where unreasonable risks for existing chemicals are found, the Agency also must commence risk management action under TSCA to address those risks. The resources requested in FY 2025 are critical for the Agency to continue

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<sup>337</sup> Please see <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/framework-addressing-new-pfas-and>.

implementing these additional requirements to prioritize, evaluate, and address the risks of existing chemicals, including:

- **Prioritization.** The initial step in the process of evaluating existing chemicals under TSCA, prioritization, is codified in a final Chemical Prioritization Process rule.<sup>338</sup> The purpose of prioritization is to designate a chemical substance as either High-Priority for further risk evaluation or Low-Priority for which risk evaluation is not warranted at the time.<sup>339,340</sup> TSCA requires that upon completion of a risk evaluation for a High-Priority Substance (HPS), EPA designate at least one additional HPS to take its place, ensuring that at least 20 EPA-initiated risk evaluations are constantly underway. In December 2023, EPA initiated the prioritization process for five additional chemical substances. In FY 2025 EPA will continue working to identify, initiate, and designate additional HPS for which sufficient data are available to conduct scientifically sound risk evaluations. EPA plans to do this by obtaining, validating, and analyzing reasonably available hazard and exposure information on different HPS candidates, to build a more manageable and sustainable chemical evaluation pipeline, EPA intends to prioritize chemicals in smaller groups on an annual basis, consistent with the completion of risk evaluations currently in process.

**Risk Evaluation.** EPA initiated risk evaluations for the first 10 chemicals in December 2016. EPA missed the statutory deadline for completing TSCA risk evaluations for nine of the chemicals, and work on many of those chemical risk evaluations has continued.<sup>341</sup> In FY 2021 and FY 2022, EPA developed approaches for the consideration of exposure pathways (*i.e.*, air, water, disposal) that were originally omitted from the scopes of the HPS and Manufacturer-Requested Risk Evaluations (MRREs) and to consider risks from environmental releases, often to exposed vulnerable and underserved populations adjacent to the perimeter of manufacturing facilities, for seven of the first 10 chemical risk evaluations. This work added to the challenge of completing additional risk evaluations.<sup>342</sup> EPA issued the final scope document for “Asbestos Part 2: Supplemental Evaluation Including Legacy Uses and Associated Disposals of Asbestos” in June 2022, issued for public comment and peer review *White Paper: Quantitative Human Health Approach to be Applied in the Risk Evaluation for Asbestos Part 2* in August 2023 which concluded in December

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<sup>338</sup> For additional information, please visit: <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2016-0636-0074>.

<sup>339</sup> TSCA required that EPA designate by December 2019 at least 20 chemical substances as High-Priority for risk evaluation and also at least 20 chemical substances as Low-Priority. On December 20, 2019, EPA finalized the designation of 20 chemical substances as High-Priority for upcoming risk evaluations. For additional information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/chemical-substances-undergoing-prioritization-high>.

<sup>340</sup> On February 20, 2020, EPA finalized the designation of 20 chemical substances as Low-Priority. For additional information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/low-priority-substances-under-tsca>.

<sup>341</sup> EPA revised its risk determinations for eight of the first 10 chemicals to reflect EPA’s unreasonable risk finding on the chemical substance as a whole, rather than on individual conditions of use; in addition, the revised risk determinations do not assume that workers always and appropriately wear personal protective equipment (consideration of PPE will be part of risk management). EPA also re-examined the risk evaluations of seven of those chemicals to address overlooked and/or inadequately assessed exposure pathways (including those affecting fenceline, underserved, or disproportionately burdened communities), is developing a supplemental risk evaluation for one chemical due to omission of exposure pathways, in part as a result of litigation against the Agency, and is conducting a second risk evaluation for asbestos to include types and uses that were excluded from the first one.

<sup>342</sup> In January 2022, EPA released for public comment and peer review version 1.0 of a screening methodology that will be used to further examine whether the policy decision to exclude air and water exposure pathways from the risk evaluations will lead to a failure to identify and protect fenceline communities. Review of the screening level methodology will include review by the Science Advisory Committee on Chemicals (SACC). See, <https://www.epa.gov/newsreleases/epa-releases-screening-methodology-evaluate-chemical-exposures-and-risks-fenceline>.

2023. EPA will issue the draft and final Part 2 risk evaluations before the court-mandated deadline of December 1, 2024.<sup>343</sup> In July 2023, EPA also issued a draft supplement to the 1,4-dioxane risk evaluation and a draft revised risk determination that considers air and water exposure pathways excluded from the earlier risk evaluation and exposure to 1,4-dioxane generated as a byproduct. Revisions are ongoing based on peer review and public comment which concluded respectively in September and November 2023. In FY 2024-2025, EPA expects to issue a final supplement and risk determination for 1,4-dioxane and commence risk management for any identified unreasonable risks.

EPA initiated risk evaluations for the first set of 20 HPS in December 2019.<sup>344</sup> On September 4, 2020, EPA released final scoping documents for these chemicals.<sup>345</sup> Because of resource constraints and policy shifts, EPA did not meet the December 2022 statutory deadline for completing these risk evaluations. In addition, manufacturers may submit requests to EPA to evaluate specific additional chemicals. The first two Manufacturer Requested Risk Evaluations (MRREs) began in FY 2020. A third was started in FY 2021, and a fourth request is currently being considered. Those initial MRREs will continue throughout FY 2024 and are for chemicals on the 2014 TSCA Work Plan.<sup>346</sup> To support a sustainable flow of HPS risk evaluations, EPA will finalize a subset of these 20 HPS risk evaluations and three MRREs each year and then designate a corresponding number to replace them. Before the end of December 2024, EPA will issue at least nine draft risk evaluations and complete its risk evaluations for five: a flame retardant (tris[2-chloroethyl] phosphate (TCEP), the draft risk evaluation for which was released in December 2023), formaldehyde, a chlorinated solvent (1,1-dichloroethane), and two MRRE phthalates (DIDP and DINP). Before the end of December 2025, EPA will complete its risk evaluations for at least seven additional chemicals. Before the end of December 2026, EPA will complete its risk evaluations for the remaining HPS and MRRE chemicals. In December 2023, EPA initiated the prioritization process for five chemical substances in anticipation of completion of pending risk evaluations. EPA continues to look for efficiencies to meet statutory deadlines including fit-for-purpose analyses, systematic review, and peer review.

In October 2023, the Agency proposed and took comment on revisions to the 2017 risk evaluation procedures rule to better align with statutory language, court decisions, and executive orders; build on the Agency's experience with its first 10 risk evaluations; and increase program clarity, transparency, sustainability, and flexibility. The Agency expects to finalize this rule in FY 2024. The Agency is expanding the focus of the risk evaluations to ensure that exposure pathways affecting the general public (*e.g.*, through ambient air and drinking water) and overburdened communities are evaluated in accordance with the law. Specifically, it is expected that the Agency's consideration of potentially exposed and susceptible subpopulations (a term defined in the statute) will include environmental justice considerations and reflect engagement with overburdened communities through mechanisms including the National Tribal Operations

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<sup>343</sup> The Asbestos Part 2 risk evaluation is in response to the ruling in *Safer Chemicals, Healthy Families v. U.S. EPA*, 943 F.3d 397 (9th Cir. 2019) as well as the subject of the abeyance in *ADAO et al. v. U.S. EPA et al.*, 9th Cir. No. 21-70160 and under consent decree from *ADAO et al. v. U.S. EPA et al.*, N.D. Cal. No. 21-cv-3716.

<sup>344</sup> For additional information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/chemical-substances-undergoing-prioritization-high>.

<sup>345</sup> For additional information, please visit: <https://www.epa.gov/chemicals-under-tsca/epa-releases-final-scope-documents-and-list-businesses-subject-fees-next-20>.

<sup>346</sup> See <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-work-plan-chemicals>.



Committee (NTOC) and the National Tribal Toxics Council (NTTC). In addition, in February 2023, EPA released for public comment and peer review a set of principles for evaluating cumulative risks under the Toxic Substances Control Act (TSCA) and a proposed approach for applying those principles to the evaluation of the cumulative risk posed by certain phthalate chemicals undergoing TSCA section 6 risk evaluation.<sup>347</sup>

The resources requested for FY 2025 will support efforts to meet statutory mandates and other requirements related to the evaluation of existing chemicals while maintaining EPA's commitment to evidence-based decisions guided by the best available science and data.

- **Risk Management.** When unreasonable risks are identified in the final risk evaluation, EPA must promulgate risk management actions under TSCA Section 6(a) to address the unreasonable risks. EPA commenced development of risk management actions in FY 2020 and 2021 to address unreasonable risks identified for the first 10 chemicals evaluated under TSCA Section 6. EPA expects to finalize nine of these actions by or in FY 2025 and will engage in implementation activities associated with these final actions, including development of compliance guides and outreach to impacted entities. EPA will continue in FY 2025 to develop up to seven proposed risk management actions for chemicals with risk evaluations anticipated to be drafted or finalized in FY 2024. This work will adhere to EPA's Guidance on Considering Environmental Justice During the Development of an Action and its companion Technical Guidance for Assessing Environmental Justice in Regulatory Analysis.<sup>348</sup>

TSCA also mandates that EPA promulgate Section 6 risk management rules for certain Persistent, Bioaccumulative, and Toxic (PBT) chemicals on the 2014 TSCA Work Plan without undertaking further risk evaluation.<sup>349</sup> EPA issued five final rules for PBTs in January 2021. EPA requested and received comments on the January 2021 PBT rules and in September 2021 announced its intent to initiate a new rulemaking to further reduce exposures, promote environmental justice, and better protect human health and the environment, as well as implementation changes that may need to be made to current exclusions. In November 2023, EPA proposed revised rules for two PBTs (decaBDE and PIP (3:1)), with finalization of those anticipated in FY 2024.

In addition, risk management actions for existing chemicals under TSCA Section 5 are ongoing. EPA expects to propose SNURs in FY 2024 for discontinued uses of the 20 high-priority substances (HPS) undergoing risk evaluation (e.g., SNURs for three flame retardants were proposed in June 2023). When final, these rules will ensure that any phased-out uses of the 20 HPS cannot resume without EPA review and action, as necessary, to protect health and the environment from potential unreasonable risks. In January 2023, EPA issued a proposed SNUR for inactive PFAS to ensure these uses cannot restart without prior EPA risk assessment and action, as necessary, under section 5. EPA finalized this SNUR in January 2024.

*Section 14: Confidential Business Information.* EPA is required under TSCA Section 14 to review and make determinations on CBI claims contained in TSCA submissions; to process requests from

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<sup>347</sup> Please see <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/cumulative-risk-assessment-under-toxic-substances>.

<sup>348</sup> For additional information, please visit: <https://www.epa.gov/environmentaljustice/technical-guidance-assessing-environmental-justice-regulatory-analysis>.

<sup>349</sup> TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, Section 6(h) (1) and (2).

TSCA submitters and to make certain CBI information available to states, tribes, health, and medical professionals, and first responders under defined circumstances; and to assign and publish unique identifiers for each chemical substance for which a confidentiality claim for a specific chemical identity is approved. In FY 2025, EPA will assign unique identifiers to chemicals where CBI claims for chemical identity are approved and expects to complete CBI claim reviews for more than 1,500 new cases and approximately 1,500 chemical identity claims made in existing Notice of Activity reports under the 2017 TSCA Inventory Notification (Active-Inactive) Requirements rule.

These reviews are expected to be conducted in accordance with new and updated procedures and with reporting and communications tools developed in the new CBI procedures rule, which was finalized on June 1, 2023.<sup>350</sup> The rule provides the regulatory infrastructure necessary to develop further internal procedures and reporting tools to support the review of expiring CBI claims, beginning in FY 2026.

*TSCA Information Technology (IT) and Data Tools Infrastructure.* IT systems development and maintenance will continue in FY 2025 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 to reduce manual handling of data, to increase internal EPA access to data relevant to chemical assessments, and to expedite review of chemicals.
- Initiating development of new tools for hazard and exposure identification, assessment, and characterization while improving existing tools to better assess chemical risks.
- Maintaining the functionality of *ChemView*,<sup>351</sup> continuing to increase transparency, and expanding the information ChemView makes available to the public, including newly completed chemical assessments, worker protection information, and other new data reported to EPA under TSCA.
- Continuing TSCA CBI LAN network, Central Data Exchange (CDX), and Chemical Information System stabilization and modernization efforts.
- Putting in place systems and IT capabilities to begin implementation of the TSCA CBI Sunset Program starting in June 2026.

Implementing TSCA depends on the collection and availability of information on chemicals from a wide variety of public and confidential sources. EPA's data currently resides in multiple formats including paper files, microfiche, and numerous old electronic file formats. A critical need for improving EPA's performance on TSCA implementation is modernizing the IT systems necessary for chemical data collation, storage, and curation and making the data received under TSCA available in structured and consistent formats. The funding requested will support the following activities: advancing modernization of the existing TSCA IT infrastructure including regulatory community-facing reporting applications in CDX; enhancing the New Chemical Review (NCR) system; initiating steps toward automating publication of New Chemical Consent Orders and SNURs; continuing efforts regarding remaining TSCA CBI review workflow enhancements

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<sup>350</sup> Please see <https://www.epa.gov/tsc-cbi/final-rule-requirements-confidential-business-information-claims-under-tsc>.

<sup>351</sup> For additional information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsc/introduction-chemview>.

including enhancement of workflows to support the sunseting of CBI claims; analyzing and updating TSCA records data to identify and organize records for publication; making progress toward the development of a framework for enabling CIS to automatically assign unique identifiers (UIDs) as CBI claims are approved; making progress in the effort to digitize the remaining legacy 8(e)s and publish them in *ChemView*; and initiating digitization of legacy documents.

*Chemical Data Management Modernization.* The international regulatory community has been moving toward using the International Uniform Chemical Information Database (IUCLID) to capture, store, maintain, and exchange data on intrinsic and hazardous properties of chemical substances. Data in IUCLID is centered around standardized reporting templates consistent with internationally accepted test guidelines and has CBI protection built in. EPA has initiated the process to incorporate IUCLID template structures and related OECD Harmonized Templates into OPPT's CBI LAN. With the promulgation of the CBI Procedural Rule, submission of these templates is required, but resource constraints have limited EPA's implementation and adoption of IUCLID. With increased resources in FY 2025, the TSCA Program will continue to collaborate with ORD to implement a IUCLID instance in its CBI LAN to capture, store, and maintain data on intrinsic and hazard properties of chemicals. The Agency also will work with international partners to modify software applications to ensure EPA's unique needs and federal IT requirements are incorporated. Along with integration and consolidation of other legacy data systems, this initiative will modernize EPA's chemical data management infrastructure and deliver more efficient searching, collating, managing, and integrating of data on chemicals, resulting in significant time and cost savings.

*Collaborative Research Program to Support New Chemical Reviews.*<sup>352</sup> In FY 2025 EPA will continue to develop and implement a multi-year collaborative research program in partnership with ORD and other federal agencies. This collaboration is focused on developing new science approaches for performing risk assessments on new chemical substances under TSCA. The effort is expected to bring innovative science to new chemical reviews; modernize the approaches used; increase the transparency of the human health and ecological risk assessment process; and expand utilization of current information technology tools and databases. The resources requested for FY 2025 will allow EPA to accelerate implementation of the collaborative research program, including new approach methodologies (NAMs), and the new chemicals program in accordance with statutory mandates and to address the backlog of older submissions. These resources also are critical to ensuring that the Agency can conduct robust risk assessments using best available science and data within the statutory timelines.

#### Other TSCA Sections, Mandates, and Activities

*Chemical Data Reporting (CDR) & Tiered Data Reporting (TDR) Rule.*<sup>353</sup> In FY 2024, EPA plans to propose a rule that expands reporting requirements for chemicals that are candidates for or selected as high-priority substances. The purpose is to acquire the most relevant and applicable

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<sup>352</sup> See, <https://www.epa.gov/newsreleases/epa-announces-collaborative-research-program-support-new-chemical-reviews>.

<sup>353</sup> Section 8(a) of TSCA requires manufacturers (including importers) to provide EPA with information on the production and use of chemicals in commerce. In March 2020, EPA amended the Chemical Data Reporting (CDR) rule to reduce burden for certain CDR reporters, improve data quality, and align reporting requirements with amended TSCA. The Calendar Year 2020 CDR Reporting Cycle, which occurs every four years and covers CY 2016-2019, commenced on June 1, 2020, and concluded on January 29, 2021.

data that will support risk evaluation. EPA plans to finalize the Rule in FY 2025, after responding to comments on the proposed Rule and modifying certain CDR requirements. Additionally, in FY 2025, EPA will review data submitted (including CBI claims) and publish the non-CBI CDR data collected for the 2024 CDR reporting cycle.

*Other Section 8 Activities.* In FY 2025, EPA will continue to implement and issue new data gathering requirements to obtain data needed for chemicals undergoing Section 6 prioritization and risk evaluations or other chemicals of concern as well as analyze information submitted by industry. Data gathering actions to implement and/or issue in FY25 include the 8(a)(7) PFAS Data Reporting rule finalized in 2023, a section 8(d) rule to require submission of copies and lists of unpublished health and safety studies of identified chemical substances, and section 8(c) call-ins for adverse effect records of identified chemical substances. EPA continues to develop and test the reporting tools and internal database infrastructure for each of these actions ahead of their respective data submission periods and will analyze received data following the associated submission periods. Information analysis includes review of information submissions from these previously described section 8 actions as well as 300 Substantial Risk (Section 8(e)) Notifications submitted by industry.

*PFAS Roadmap Support.* PFAS have been manufactured and used in a variety of industries globally since the 1940s, and they are still being used today. Work in FY 2025 will include continuing to implement the PFAS national testing strategy; ensuring a robust review process for new PFAS using the “Framework for Addressing New PFAS and New Uses of PFAS”; reviewing previous decisions on PFAS; implementing actions to close the door on abandoned PFAS and uses; implementing a new PFAS reporting rule; and leading the development of a voluntary PFAS Stewardship Program. The final rule for the inactive PFAS was signed in January 2024. The funding requested in FY 2025 will allow EPA to improve the Agency data submission process for test data and ensure early engagement with Test Order recipients and, where there is interest expressed, with other key stakeholders to facilitate robust data collection. The requested funding also will allow EPA to review study plans required to be submitted as a result of Test Orders and data submitted pursuant to the first round of Test Orders issued under TSCA for human health effects; to integrate submitted data into systematic review databases; and to analyze existing data in preparation for issuing additional orders to require additional testing for chemicals already subject to testing.

*Polychlorinated Biphenyls (PCBs).* PCBs are a nationwide problem and found in every region. TSCA requires essential work in evaluating a site for PCB exposures and reducing risks at that site. EPA Regions do this by making site-specific PCB “use” determinations, evaluating exposures, and providing recommendations and specialized technical support to address the risks associated with PCBs legally and illegally “in use.” EPA’s Regional offices will work with building owners to implement practical interim measures; to develop outreach and technical assistance materials to prevent or reduce exposure to PCBs; and to conduct risk evaluation of PCB exposure at local sites.

*Mercury.* In FY 2025 EPA will maintain the Mercury Electronic Reporting Application<sup>354</sup> and conduct outreach to stakeholders on reporting requirements. EPA also will continue work under the Mercury Export Ban Act and amendments related to prohibiting export of certain mercury compounds and to supporting compliance with the Minamata Convention on Mercury to which the United States is a party. EPA will collect and prepare information for publication in the CY 2024 update to the national mercury inventory and consider recommending actions to further reduce mercury use.

*TSCA Citizen Petitions.* In FY 2025, EPA will continue to meet the requirements of section 21 of TSCA, which authorizes citizen petitions for the issuance, amendment, or repeal of certain actions (rules and orders) promulgated under specific components of TSCA sections 4, 5, 6, and 8. 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. EPA has received a total of 32 TSCA section 21 petitions since September 2007. 13 of those petitions have been submitted since enactment of the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act.<sup>355</sup>

*Formaldehyde Standards for Composite Wood Products.* In FY 2025, 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.<sup>356</sup> Beginning on March 22, 2024, laminated product producers must meet the formaldehyde emission standards for hardwood plywood and will be responsible for formaldehyde emissions testing and third-party certification unless exempted by using no-added formaldehyde or lower emitting phenol formaldehyde resins. EPA provided laminated product producers seven years to transition to no-added formaldehyde or phenol formaldehyde resins to avoid being subject to formaldehyde testing and third-party certification.

*TSCA User Fees.* TSCA section 26 authorizes EPA to collect user fees to offset 25 percent of the Agency’s full costs for implementing TSCA sections 4, 5, 6, and 14.<sup>357</sup> In FY 2021 EPA collected \$28.6 million: \$3.3 million from Section 5, \$24.05 million from 19 of the 20 Section 6 EPA-Initiated Risk Evaluations, and \$1.25 million from one Section 6 MRRE for a TSCA Work Plan chemical.<sup>358</sup> EPA’s FY 2021 collections were as follows:

| TSCA Section                             | Amount Collected |                |                |
|--|------------------|----------------|----------------|
|  | FY 2021          | FY 2022        | FY 2023        |
| Section 4 Test Orders                    |                  | \$0.88 million | \$0.09 million |
| Section 5 Submissions                    | \$3.3 million    | \$3.47 million | \$3.42 million |
| Section 6 EPA-Initiated Risk Evaluations | \$24.05 million  | \$1.48 million |                |

<sup>354</sup> The Mercury Electronic Reporting application is an electronic reporting interface and database within the Central Data Exchange (CDX).

<sup>355</sup> For additional information, please visit: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-21>.

<sup>356</sup> For additional information, please visit: <http://www2.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products>.

<sup>357</sup> TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, Section 26(b) (1) and (4).

<sup>358</sup> The Agency invoiced \$88.2 thousand for Section 4 Test Orders in FY 2020 and FY 2021 but did not start receiving submissions until FY 2022.

|                 |                       |                       |                       |
|-----------------|-----------------------|-----------------------|-----------------------|
| Section 6 MRREs | \$1.25 million        |                       |                       |
| <i>Total</i>    | <i>\$28.6 million</i> | <i>\$5.04 million</i> | <i>\$3.51 million</i> |

Based on its current workplan, EPA is projected to collect \$35.45 million in FY 2024<sup>359</sup> and \$30.83 in FY 2025.<sup>360</sup> EPA proposed revisions to its 2018 fee rule in January 2021. Based on public comments received on the proposed rule, as well as stakeholder engagement and EPA’s continued experience in implementing the 2018 Rule, the Agency issued a supplemental notice of proposed rulemaking in November 2022 that added to and modified the 2021 proposal. EPA expects the final rule to be published in early 2024.

*Aggregate Exposure and Cumulative Risk Methodologies.* EPA is developing aggregate exposure and cumulative risk approaches to characterizing chemical exposure and risk in risk evaluations under TSCA. In FY 2025, the following foundational activities will be conducted to support statutory deadlines:

- Apply approaches to determine when aggregating chemical exposure across conditions of use is applicable in risk evaluations.
- Develop approaches to identify co-exposure to chemicals to inform prioritization and to determine when cumulative assessments should be considered for relevant chemicals.
- Continue to apply, where appropriate and feasible, approaches for conducting aggregate exposure and cumulative risk assessments.
- Apply, where relevant and feasible, the using biomonitoring data in risk evaluations.
- To begin integrating cumulative assessment into the TSCA Program. In May 2023, EPA released for public comment and SACC peer review, a cumulative risk assessment framework and an approach for the phthalates undergoing risk evaluation. In FY 2025, EPA will release the individual draft risk evaluations and the draft cumulative risk assessment for the phthalates, incorporating the public comments and peer review from FY 2023.

*Continuous Improvement of TSCA Implementation.* In FY 2025, the Agency will continue to monitor and evaluate its progress related to core responsibilities under TSCA, such as completing all EPA-initiated risk evaluations and associated risk management actions for existing chemicals within statutory timelines. In addition, EPA will continue to reduce the backlog and work towards meeting the applicable review period of 90 days for Section 5 new chemicals submissions (such as PMNs, MCANs, and SNUNs). EPA also will undertake other forms of assessment and data gathering in FY 2025. Based on experience and chemical-specific information EPA will continue to apply fit-for-purpose application of systematic review to support TSCA risk evaluations.

<sup>359</sup> Estimated \$10.2 million in Section 5 submissions, \$125 thousand from section 4 Test Order invoices, and an additional amount from one TSCA Section 6 Manufacturer-Requested Risk Evaluation at \$1.497M if the MRRE request is granted.

<sup>360</sup> Estimated \$10.2 million in Section 5 submissions, \$25.4 million from the next round of Section 6 EPA-initiated chemical risk evaluations, \$125 thousand from section 4 Test Order invoices, and an additional amount from one TSCA Section 6 Manufacturer-Requested Risk Evaluation at \$1.497M if the MRRE request is granted.

**Performance Measure Targets:**

**(PM TSCA4) Number of HPS TSCA risk evaluations completed within statutory timelines.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| Target |         |         |         |         | 0       | 0       | 1       | 6       | Evaluations |
| Actual |         |         | 1       | 0       | 0       | 0       |         |         |             |

**(PM TSCA5) Percentage of existing chemical TSCA risk management actions initiated within 45 days of the completion of a final existing chemical risk evaluation.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target      |         |         |         |         | 100     | 100     | 100     | 100     | Percent |
| Actual      |         |         |         |         | N/A     | 100     |         |         |         |
| Numerator   |         |         |         |         |         | 6       |         |         | Actions |
| Denominator |         |         |         |         |         | 6       |         |         |         |

**(PM TSCA6a) Percentage of past TSCA new chemical substances decisions with risk management actions reviewed.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|
| Target      |         |         |         |         | 5       | 25      | 30      | 90      | Percent   |
| Actual      |         |         |         |         | N/A     | 16      |         |         |           |
| Numerator   |         |         |         |         |         | 40      |         |         | Decisions |
| Denominator |         |         |         |         |         | 258     |         |         |           |

**(PM TSCA6b) Percentage of TSCA new chemical substances with risk management actions reported to the 2020 CDR reviewed for adherence/non-adherence with TSCA Section 5 risk management actions that are determined to adhere to those requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|
| Target      |         |         |         |         | N/A     | 25      | 30      | 90      | Percent    |
| Actual      |         |         |         |         | N/A     | 70      |         |         |            |
| Numerator   |         |         |         |         |         | 28      |         |         | Substances |
| Denominator |         |         |         |         |         | 40      |         |         |            |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$5,483.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$43,595.0 / +112.5 FTE) This increase provides critical support for EPA to implement the revised and expanded TSCA, which gives EPA substantial new responsibilities and workload to ensure chemical safety. This increase enables EPA to develop and review data critical to existing chemical risk evaluation and risk management activities; update and develop 21st century information technology and data tools to meet increasing demands;

and begin to transform New Chemicals review into an efficient and sustainable process to complete cases in keeping with the statutory requirements. This program change also will support an agencywide multi-year collaborative research program for new chemicals that are focused on modernizing the process and incorporating scientific advances in new chemical evaluations under TSCA. This investment also includes \$21.258 million in payroll costs and essential workforce support costs.

**Statutory Authority:**

Toxic Substances Control Act (TSCA).



**Toxic Substances: Lead Risk Reduction Program**

Program Area: Toxics Risk Review and Prevention

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$11,777</i></b>           | <b><i>\$14,359</i></b>               | <b><i>\$14,597</i></b>                    | <b><i>\$238</i></b>  |
| Total Budget Authority                                | \$11,777                         | \$14,359                             | \$14,597                                  | \$238  |
| Total Workyears                                       | 58.6                             | 62.9                                 | 62.9                                      | 0.0  |

**Program Project Description:**

EPA’s Lead Risk Reduction Program contributes to the goal of reducing lead exposure and works toward addressing historic and persistent disproportional vulnerabilities of certain communities.<sup>361</sup> This program thereby plays an important role in achieving the Administration’s goals to enhance environmental justice (EJ) and equity by:

- Implementing standards governing lead paint hazard identification and abatement practices.
- Identifying and providing access to a national pool of certified firms and individuals trained to carry out lead paint hazard identification and abatement practices and/or renovation, repair, and painting projects while adhering to the lead-safe work practice standards and minimizing lead dust hazards created in such projects; and
- Providing information and outreach to housing occupants and the public so they can make informed decisions and take actions about lead paint hazards in their homes.

Lead is highly toxic, especially to young children. Exposure to lead is associated with decreased intelligence, impaired neurobehavioral development, decreased stature and growth, and impaired hearing acuity. According to the Centers for Disease Control and Prevention (CDC), no safe blood lead level in children has been identified, and effects of lead exposure cannot be corrected.<sup>362,363</sup> Reducing exposure to lead-based paint (LBP) in old housing continues to offer the potential to significantly decrease blood lead levels in the largest number of children. Housing units constructed before 1950 are most likely to contain LBP. The most recent national survey estimated that 34.6 million homes in the United States have LBP and that 29 million homes have significant LBP hazards.<sup>364</sup> Children living at or below the poverty line who live in older housing are at

<sup>361</sup> Childhood blood lead levels (BLL) have declined substantially since the 1970s, due largely to the phasing out of lead in gasoline and to the reduction in the number of homes with lead-based paint hazards. The median concentration of lead in the blood of children aged 1 to 5 years dropped from 15 micrograms per deciliter in 1976–1980 to 0.7 micrograms per deciliter in 2013–2014, a decrease of 95%. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>362</sup> Centers for Disease Control and Prevention, Blood Lead Levels in Children, found at: <http://www.cdc.gov/nceh/lead/prevention/blood-lead-levels.htm>.

<sup>363</sup> *America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>364</sup> *See, American Healthy Homes Survey II Lead Findings* (HUD, 2021), found at: [https://www.hud.gov/sites/dfiles/HH/documents/AHHS\\_II\\_Lead\\_Findings\\_Report\\_Final\\_29oct21.pdf](https://www.hud.gov/sites/dfiles/HH/documents/AHHS_II_Lead_Findings_Report_Final_29oct21.pdf).

greatest risk. Additionally, some racial and ethnic groups and those living in older housing are disproportionately affected by LBP.<sup>365</sup>

Because of historic and persistent disproportional vulnerabilities of certain racial, low-income, and overburdened and underserved communities, the Lead Risk Reduction Program has the potential to create significant EJ gains and provides strategic opportunities to advance EPA's work in support of the Administration's goals to enhance EJ and equity as seen in the *Strategy to Reduce Lead Exposures and Disparities in U.S. Communities*.<sup>366</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

EPA's Strategic Plan includes a measure that tracks the percentage of expiring lead-based paint firm certifications renewed before the expiration date. Federal law requires all Renovation, Repair, and Painting (RRP) firms working in housing, or facilities where children are routinely present, built before 1978, to be certified to perform renovations or dust sampling. EPA helps the public find certified repair and renovation firms through a directory. Funding for this program helps ensure that people can access firms qualified to mitigate or eliminate the risks posed by residential lead exposure.

#### Renovation, Repair and Painting Program

In FY 2025, EPA will continue to implement the RRP Rule to address lead hazards created by renovation, repair, and painting activities in homes and child-occupied facilities<sup>367</sup> and to advance EPA's EJ goals. Fifteen states and one tribe have been authorized to administer this program and rule. In the remaining non-authorized states, tribes, and territories, EPA will continue to accredit training providers, track training class notifications, and certify renovation firms. EPA also will assist in the development and review of state and tribal applications for authorization to administer training and certification programs, provide information to renovators and homeowners, provide oversight and guidance to all authorized programs, and disseminate model training courses for lead-safe work practices. As of September 2023, there were 285 accredited RRP training providers and almost 58,000 certified renovation firms. Through September of FY 2023, about 30 percent of renovation firms with expiring certifications were recertified before their certifications expired.

#### DLHS, Definition of LBP, DLCL, and Public and Commercial Buildings (P&CBs)

As a result of a May 2021 decision by the U.S. Court of Appeals for the Ninth Circuit, EPA is revising the dust-lead hazard standards (DLHS), the dust-lead clearance levels (DLCL), the

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<sup>365</sup> Among children ages 1 to 5 years in families with incomes below poverty level, the 95th percentile BLL was 3.0 µg/dL, and among those in families at or above the poverty level, it was 2.1 µg/dL, a difference that was statistically significant. The 95th percentile BLL among all children ages 1 to 5 years was 2.5 µg/dL. The 95th percentile BLL in Black non-Hispanic children ages 1 to 5 years was 3.0 µg/dL, compared with 2.4 µg/dL for White non-Hispanic children, 1.8 µg/dL for Mexican-American children, and 2.7 µg/dL for children of "All Other Races/Ethnicities." The differences in 95th percentile BLL between race/ethnicity groups were all statistically significant, after accounting for differences by age, sex, and income. See *America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>366</sup> Strategy to Reduce Lead Exposures and Disparities in U.S. Communities (EPA, 2022) found at [https://www.epa.gov/system/files/documents/2022-11/Lead%20Strategy\\_1.pdf](https://www.epa.gov/system/files/documents/2022-11/Lead%20Strategy_1.pdf).

<sup>367</sup> For additional information, please visit: <https://www.epa.gov/lead/lead-renovation-repair-and-painting-program>.

definition of LBP, and the soil-lead hazard standard (SLHS) regulations.<sup>368</sup> The DLHS defines hazardous levels of lead in residential paint, dust, and soil, and post abatement clearance levels for lead in interior house dust. In August 2023, EPA proposed updating the DLHS and DLCL. If finalized as proposed, the DLHS for floors and windowsills would be any reportable level greater than zero, as analyzed by any laboratory recognized by EPA's National Lead Laboratory Accreditation Program. The new DLCL would be three micrograms per square foot ( $\mu\text{g}/\text{ft}^2$ ) for floors,  $20 \mu\text{g}/\text{ft}^2$  for windowsills, and  $25 \mu\text{g}/\text{ft}^2$  for window troughs. EPA expects to finalize the DLHS and DLCL rule early in FY 2025.

FY 2025 funding will enable EPA to conduct activities necessary to revisit the definition of LBP and SLHS. In addition, EPA must continue work to evaluate whether hazards are created from renovations of P&CBs. Reconsideration and development of these rulemakings will help ensure the most protective approaches are taken to reduce lead exposure in homes and child-occupied facilities, with benefits for overburdened and underserved communities where disproportionate impacts occur from LBP in support of the Administration's goals to enhance EJ and equity.

As resources allow, EPA will conduct technical analyses and rulemaking efforts to address issues related to preventing childhood lead poisoning; revising the soil-lead hazard standards (SLHS); and continuing work to identify and subsequently address LBP hazards identified in public and commercial buildings. The definition of lead-based paint is incorporated throughout the lead-based paint regulations, and application of this definition is central to how the lead-based paint program functions. In collaboration with the Department of Housing and Urban Development (HUD), EPA will revisit the definition of LBP and, as appropriate, revise the definition to make it more protective.

In FY 2025, EPA will continue to evaluate risk from renovations of public and commercial buildings pursuant to TSCA §402(c)(3), which directs EPA to promulgate regulations for renovations in target housing, public buildings built before 1978, and commercial buildings that create lead-based paint hazards. EPA will determine whether such renovations create LBP hazards and, if they do, EPA will address those hazards by promulgating work practice, training, and certification requirements for public and commercial buildings. Because low-income, minority children are disproportionately vulnerable to lead exposure, these efforts, as well as others that focus on reducing environmental lead levels, have the potential to create significant EJ gains.

#### Lead-Based Paint (LBP) Activities

In FY 2025, EPA will continue to implement the LBP Activities (Abatement, Risk Assessment, and Inspection) Rule by administering the federal program to review and certify firms and individuals and to accredit training providers. Ensuring that those who undertake LBP Activities are properly trained and certified is a critical aspect of federal efforts to reduce lead exposure and to work toward addressing the historic and persistent disproportional vulnerabilities of certain racial, low-income, and overburdened and underserved communities. Additionally, the Agency will continue to review and process requests by states, territories, and tribes for authorization to administer the lead abatement program *in lieu* of the federal program. Thirty-nine states, four tribes, the District of Columbia, and Puerto Rico have been authorized to run the LBP abatement program.

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<sup>368</sup> For additional information, please visit: <https://cdn.ca9.uscourts.gov/datastore/opinions/2021/05/14/19-71930.pdf>.

### Education and Outreach

In FY 2025, the Agency will continue to provide education and outreach to the public on the hazards of LBP, emphasizing compliance assistance and outreach to support implementation of the RRP rule and to increase public awareness about preventing childhood lead exposure and lead poisoning. The Agency will further its work in reaching contractors and the public in underserved communities through the “Enhancing Lead-Safe Work Practices through Education and Outreach” initiative, by increasing the number of RRP certified contractors and by providing community leaders a means to educate their own communities about lead hazards, reducing and preventing potential exposure to lead, and the importance of hiring certified lead professionals. This initiative, in combination with other regional outreach, is designed to reduce harm to children from exposure to lead in underrepresented and underserved communities disproportionately affected by lead exposure, including a focus on low income, overburdened, underserved, and tribal communities. The Agency will continue to provide multimedia outreach for the National Lead Poisoning Prevention Week, a collaboration with the Centers for Disease Control (CDC) and HUD. Actions include formal announcements, social media, web revisions, and other outreach. Finally, EPA will continue to provide support to the National Lead Information Center (NLIC) to disseminate information to the public.<sup>369</sup>

### **Performance Measure Targets:**

**(PM RRP30) Percentage of lead-based paint RRP firms whose certifications are scheduled to expire that are recertified before the expiration date.**

|                    | <b>FY 2018</b> | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b> | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> | <b>FY 2025</b> | <b>Units</b> |
|--------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--------------|
| <b>Target</b>      |                |                |                |                | 32             | 33             | 34             | 34             | Percent      |
| <b>Actual</b>      | 17             | 19             | 40             | 36             | 31             | 31             |                |                |              |
| <b>Numerator</b>   | 1,134          | 1,185          | 9,006          | 6,524          | 2,874          | 2,308          |                |                | RRP Firms    |
| <b>Denominator</b> | 6,855          | 6,091          | 22,384         | 18,158         | 9,423          | 7,529          |                |                |              |

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$568.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (-\$330.0) This program change is an offset to contracts for the increase in payroll fixed costs.

### **Statutory Authority:**

Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 *et seq.* – Sections 401-412.

<sup>369</sup> For additional information, please visit: <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center>.

## **Underground Storage Tanks (LUST/UST)**

## LUST / UST

Program Area: Underground Storage Tanks (LUST / UST)

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$11,034</i></b>           | <b><i>\$12,021</i></b>               | <b><i>\$14,604</i></b>                    | <b><i>\$2,583</i></b>  |
| Leaking Underground Storage Tanks                     | \$8,426                          | \$9,991                              | \$14,776                                  | \$4,785  |
| Total Budget Authority                                | \$19,460                         | \$22,012                             | \$29,380                                  | \$7,368  |
| Total Workyears                                       | 84.5                             | 97.9                                 | 108.6                                     | 10.7   |

### **Program Project Description:**

Environmental Program Management (EPM) resources fund EPA’s work in the Leaking Underground Storage Tank (LUST)/UST Program to help prevent releases of petroleum through activities such as inspection and compliance assistance support. The EPM LUST/UST Program provides states<sup>370</sup> and tribes with technical assistance and guidance and directly funds projects that assist states and tribes in their program implementation, such as the Tribal Underground Storage Tanks Database (TrUSTD). EPA is the primary implementer of the UST Program in Indian Country. With few exceptions, tribes do not have independent UST program resources. EPA will provide facility-specific compliance assistance for UST facility owners and operators in communities with environmental justice concerns in Indian Country.

This program supports the Administration’s priority of mitigating the negative environmental impacts to communities that are historically underserved, marginalized, and adversely affected by persistent poverty and inequality, as articulated in Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.<sup>371</sup> As of July 2021, approximately 71 million people lived within a quarter mile of an active UST facility, representing 21 percent of the total U.S population. These communities tend to be more minority, low income, linguistically isolated, and less likely to have a high school education than the U.S. population as a whole.<sup>372</sup>

In 2005, Congress passed the Energy Policy Act (EPAct) which, along with other release prevention measures, requires states to inspect facilities at least once every three years. EPA has

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<sup>370</sup> States as referenced here also include the District of Columbia and five territories as described in the definition of state in the Solid Waste Disposal Act.

<sup>371</sup> For more information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>372</sup> U.S. EPA, Office of Land and Emergency Management 2021. Data collected includes: 1) Underground Storage Tank/Leaking Underground Storage Tank information from states as of 2018-2019 and from Tribal lands and U.S. territories as of 2020-2021 from Office of Research Development & Office of Underground Storage Tanks, UST Finder <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=b03763d3f2754461adf86f121345d7bc>; and 2) population data from the 2015-2019 American Community Survey.

been supporting states in these efforts. Between fiscal years 2008 and 2023, the number of annual confirmed releases has decreased by 41 percent (from 7,364 to 4,354).<sup>373</sup>

An EPA study suggests that increased UST compliance is a result of increasing inspection frequency. EPA's statistical analysis, using UST data from the states of Louisiana and Arkansas, showed a positive and statistically significant effect of increased inspection frequency on facility compliance.<sup>374</sup> This evidence supports the data trends the Agency witnessed: compliance rates rose notably after fully implementing the three-year inspection requirement.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA estimates that only two percent of the Nation's 125,000 retail fuel locations have the appropriate equipment to store higher blends of ethanol, which means that the remaining UST systems will need some level of upgrade before they can safely and legally store ethanol blend E15. This could pose a greater risk of an accidental fuel release in nearby communities. To help address this, EPA requests an additional \$1.8 million and 5.5 FTE to increase activities to improve the compatibility of UST systems with E15 in fenceline communities where E15 is more prevalently used. Requested resources will be used to:

- Conduct outreach and education to UST owners to ensure they both understand the regulatory requirements to store E15 and the technical process they can use to determine their compatibility in complying with those requirements so they can safely store E15; and
- Hire staff to support state inspection programs and to conduct direct E15 compliance inspections in Indian Country.

In FY 2025, EPA will continue to engage in the following core activities:

- Support enhanced inspections and evaluations for UST owners/operators to ensure that UST systems meet current regulations. This will include expanded development and use of a facility specific compliance assistance application for use in Indian Country. A portion of EPM funding is used for EPA's Senior Environmental Employment (SEE) Program staff to help conduct inspections to assist states that do not have sufficient inspection capacity in house. Constrained resources in recent years have made it increasingly challenging to meet the Agency's Energy Policy Act requirements of inspecting every UST at least once every three years.

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<sup>373</sup> For more information, please refer to <https://www.epa.gov/system/files/documents/2023-11/fy-23-eoy-final-report-11-21-2023.pdf>.

<sup>374</sup> Sullivan, K. A.; Kafle, A (2020). *The Energy Policy Act of 2005: Increased Inspection Frequency and Compliance at Underground Storage Tank Facilities*. OCPA Working Paper No. 2020-01, [https://www.epa.gov/sites/default/files/2020-10/documents/ust\\_ocpa\\_orking\\_paper\\_august2020.pdf](https://www.epa.gov/sites/default/files/2020-10/documents/ust_ocpa_orking_paper_august2020.pdf).

- Develop tools and resources to assist states in adapting to the impacts of climate change and extreme weather events. This includes developing tools and resources to assist states in identifying facilities that are more prone to flooding or wildfires and helping these facilities prepare for these events before they occur.
- Provide oversight for state LUST prevention grants and provide compatibility compliance assistance for tribal facilities.
- Continue research studies that identify the compatibility of new fuel formulations with current tank systems.
- Continue to coordinate with state UST prevention programs.
- Provide technical assistance, compliance help, and expert consultation to states, tribes, and stakeholders on both policy and technical matters. This support strives to strengthen the 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.
- 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.<sup>375</sup>

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 evaluate the effectiveness of its 2015 regulations, which are designed to ensure existing UST equipment continues to function properly.

### **Performance Measure Targets:**

Work under this program supports performance results in the LUST Prevention Program under the LUST appropriation.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$328.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements,

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<sup>375</sup> For more information, please refer to: [www.epa.gov/ust/emerging-fuels-and-underground-storage-tanks-usts#tab-3](http://www.epa.gov/ust/emerging-fuels-and-underground-storage-tanks-usts#tab-3).



electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.

- (+\$2,255.0 / +5.5 FTE) This program change requests additional FTE to conduct direct E15 compliance inspections in Indian Country. Resources also will be used for the development and coordination of outreach materials to the regulated community. This investment includes \$1.0 million for payroll.

**Statutory Authority:**

Resource Conservation and Recovery Act §§ 8001, 9001-9011.

## **Water Ecosystems**

## National Estuary Program / Coastal Waterways

Program Area: Protecting Estuaries and Wetlands

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$38,790</i></b>   | <b><i>\$40,000</i></b>      | <b><i>\$32,611</i></b>           | <b><i>-\$7,389</i></b>                                       |
| Total Budget Authority                                | \$38,790                 | \$40,000                    | \$32,611                         | -\$7,389   |
| Total Workyears                                       | 34.8                     | 36.9                        | 36.9                             | 0.0  |

### Program Project Description:

The National Estuary Program (NEP)/Coastal Waterways Programs work to restore the physical, chemical, and biological integrity of estuaries of national significance and coastal watersheds by protecting and restoring water quality, habitat, and living resources.<sup>376</sup>

The Nation’s coasts are facing devastating ecological and societal stress, and communities with environmental justice concerns, especially people of color, low-income, and indigenous communities, are experiencing disproportionate climate impacts. Sea level rise and shoreline loss, dead zones, harmful algal blooms, coral bleaching, coastal acidification, wetland and habitat loss, shifts in species composition and habitat, frequent flooding, degraded water quality, saltwater intrusion, and storms that result in billion-dollar damages are becoming routine. The water quality and ecological integrity of estuarine and coastal areas is critical to the economic vitality of the U.S. While the estuarine regions of the U.S. comprise just 12.6 percent of U.S. land area, they contain 40 percent of the U.S. population and provide 47 percent of all U.S. economic output.<sup>377</sup> The economic value of coastal recreation in the U.S. for beachgoing, fishing, bird watching, and snorkeling/diving has been conservatively estimated by the National Oceanic and Atmospheric Administration to be in the order of \$20 billion to \$60 billion annually.<sup>378</sup>

Wetlands and healthy ecosystems protect coastal property, providing a buffer against storms, floods, and high waves. They stabilize shorelines, prevent land from eroding, and provide carbon sequestration. The storm damage mitigation services provided by wetlands are valued at over \$23 billion dollars annually. The NEP has collectively protected and restored just over 2.8 million acres of habitat, including wetlands, within 28 estuaries of national significance since 2000, providing the benefits described above to coastal watersheds and their communities stretching across 39 percent of U.S. shoreline miles and containing 40 percent<sup>379</sup> of the U.S. population. The NEP achieves these successes by the 28 locations working collaboratively and proactively with local

<sup>376</sup> For more information, please visit <https://www.epa.gov/nep>.

<sup>377</sup> For more information, please visit <https://www.fisheries.noaa.gov/national/habitat-conservation/estuary-habitat>.

<sup>378</sup> For more information, please visit <https://www.fisheries.noaa.gov/national/habitat-conservation/coastal-wetlands-too-valuable-lose>.

<sup>379</sup> For more information, please visit: <https://estuaries.org/wp-content/uploads/2022/11/2021-Final-Report.pdf>

governments and other partners through broad networks and leveraging other sources of funding. On average, the designated NEPs leverage more than \$16 for every dollar provided by EPA and, since 2006, the NEP has exceeded \$7.4 billion primary leveraged dollars.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will:

- Provide \$19.6 million in Clean Water Act Section 320 grants for the 28 NEPs (\$700 thousand per NEP). This is a highly leveraged program with projects that address coastal, estuarine, and inland freshwater ecosystem needs. On average, the NEPs leverage more than \$16 for every dollar provided by EPA. Funding for this program will strengthen EPA's staff and internal resource capacity to support and manage core programmatic activities, including the implementation of each NEP's Comprehensive Conservation and Management Plan, conducting and addressing findings from regular program evaluations of individual NEPs, collecting and analyzing annual data from the NEPs, oversight of the day-to-day operations of the NEPs, and management of Clean Water Act Section 320 grant funds;
- Provide capacity to support NEP programs that address priority issues such as nutrient management, habitat protection and restoration, water quality, green infrastructure, and marine litter reduction. Throughout the NEPs' work, the program seeks to prioritize climate adaptation and resiliency and greenhouse gas mitigation co-benefits while equitably distributing federal investments and their benefits, including to disadvantaged communities. They engage and educate stakeholders and students and implement collaborative projects with regional, state, tribal, and local partners. These projects include restoration of submerged aquatic vegetation and blue carbon measures, nutrient and harmful algal bloom reduction, and development and implementation of climate adaptation and resiliency strategies;
- Support the Clean Water Act Section 319 Program to manage nonpoint source pollution in coastal waterways;
- Support the NEPs in developing the skills and capacity to integrate environmental and climate justice into their guiding documents, daily operations, and project selection. These activities will benefit disadvantaged communities and help achieve the goals of the Administration's Justice40 initiative;
- Conduct regular Program Evaluations to assess how the NEPs are making progress in achieving programmatic and environmental results through implementation of their Comprehensive Conservation and Management Plans. The evaluation process has proven to be an effective, interactive management process that ensures national program accountability and transparency, while incorporating local priorities and considerations. It

also demonstrates the value of federal investment in estuarine and coastal watershed restoration and protection at the local and regional levels;

- Support the Climate Ready Estuaries (CRE) Program<sup>380</sup> and other important coastal program activities, including restoration and protection of coastal wetlands (*e.g.*, avoiding and removing tidal restrictions) and addressing marine litter. CRE develops resources and provides technical support to the NEPs and other coastal community leaders and advises on coastal climate resiliency nationally. EPA will continue to work with other federal agencies, states, and tribes to assess challenges such as increasing temperatures, sea level rise, and ocean and coastal acidification and identify opportunities to implement actions to mitigate the effects of climate change on the Nation’s coastal waters and shorelines; and,
- The FY 2025 request includes \$2.5 million for the NEP Coastal Watersheds Grant Program.

EPA continues to work with states, tribes, trust territories, the NEPs, and federal agencies to implement the National Aquatic Resource Survey (NARS) in coastal/estuarine waters. In FY 2023, the NARS coastal survey completed analysis and interpretation of the sample results and shared them with state and tribal partners. The web-report and results dashboard for the 2020 National Coastal Condition Assessment will be released in FY 2024. In FY 2025, EPA will initiate planning activities with our partners for the 2025 National Coastal Condition Assessment.

EPA, as the federal chair of the Gulf Hypoxia Task Force, will work with other Task Force member federal agencies and twelve member states to continue implementation of the 2008 Gulf Hypoxia Action Plan. This activity complements other coordination and implementation resources in the Geographic Program: Gulf of Mexico and Surface Water Protection Program. A key goal of the Gulf Hypoxia Action Plan is to improve water quality in the Mississippi River Basin and reduce the size of the hypoxic zone in the Gulf of Mexico by implementing existing and innovative approaches to reduce nitrogen and phosphorus pollution in the Basin and the Gulf.

EPA will continue to work with states, territories, tribes, and other partners to identify impaired waters in coastal watersheds, as required by CWA Section 303(d), and on developing and implementing total maximum daily loads (TMDLs) 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 will work with and provide support to states, territories, and tribes to ensure that TMDLs for coastal waters are effective and ready for implementation. EPA also will support states, territories, and tribes develop other restoration approaches and plans for the protection of unimpaired or high-quality waters in coastal watersheds. In addition, EPA will continue to support development and application of tools and applications (*e.g.*, the Watershed Academy, How’s My Waterway, and Restoration and Protection Screening (RPS)) that educate the public and help states and territories efficiently prioritize coastal waters for restoration and protection.

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<sup>380</sup> For more information, please visit: <https://www.epa.gov/cre>.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,167.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (-\$8,556.0) This program change reduces the resources available for this program. Significant additional funding for these activities is available in FY 2025 through the Infrastructure Investment and Jobs Act.

**Statutory Authority:**

2021 Protect and Restore America's Estuaries Act; 1990 Great Lakes Critical Programs Act of the Clean Water Act; Great Lakes Legacy Reauthorization Act of 2008; Clean Water Act; Estuaries and Clean Waters Act of 2000; Protection and Restoration Act of 1990; North American Wetlands Conservation Act; Water Resources Development Act; 2012 Great Lakes Water Quality Agreement; 1987 Montreal Protocol on Ozone Depleting Substances; 1909 Boundary Waters Treaty; Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987, Save our Seas 2.0 Act, and the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note).

## Wetlands

Program Area: Protecting Estuaries and Wetlands

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$19,656</i></b>           | <b><i>\$21,754</i></b>               | <b><i>\$26,995</i></b>                    | <b><i>\$5,241</i></b>  |
| Total Budget Authority                                | \$19,656                         | \$21,754                             | \$26,995                                  | \$5,241  |
| Total Workyears                                       | 117.9                            | 118.4                                | 138.0                                     | 19.6   |

### **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 wetland development program. Major activities of the Wetlands Protection Program include timely and efficient review of CWA Section 404 permit applications submitted to the United States Army Corps of Engineers (USACE) or authorized states; engaging and partnering with USACE, states, and other stakeholders to develop stream and wetland assessment tools, and improve compensatory mitigation effectiveness and availability of credits; assisting in building capacity and the development of state and tribal wetlands and other aquatic resource protection and restoration programs under CWA, including 404 program assumption and Section 401 water quality certification; and providing technical assistance to the public on wetland management and legal requirements.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

Working with federal, state, tribal, and local partners, EPA will strive to ensure an effective, consistent approach to wetlands and other aquatic resource protection, restoration, and permitting. To achieve this goal, the Agency will continue its collaborative relationship with USACE in the CWA Section 404 permitting program. In addition, EPA will continue its work with states and tribes to build their wetlands programs to monitor, protect, and restore wetlands to achieve multiple societal benefits, including adapting to and mitigating the effects of climate change.

### **CWA Section 404**

Section 404 of the CWA is an established program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. USACE is responsible for managing

the day-to-day permit processes nationwide under CWA Section 404.<sup>381</sup> EPA engages in the CWA 404 permit process to ensure compliance with the CWA Section 404(b)(1) guidelines as the permitting authority formulates their proposed permits. EPA will perform its CWA responsibilities to support new infrastructure projects funded through the Infrastructure Investment and Jobs Act of 2021. In 2008, EPA and USACE issued a final rule governing compensatory mitigation for activities authorized by the CWA 404 and associated losses of aquatic resources. The regulation prescribes a review and approval process for the establishment and management of mitigation banks and in-lieu of fees program. EPA and USACE will continue to work together to evaluate the effectiveness of the Program, provide training to regulators and the public, and consider further enhancements to the rule and program.

In FY 2025, EPA will continue to support the development of stream and wetland assessment methods, trainings for regulators, and regional crediting protocols for compensatory mitigation to improve the efficiency and environmental outcomes of federal and state agency review. In addition, EPA will continue to build internal capacity through trainings and improve efficiencies in federal CWA Section 404 permitting to help with reducing potential costs and delays; increasing consistency and predictability; improving protection of public health and the environment, including assessing climate impacts and impacts to disadvantaged communities; and ensuring permit decisions are legally defensible.

EPA also will continue carrying out its responsibilities as a member of the Gulf Coast Ecosystem Restoration Council authorized under the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) Act, and as a Natural Resource Damage Assessment (NRDA) Trustee for the Deepwater Horizon oil spill under the Oil Pollution Act (OPA). Under CWA Section 404, the RESTORE Act, and OPA, EPA's 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 Deepwater Horizon Trustee Implementation Group restoration plans and ensures the appropriate level of NEPA analysis is integrated into those referenced restoration plans. EPA's RESTORE responsibilities include NEPA analysis for projects that the Council assigns to EPA. As a NRDA Trustee, EPA undertakes mandatory independent third-party financial audits every three years to ensure accountability regarding the use of funds provided under a 2016 consent decree.<sup>382</sup> The first independent third-party financial audit was initiated in FY 2018 and concluded in FY 2020 with no negative findings. The second audit was initiated in FY 2021 and concluded in FY 2022 with no significant findings. EPA anticipates initiating its third audit in FY 2024.

### **Building State and Tribal Aquatic Resource 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 flexibility to best address their priorities. This includes providing assistance to states and tribes interested in assuming the

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<sup>381</sup> Currently, three states, Michigan, New Jersey, and Florida, have assumed the CWA Section 404 permit program. CWA Section 404(g) gives states and tribes the option of assuming, or taking over, the permitting responsibility and administration of the CWA Section 404 permit program for certain waters.

<sup>382</sup> For more information, please see: <https://www.epa.gov/deepwaterhorizon>.



administration of the CWA Section 404(g) program. EPA intends to finalize a regulation in FY 2024 to update the existing state and Tribal program regulations on CWA Section 404(g) program assumption. EPA also will continue to administer Wetland Program Development Grants, which is a Justice40 covered program, in support of state and tribal wetland programs. The Agency will focus on working more efficiently with states and tribes to achieve specific program development outcomes including protecting and restoring wetlands and other aquatic resources to address water quality and climate impacts, provide benefits to disadvantaged communities, support state and tribal assumption of the CWA Section 404 program, and support states and tribes with implementing CWA Section 401.<sup>383</sup>

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$123.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$5,364.0 / +19.6 FTE) This increase of resources and FTE supports the implementation of the Clean Water Act to protect and restore wetlands and other aquatic resources. This investment also includes \$3.431 million in payroll.

**Statutory Authority:**

CWA § 404, § 104(b)(3).

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<sup>383</sup> For more information, please see: <https://www.epa.gov/wetlands>.

## **Ensure Safe Water**

**Beach / Fish Programs**

Program Area: Ensure Safe Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$1,673</i></b>            | <b><i>\$2,246</i></b>                | <b><i>\$2,391</i></b>                     | <b><i>\$145</i></b>  |
| Total Budget Authority                                | \$1,673                          | \$2,246                              | \$2,391                                   | \$145  |
| Total Workyears                                       | 1.7                              | 2.7                                  | 3.8                                       | 1.1  |

**Program Project Description:**

The Beach/Fish Program provides up-to-date science, guidance, technical assistance, and nationwide information to state, tribal, and federal agencies to protect human health of beachgoers from contaminated recreation waters, as well as recreational and subsistence fishers (e.g., tribal communities and other underserved populations) from consumption of contaminated fish.

The Agency implements the following activities under this Program:

- Develop and disseminate methodologies and guidance that states and tribes use to sample, analyze, and assess fish tissue in support of waterbody specific or regional consumption advisories.
- Develop and disseminate guidance that states and tribes can use to conduct local fish consumption surveys.
- Develop and disseminate guidance that states and tribes can use to communicate the risks of consuming chemically contaminated fish.
- Gather, analyze, and disseminate information to the public and health professionals that informs decisions on when and where to fish, and how to prepare fish caught by recreational and subsistence fishers.
- Provide best practices on public notification of beach closures and advisories.
- Develop tools such as the sanitary survey app, predictive modeling, and improved analytical methods.
- Maintain the E-Beaches IT system to collect data required by the Beaches Environmental Assessment and Coastal Help (BEACH) Act.

In addition to providing technical support to states and tribes on beach monitoring and data reporting, these programs are part of EPA's ongoing effort to increase public awareness of the risks to human health associated with contact with recreational water contaminated with pathogens or harmful algal blooms, and with eating locally caught fish that contain pollutants such as mercury, polychlorinated biphenyls (PCBs), or per- and polyfluoroalkyl substances (PFAS) at levels of concern. These efforts are directly linked to the Agency's mission to protect human health.

### **FY 2025 Activities and Performance Plan:**

Work in this Program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to:

- Update science and public policy to assess and manage the risks and benefits of fish consumption.
- Provide analytical tools and collect data associated with beach monitoring.
- Provide technical support to states in the operation of their fish consumption advisories and beach monitoring programs.
- Build program capacity, particularly in areas related to environmental justice, water infrastructure support and oversight, climate change resilience, and regulatory reviews.
- Complete National Aquatic Resource Surveys (NARS) National Lakes Assessment analysis of fish tissue for contaminants including PFAS;
- Per the Agency's PFAS Roadmap, complete reporting for the first time of PFAS levels in fish collected from lakes nationwide;
- Conduct monitoring of PFAS and other contaminants in fish collected from the Great Lakes and (for the first time) coastal estuaries as part of the NARS National Coastal Condition Assessment; and
- Implement the Justice 40 initiative in the BEACH Act Program.

In FY 2025, EPA also will make investments in providing up-to-date science, guidance, and technical assistance so states and tribes have equitable and effective beach and fish advisory programs. This information allows the public, including underserved communities, to make informed choices about recreational activities in local waters and eating locally caught fish. EPA will maintain the E-Beaches IT system and make updates if needed.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$78.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$67.0 / +1.1 FTE) This program change in resources and FTE builds program capacity, particularly in areas related to environmental justice, water infrastructure support and oversight, climate change resilience, and regulatory reviews.

**Statutory Authority:**

Clean Water Act, § 101, 104, and 303.

## Drinking Water Programs

Program Area: Ensure Safe Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$109,958</i></b>          | <b><i>\$121,607</i></b>              | <b><i>\$143,886</i></b>                   | <b><i>\$22,279</i></b>   |
| Science & Technology                                  | \$5,474                          | \$5,098                              | \$7,043                                   | \$1,945  |
| Total Budget Authority                                | \$115,432                        | \$126,705                            | \$150,929                                 | \$24,224   |
| Total Workyears                                       | 471.0                            | 539.4                                | 554.5                                     | 15.1   |

### 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 public water systems to deliver safe tap water that complies with national drinking water standards.<sup>384</sup> EPA's Drinking Water Program is based on a multiple-barrier and source-to-tap approach to protect public health from contaminants in drinking water.<sup>385</sup> EPA protects public health through:

- Source water assessment and protection;
- Promulgation of new or revised National Primary Drinking Water Regulations (NPDWRs);
- Training, technical assistance, and financial assistance programs to enhance public water system capacity to comply with regulations and provide safe drinking water;
- Underground Injection Control (UIC) programs;
- Support for implementation of NPDWRs by state and tribal drinking water programs through regulatory, non-regulatory, and voluntary programs and policies; and
- Funding, assistance, and resources for states and tribes to support the financing of water infrastructure improvements nationwide that will improve compliance, address drinking water contaminants such as lead, and ensure water systems are more resilient to threats, like cyber-attacks and natural hazards such as climate change.<sup>386</sup>

Current events, including the detection of lead and per- and polyfluoroalkyl substances (PFAS) in drinking water, highlight the importance of drinking water protection programs that safeguard public health. It also is important to protect the sources of drinking water. Moreover, incidents of drinking water contamination with lead and PFAS, such as perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and GenX chemicals, exemplify the increased demand for risk

<sup>384</sup> For more information on the U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), please see: <http://water.epa.gov/scitech/datait/databases/drink/sdwisfed/index.cfm>.

<sup>385</sup> For more information, please see: [https://www.epa.gov/sites/production/files/2015-10/documents/guide\\_swppocket\\_2002\\_updated.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/guide_swppocket_2002_updated.pdf).

<sup>386</sup> For more information, please see: <https://www.epa.gov/ground-water-and-drinking-water>.

communication and other resources that can help communities protect public health and address these chemicals.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the program will continue to support the Agency's national drinking water priorities, including:

- Addressing lead and emerging contaminants such as PFAS and
- Improving resilience in drinking water systems to address natural hazards, including climate change, and human threats by enhancing cybersecurity; and, improving drinking water access and water quality across the Nation, especially in rural, small, underserved, and disadvantaged communities across the country.

In FY 2025, EPA will continue to work to integrate climate adaptation planning into water programs, policies, and rulemaking processes, and consult and partner with states, tribes, territories, local governments, environmental justice organizations, community groups, businesses, and other federal agencies to strengthen the adaptive capacity and increase the resilience of the Nation. The Agency also is requesting resources to support regulatory analysis, development and training, and technical assistance for state, tribal, and local communities to address drinking water contaminants (including lead and emerging contaminants like PFAS) in their efforts to ensure safe and affordable drinking water.

The Agency will continue to improve the effectiveness and efficiency of its programs for states and tribes, including work to ensure EPA water programs and resources reach communities that too often have been overburdened, including rural and tribal communities. In FY 2023, over 2,100 tribal, small, rural, or underserved communities were provided with technical, managerial, or financial assistance to improve operations of their drinking water or wastewater systems. The Drinking Water Program supports this effort by providing training and assistance to state drinking water programs, tribal drinking water officials, drinking water systems, and technical assistance providers. The training includes:

- Achieving and maintaining compliance at drinking water systems;
- Developing and amplifying best practices and providing technical assistance;
- Protecting sources of drinking water, including through the UIC program;
- Strengthening state and tribal program capacity; and
- Certifying drinking water operators and maintaining an essential workforce.

EPA oversees state drinking water programs by completing the annual public water system supervision (PWSS) program review for each primacy agency as required under the Safe Drinking Water Act (SDWA). Information gained during the Program reviews, which occur throughout the year, includes an analysis of the completion of sanitary surveys by primacy agencies and an evaluation of whether each primacy agency is implementing its programs in accordance with SDWA. The annual program reviews directly support the work of the states and the Agency to reduce the number of community water systems in noncompliance with health-based standards. As of September 30, 2023, 3,042 of the 3,508 systems with health-based violations on September 30, 2017, have been returned to compliance (*i.e.*, 466 systems are still in violation). EPA recognizes that many of the remaining systems have complex compliance issues or may require capital infrastructure improvements to help address noncompliance. While Infrastructure Investment and Jobs Act (IIJA) and State Revolving Fund (SRF) funding will support these systems, infrastructure projects can take many years to complete. In FY 2025, EPA will continue to provide technical assistance and work with states towards long-term remediation of systems with health-based violations.

The Agency is continuing to work with states on completing the development of the Drinking Water State-Federal-Tribal Information Exchange System (DW-SFTIES) as the long-term replacement for the Safe Drinking Water Information System for states (SDWIS-State) by early 2026. As of FY 2023, 42 states use SDWIS-State for day-to-day information management for implementing state drinking water programs. In FY 2025, EPA continues to support and prepare states in their transition planning activities to DW-SFTIES. The information gained from the PWSS reviews, and the database modernization efforts will continue to support evidence-building activities as part of EPA's implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act).

The Agency also continues to provide training and collaborate with states on:

- Helping underserved, small, and disadvantaged communities with SDWA compliance and providing households access to drinking water services and household water quality testing, including testing for unregulated contaminants;
- Maintaining the states' capacity development programs and providing resources, tools, and technical assistance to help water systems with SDWA compliance;
- Effectively implementing PWSS programs; and
- Providing operator certification programs to support the water sector workforce.

### Water Infrastructure

The Nation's aging infrastructure poses a significant challenge for the drinking water and wastewater sectors to protect public health and the environment. These challenges are particularly pressing in small, rural, overburdened, and underserved communities. In FY 2025, EPA will continue to support improvements to the Nation's drinking water infrastructure, including identification of infrastructure needs and assistance for underserved and tribal communities. The Agency also will support activities to leverage and encourage public and private collaborative



efforts and investments. This Program also supports the Agency's efforts in implementing the IJJA. EPA will continue to provide direct technical assistance to water systems and collaborate with the states to help small and underserved communities access the funding provided by IJJA.

Every four years, EPA is required to conduct the Drinking Water Infrastructure Needs Survey Assessment (DWINSA) by working with states and community water systems to estimate the Drinking Water State Revolving Fund (DWSRF) eligible needs of systems by state over the next 20 years. EPA uses this information as part of the formula for state allocations of the DWSRF. The 2021 or the 7<sup>th</sup> DWINSA effort concluded and the new allotment formula was announced and used starting in FY 2023. EPA submitted the 2021 DWINSA Report to Congress in FY 2023. Findings included capital investment needs and also estimates on lead service line prevalence and replacement costs, current concerns for a sustainable certified operator workforce, and an assessment of the uses of iron and steel products. In late FY 2023 to early FY 2024, EPA conducted a one-time update of the service line material information for the seventh DWINSA. This additional information will update the Lead Service Line Replacement funding allotments for the DWSRF programs and be used starting in FY 2024. In addition, planning activities will begin for the 8th DWINSA. EPA plans to reach out to state partners to discuss 'Lessons Learned' with the previous DWINSA efforts and identify ways to improve the next survey. In FY 2024 through FY 2025, EPA expects to develop the survey instrument, conduct trainings, and begin data collection for the 8th DWINSA. The FY 2025 request includes up to \$1.5 million set aside from the DWSRF to ensure there are consistent and reliable resources to fund this important work.

In addition to the DWSRF Program, in FY 2025, EPA will continue to support drinking water infrastructure programs by implementing the following statutes:

- Consolidated Appropriations Acts of 2022 and 2023 (EPA Community Grants) and any future Community Grant appropriations;
- Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) within IJJA;
- Build America, Buy America (BABA) Act of 2021 within IJJA;
- America's Water Infrastructure Act of 2018 (AWIA);
- Water Infrastructure Improvements for the Nation Act of 2016 (WIIN); and
- Water Infrastructure Finance and Innovation Act of 2014 (WIFIA).

Collectively, these laws strengthened existing programs and created new ones to tackle significant public health concerns and environmental needs. The programs created in these laws are vital to protecting public health, continuing to grow the United States' economy, and ensuring that rural and urban communities from coast-to-coast can thrive. EPA will continue to provide WIIN, AWIA, and IJJA grant funding to support projects focusing on reducing lead and addressing emerging contaminants in drinking water and to enhance water system resiliency to natural hazards such as climate change and man-made threats such as cyber-attacks, with a focus on small and disadvantaged communities. Funding for these projects also will bolster the U.S. economy through domestic preference requirements for federally funded infrastructure projects.

Funding for infrastructure supports EPA's goal to increase the cumulative amount of non-federal dollars leveraged by water infrastructure finance programs by \$9.5 billion in FY 2025. These water infrastructure finance programs include the DWSRF, CWSRF, and the WIFIA program. In FY

2023, \$11.4 billion was leveraged by these programs, increasing the funds available to improve, repair, and modernize the Nation's water infrastructure.

### Drinking Water Program Implementation

In FY 2025, the Agency is requesting additional resources to support continued 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 drinking water plants and distribution systems. The Program activities are designed to improve drinking water and water quality across the Nation, especially in tribal and underserved and vulnerable communities. Activities include:

- Working with states to provide training, direct technical assistance, and resources to conduct lead service line inventories, replace lead service lines, and optimize corrosion control treatment, develop other strategies to minimize exposure to lead, and maintain simultaneous compliance;
- Developing guidance manuals, tools, and trainings for states to support water systems and primacy agencies in implementing the Lead and Copper Rule Improvements (LCRI) and its revision;
- Developing guidance, tools, and trainings to support water systems and primacy agencies in implementing the PFAS Rule;
- Implementing regulations to improve the clarity, readability, and accuracy of information in Consumer Confidence Reports;
- Implementing SDWA Section 1414 requirements allowing states to mandate water system restructuring assessments;
- Focusing on the reduction of the number of community water systems with health-based violations, especially small systems, tribal systems, and systems in underserved communities;
- Coordinating with the Indian Health Service and other federal partners to provide financial and technical assistance to tribal communities;
- In preparation of the PFAS NPDWR, supporting the development of the draft Small System Compliance Guidance Document; and,

EPA will continue to complete the development of DW-SFTIES and support state migration to DW-SFTIES and to the Compliance Monitoring Data Portal, which enables drinking water utilities and laboratories to report drinking water data electronically. In addition, EPA will continue the development of efficient program data management and reporting tools focusing on drinking water regulation, system technical, managerial, and financial capacity, and activities that inform status of SDWA compliance and decisions to support human health protection.

In FY 2025, EPA will conduct the following activities to facilitate compliance with drinking water rules:

- Overseeing the national PWSS Program by administering 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;
- Offering training and technical assistance opportunities to states, tribes, and public water systems, especially those in underserved and disadvantaged communities, with a priority on addressing significant noncompliance with the NPDWRs;
- Bolstering its strong partnership with the states to provide direct small system technical assistance, especially in disadvantaged communities, with a focus on compliance with rules, operational efficiencies, and system sustainability and resiliency to ensure public health protection;
- Directly implementing the Aircraft Drinking Water Rule, designed to protect millions of people who travel on approximately 5,700 aircraft in the United States annually; and
- Directly implementing the Drinking Water Program where states and tribes do not have primacy (*e.g.*, Wyoming, the District of Columbia, and tribal lands other than the Navajo Nation).

In FY 2025, EPA will continue to implement the Evidence Act and make evidence-based decisions guided by the best available science and data. EPA will continue to help develop statistical evidence where it is lacking and improve EPA's capacity to generate and share science and data, and use it in policy, budget, operational, regulatory, and management processes and decisions. Specifically, the Agency will be conducting evidence-building activities and gathering information from SDWIS that inform the data quality of the Agency's drinking water compliance information. Through these efforts, EPA has identified a need for access to states' compliance monitoring data and is developing the regulatory authority and tools necessary to fill this gap. Furthermore, EPA expects to identify additional data needs, potential sources of additional information, and mechanisms to fill data gaps. EPA also will identify system characteristics that support compliance and those that cause compliance challenges. EPA will use these findings to inform and develop policy instruments.

### 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 a public health concern, and regulates contaminants when there is a meaningful opportunity for health risk reduction for persons served by public water systems. In FY 2025, the Agency also will address drinking water risks with the following actions:

- Continuing to develop the new NPDWR, LCRI. In FY 2021, EPA issued the Lead and Copper Rule Revisions (LCRR) and subsequently reviewed those revisions in accordance

with Executive Order 13990.<sup>387</sup> Through this review, the Agency concluded that there are significant opportunities to improve the LCRR to support the overarching goal of proactively removing lead service lines and more equitably protecting public health (86 FR 71574). EPA announced the proposed LCRI on November 30, 2023 and intends to finalize by October 16, 2024.

- Conducting human health effects assessments for water contaminants to support SDWA actions, including the derivation of maximum contaminant level goals, drinking water health advisories, and human health benchmarks. Consideration of those potentially most at risk – especially sensitive subpopulations and critical life stages (*e.g.*, infants and children) – is key in development of health effects assessments for contaminants in water.
- Continuing to develop guidance materials and webinar content to assist stakeholders with preparing for their responsibilities under the final NPDWR for PFAS in drinking water.
- Continuing the development of the SDWA-mandated draft Regulatory Determinations (Reg Det) for the Fifth Contaminant Candidate List (CCL 5) and preparing to publish the final Reg Det for CCL 5 in FY 2026.
- Developing and publishing the draft Sixth Contaminant Candidate List (CCL 6) in FY 2025.<sup>388</sup>
- Continuing to participate in interagency actions and support cross-agency efforts to address PFAS; establishing better understanding of the health impacts and extent of their occurrence in the environment and resulting human exposures; and supporting priorities identified by the EPA’s PFAS Council and in EPA’s PFAS Strategic Roadmap.
- Developing drinking water health advisories for PFAS with final toxicity values.
- Continuing to develop risk communication and other tools to support states, tribes, and localities in managing PFAS and other emerging contaminants in their communities.
- Continuing to support state and tribal efforts to manage cyanotoxins in drinking water, including providing technical assistance.
- Proposing revisions to the existing Microbial and Disinfection Byproducts Rules based on evaluations of the National Drinking Water Advisory Council (NDWAC) recommendations and working towards a final rule by FY 2027.
- Providing support to drinking water systems and laboratories as they collect and analyze samples during implementation of the fifth Unregulated Contaminant Monitoring Rule. Conclude monitoring for PFAS and lithium under UCMR 5 in FY 2025. Continuing to

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<sup>387</sup> For additional information, please see: <https://www.federalregister.gov/documents/2021/01/25/2021-01765/protecting-public-health-and-the-environment-and-restoring-science-to-tackle-the-climate-crisis>.

<sup>388</sup> For additional information, please see: <https://www.epa.gov/ccl/draft-contaminant-candidate-list-6-ccl-6>.

publish data summaries and detailed results and conduct occurrence data analyses. Continuing the development of UCMR 6 towards the publication of the proposal in FY 2025.

- Collecting and analyzing Community Water System Survey data to capture changes and update information related to the conditions of public water systems.

### Source Water Protection

SDWA requires drinking water utilities that meet the definition of a public water system to meet requirements for source water protection set by EPA and state primacy agencies. Protecting source water from contamination helps reduce treatment costs and may avoid or defer the need for complex treatment. EPA will continue to partner with states, federal counterparts, drinking water utilities, and other stakeholders to identify and address current and potential threats to sources of drinking water. In FY 2025, the Agency will be:

- Continuing to develop data-layers and decision support tools to assist source water assessment, planning, and emergency preparation, including updates to the Drinking Water Mapping Application for Protecting Source Waters (DWMAPS) on EPA's web-based geospatial platform, *GeoPlatform*;<sup>389</sup>
- Working with state, federal, utility, and local stakeholders to leverage resources, support efforts to assist communities in source water protection activities and projects, and promote ongoing efforts, including funding opportunities through the Funding Integration Tool for Source water (FITS), to protect drinking water sources;
- Continuing to partner with the Department of Agriculture (USDA)'s Natural Resources Conservation Service and Forest Service and state partners to support implementation of the source water protection provisions of the Agriculture Improvement Act of 2018 (2018 Farm Bill) and provide support in the development and implementation of the subsequent Farm Bill. Additionally, exchanging spatial data, resources, and funding information across multiple federal and state partners to facilitate achievement of shared goals. This presents an opportunity to forge stronger connections between EPA and USDA to address agriculture-related impacts to drinking water sources;
- Continuing 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, focusing on reducing nutrient pollution impacts on drinking water sources;
- Providing support to states and tribes in identifying and planning for the use of IJA and IRA funding available from federal agencies to address source water protection priorities, especially as it relates to addressing emerging drinking water contaminants; and

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<sup>389</sup> For more information, please see: <https://www.epa.gov/sourcewaterprotection/dwmaps>.

- Building partnerships and developing source water protection planning resources and communications materials related to source water protection priorities as part of EPA's membership in the National Source Water Collaborative.

### Underground Injection Control

Roughly one-third of the United States' population is served by public water systems that receive water from groundwater. To safeguard current and future underground sources of drinking water from contamination, the UIC Program regulates the use of injection wells that place fluids underground for storage, disposal, enhanced recovery of oil and gas, and minerals recovery. Protecting groundwater requires proper permitting, construction, operation, and closure of injection wells. In FY 2025, planned activities in the UIC Program include:

- Supporting implementation of DWWIA to support comprehensive carbon dioxide infrastructure in the United States by working with applicants on Class VI permits for secure geologic storage of carbon dioxide and with state UIC programs seeking to obtain primacy for the Class VI program;
- Supporting the implementation of the UIC STAG and IJA funded Class VI programs, including a grant program that assists states and tribes in obtaining primacy;
- Supporting efforts to advance environmental justice in UIC programs;
- Supporting states and tribes in applying for primary enforcement responsibility and implementing UIC Program revisions;
- Continuing to provide technical assistance, tools, and strategies to states to improve implementation of UIC programs, including development of e-learning material, and to support permitting in direction implementation;
- Using national UIC data to assist with promoting consistent approaches to program oversight of state and EPA's UIC programs; and
- Streamlining EPA's UIC direct implementation permitting process and reducing the permit application backlog.

### Water Reuse

To assure a safe and reliable source of water that is resilient to drought, flooding, and population growth, EPA is working to advance water reuse nationwide. This work is being done in collaboration with a broad group of stakeholders, including non-governmental organizations, states, tribes, and local governments. In FY 2025, EPA will continue to support the National Water Reuse Action Plan and the Federal Water Reuse Interagency Working Group. The Agency will develop and pursue actions that prioritize advancing technical and scientific knowledge on water

reuse to ensure its safety across a range of uses and applications. EPA also will pursue actions that provide technical and financial tools for stakeholders to ensure the accessibility of water reuse.<sup>390</sup>

One Water/One Community

In FY 2025, EPA will coordinate CWA and SDWA resources toward historically underserved and overburdened communities that are facing greater climate and water equity challenges to achieve greater resilience, access to clean and safe water, and an improved quality of life. This program will provide holistic support to communities as they respond to the climate crisis by increasing funding for planning and implementation actions across the country. Additionally, EPA will work with federal partners and tribes to meet the unique water infrastructure challenges and other needs in tribal nations.

Permitting Related to Infrastructure

In FY 2025, EPA is requesting additional resources to help process the increase in permits across the country driven by this Administration’s historic investment in infrastructure. These additional FTE are necessary to handle the influx in a variety of different permit types that require EPA approval.

This program also includes resources to support the increasing and new costs associated with mandatory Agency support services provided through the Working Capital Fund (WCF), support delegated responsibilities for Mission Support functions across the Agency, and support Agency-wide implementation of OMB Cybersecurity mandates.

**Performance Measure Targets:**

**(PM DW-02) Number of community water systems still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         | 875     | 640     | 450     | 425     | 400     | CWSs  |
| <b>Actual</b> | 1,718   | 1,128   | 1,048   | 654     | 537     | 466     |         |         |       |

**(PM DW-07) Number of drinking water and wastewater systems, tribal and state officials, and water sector partners provided with security, emergency preparedness, and climate resilience training and technical assistance.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| <b>Target</b> |         |         |         |         | 2,000   | 3,500   | 4,500   | 4,500   | Systems and Partners |
| <b>Actual</b> |         |         |         |         | 3,939   | 3,895   |         |         |                      |

<sup>390</sup> For more information, please see <https://www.epa.gov/waterreuse>.

**(PM DWT-02) Number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| Target |         |         |         |         | 100     | 55      | 35      | 30      | CWSs  |
| Actual |         |         |         |         | 74      | 54      |         |         |       |

**(PM INFRA-06) Number of tribal, small, rural, or underserved communities provided with technical, managerial, or financial assistance to improve system operations.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023           | FY 2024 | FY 2025 | Units       |
|--------|---------|---------|---------|---------|---------|-------------------|---------|---------|-------------|
| Target |         |         |         |         | 339     | 542               | 1,100   | 1,300   | Communities |
| Actual |         |         |         | 187     | 1,668   | Data Avail 4/2024 |         |         |             |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8,970.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs. It also includes support for critical Agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$407.0 / +2.2 FTE) This program change is an increase to resources and FTE to support Agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements and other Evidence Act activities.
- (+\$1,285.0 / +1.0 FTE) This program change is an increase to support implementation of EPA’s Climate Adaptation Action Plan. This increase will support priority commitments, such as actions to integrate climate adaptation into EPA programs, policies, and processes, efforts to address climate adaptation science and data needs, and efforts to consult and partner with outside stakeholders This investment includes \$185.0 thousand in payroll.
- (+\$11,617.0 / +7.9 FTE) This program change is an increase in resources and FTE that supports regulatory analysis, development, training, permit review, and technical assistance for state, tribal, and local communities to address drinking water contaminants (including Lead and PFAS) in their efforts to ensure safe and affordable drinking water. This increase also supports development of the Lead and Copper Rule Improvements and the Unregulated Contaminant Monitoring Rule. This investment also includes \$1.459 million in payroll.

**Statutory Authority:**

SDWA; CWA.



## Preparation for Water Emergencies

Program Area: Ensure Clean Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$0</i></b>        | <b><i>\$0</i></b>           | <b><i>\$30,000</i></b>           | <b><i>\$30,000</i></b>                                       |
| Total Budget Authority                                | \$0                      | \$0                         | \$30,000                         | \$30,000   |
| Total Workyears                                       | 0.0                      | 0.0                         | 30.0                             | 30.0   |

### **Program Project Description:**

Fulfilling EPA’s emergency response obligations during a water crisis is a top priority for the Agency and the Administration and an imperative for communities experiencing such emergencies. Responding quickly to drinking water and wastewater emergencies often requires action beyond what is considered the traditional role of EPA’s water, enforcement, or emergency response programs. The new Water Emergencies Program would enable EPA to respond to water and wastewater emergencies where EPA has determined that water quality poses a risk to public health, and the affected community lacks access to safe and clean water in a timely or effective manner. The Agency presently lacks resources to respond to, and sustain, water and wastewater emergency response operations. This new program and the resources requested to implement this proposal is an important towards filling this gap.

EPA will assume a lead role in assisting communities in the response to and recovery from a water incident, particularly environmental justice communities which may be more vulnerable to water and wastewater emergencies. EPA has taken a lead role during water crises, through various EPA programs, within the past few years, including water systems with elevated water lead levels in Clarksburg, WV, and Benton Harbor, Michigan; the leakage of stored jet fuel into a drinking water source in Oahu, HI; arsenic contamination of a public well in Coachella Valley, CA; and the crisis in Jackson, MS.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

It is incumbent on the EPA, under Presidential Policy Directive (PPD)-44 (Enhancing Domestic Incident Response), to develop capacity and capabilities in the event that the President designates EPA as the Lead Federal Agency (LFA) for a water emergency. As LFA, the Agency is expected to perform multiple complex and time critical duties, including the following key actions:

- Enhance federal government unity of effort;
- Develop strategic objectives, priorities and planning for the incident;
- Identify gaps that response efforts should address;
- Coordinate the federal incident response strategy with senior federal, state, local, tribal and territorial officials, as well as the private sector and nongovernmental entities;
- Communicate with senior U.S. Government officials to raise and resolve issues;
- Facilitate appropriate incident information reporting;
- Serve as or designate a principal spokesperson to lead communication efforts with affected parties and the public;
- Establish unified coordination through a Unified Coordination Group (UCG) or similar construct and supporting organizational structure;
- Identify federal, State, Local, Tribal and Territorial (SLTT), private sector, and nongovernmental organization (NGO) stakeholders with roles in responding to the incident and working with stakeholders to:
  - Develop strategic objectives, priorities, and planning efforts necessary for the response.
  - Assess the nature of the incident, including identifying and mitigating operational and policy gaps to effectively respond to the incident.
  - Establish roles, responsibilities, and clear expectations across the UCG.
  - Clearly identify reporting relationships internally and externally.
  - Establish an operational tempo and meeting schedule.
- Establish an entity responsible for engagement and outreach to each stakeholder or set of stakeholders, to ensure stakeholders needs are integrated with incident planning and operations;
- Initiate operational planning to develop appropriate response tactics and facilitate the effective application of resources to meet incident objectives including:
  - Set common incident objectives corresponding to the identified operational issues and gaps.
  - In coordination with stakeholders, develop and communicate performance indicators for each incident objective that can be used to track progress against the objective.
  - Identify resources (authorities, capabilities, grants, programs, personnel) within federal, SLTT, private sector, NGO, and other appropriate sectors, that could close identified gaps.
  - Identify gaps in the response that require operational planning to solve and establish planning initiatives with cross-agency and cross-jurisdictional representation for each operational gap or incident objective.
  - Ensure appropriate agency subject matter experts are available to provide strategic and operational input.
  - Establish a common picture of cost accounting and expenditures by LFA and Support Federal Agency (SFA).
- Communicate with senior federal officials to raise and resolve issues related to the response and recovery outcomes, including addressing national-level resource and strategic policy issues through the National Security Council interagency policy process; and
- Identify possible thresholds for completion of incident objectives that will allow the unified coordination structure to stand-down.

Accordingly, and to be better prepared to accomplish this critically important work, EPA is requesting \$30 million and 30 FTE in FY 2025 to establish a new program that would expand the Agency's water emergency response capabilities across the following two components:

- Ensuring the availability of trained personnel and resources at EPA Headquarters and in the Regions
  - EPA water, enforcement, and other program staff currently perform emergency response activities, with their emergency response role considered ancillary to their primary duties of implementing programs under the Safe Drinking Water Act and Clean Water Act. EPA will need additional staff and resources in order to effectively act in a water or wastewater emergency.
  - \$10 million would provide the resources necessary for EPA to serve as the LFA upon possible designation by the President of the United States in the event of an emergency compromising the ability of a water system to provide safe and clean water. To support EPA's designation as a LFA and associated primary duties across the Agency, additional staff and funding are needed to fully implement, and address emergency response responsibilities.
  
- Establishing a Water Emergency Fund
  - If a significant water or wastewater emergency requiring direct EPA action arises or EPA is designated by the President as an LFA under PPD-44, EPA will not have access to emergency response funds under CERCLA or the Stafford Act, but nonetheless will have the responsibility to provide staffing and material support to restore drinking water and wastewater services. EPA can only achieve this essential mission with a no-year fund dedicated to emergency response actions for water incidents.
  - \$20 million is included to provide direct assistance to affected communities which could be in the form of bottled water, filters, obtaining assistance from other federal agencies under the Economy Act, reimbursing the water system or state for mutual aid assistance, providing trained personnel to operate or manage drinking water and wastewater services, among other tasks.

EPA is requesting new appropriations language that will provide no-year funding, broaden the authorization to include both publicly and privately owned drinking water and wastewater systems, and provide more inclusive language for using SDWA 1442(b) authorities for technical assistance, grants, and contract support regardless of whether the Administrator determines that such actions would not be taken without such emergency assistance for this work. Additionally, the appropriations language requested will allow EPA to respond faster to emergencies.

#### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program at this time.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+30,000.0 / +30.0 FTE) This increase provides funding for a new program to support the implementation and priorities to better prepare the Federal government, states, and communities for potential water emergency situations in direct support of the EPA's mission to protect human health. This investment includes \$5.4 million in payroll.

**Statutory Authority:**

SDWA 1442(b) and 1431, CWA

## **Ensure Clean Water**

**Marine Pollution**

Program Area: Ensure Clean Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$8,081</i></b>            | <b><i>\$10,187</i></b>               | <b><i>\$12,724</i></b>                    | <b><i>\$2,537</i></b>  |
| Total Budget Authority                                | \$8,081                          | \$10,187                             | \$12,724                                  | \$2,537  |
| Total Workyears                                       | 26.8                             | 32.8                                 | 38.0                                      | 5.2  |

**Program Project Description:**

EPA’s Marine Pollution Program aims to: 1) protect human health and the marine environment from pollution through implementation of the Marine Protection, Research and Sanctuaries Act (MPRSA) permitting, site designation, and site management and monitoring program; 2) address incidental discharges, including sewage, under the Clean Water Act Section 312; and 3) reduce marine litter in the Nation’s waterways and oceans, improve trash capture and source reduction activities across the country, and support the Trash Free Waters Program.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

*MPRSA Program*

The MPRSA regulates the transportation and disposition of any material in the ocean unless expressly excluded under MPRSA. In the United States, MPRSA implements the requirements of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter of 1972, known as the London Convention treaty, one of the first international agreements for the protection of the marine environment from human activities. The United States has signed but not ratified the London Protocol, a free-standing treaty intended to modernize and eventually replace the London Convention. Among other things, Contracting Parties to the London Convention and London Protocol have taken steps to address potential harm to the marine environment from the evaluation of new experimental technologies designed to reduce carbon dioxide in the atmosphere or mitigate its adverse effects (*e.g.*, marine geoengineering).

In FY 2025, EPA will evaluate MPRSA permitting inquiries and requests for the transportation and disposition of all materials except dredged materials and, as appropriate, issue MPRSA emergency, research, general, and special permits for all materials other than dredged material. This will include addressing MPRSA permitting requests for climate mitigation approaches, including ocean-based carbon dioxide removal activities or ocean-based solar radiation

management activities, and investigating any needed regulatory updates. EPA will administer MPRSA general permits (some of which require consultation, for example, to ensure applicability or to identify an appropriate disposal location at sea) for the burial at sea of cremated or non-cremated human remains, the transport and disposal of vessels at sea, the transport of target vessels for ocean disposal by the U.S. Navy for the Sink Exercise Program (SINKEX), the ocean disposal of man-made ice piers by National Science Foundation in Antarctica, and the ocean disposal of marine mammal carcasses.

The U.S. Army Corps of Engineers uses EPA's ocean-dumping criteria when evaluating requests for MPRSA permits and MPRSA federal project authorizations for the ocean dumping of dredged material (*e.g.*, to support the expansion of ports and harbors or maintenance of navigation channels including to support the transport of offshore wind infrastructure built on land for installation offshore). All dredged material MPRSA permits and federal project authorizations are subject to EPA review and written concurrence, and EPA will continue to work expeditiously consistent with the Permitting Action Plan. In FY 2025, EPA will manage approximately one hundred EPA-designated MPRSA ocean sites, conduct oceanographic surveys at approximately four to six EPA-designated MPRSA ocean sites to ensure that ocean dumping will not unreasonably degrade or endanger human health or the environment, to verify that unanticipated adverse effects are not occurring from past or continued use of the site, and to ensure that terms of the MPRSA permit/federal project authorization are met. EPA will evaluate lessons learned from sites and evaluate lessons learned from each survey and review and update, as necessary, MPRSA-required site management and monitoring plans established for each EPA-designated site. EPA will evaluate requests to designate new MPRSA sites and/or modify (*i.e.*, expand the capacity of) existing EPA-designated MPRSA sites (through rulemaking) for the disposal of dredged material (sediment) removed from the bottoms of the navigable waters to maintain the navigation channels and coastal ports of the U.S. marine transportation system.

EPA will perform its MPRSA responsibilities to support new port and navigation infrastructure projects funded through the Infrastructure Investment and Jobs Act of 2021. EPA will work to maintain national program capacity by training EPA staff and developing technical/regulatory tools to improve MPRSA permitting, site designation, and site management and monitoring. EPA will provide training for new Chief Scientist candidates and existing Chief Scientists responsible for designing and implementing ocean monitoring surveys to meet MPRSA requirements.

In FY 2025, EPA will serve as the Head of the United States Delegation for the annual London Convention (LC) and London Protocol (LP) Scientific Groups Meetings, serve as Alternate Head of the United States Delegation for the annual Consultative Meeting of the LC and LP Parties, and represent the United States at the annual LP Compliance Group Meeting. An EPA representative will chair the annual LC/LP Consultative Meeting. With the U.S. Army Corps of Engineers, EPA will submit the annual United States permit and ocean monitoring report to the International Maritime Organization to meet LC treaty obligations.

### *Vessels Program*

EPA is responsible for developing regulations under the Clean Water Act to address vessel discharges. The vessel regulations help protect the environment from harmful pollutants such as

sewage, metals, and aquatic nuisance species. In FY 2025, EPA will continue to work with the states on the designation of vessel sewage no-discharge zones as needed. EPA also will continue to work with the U.S. Coast Guard (USCG) on implementation of Vessel Incidental Discharge Act (VIDA) regulations including but not limited to discharge standards, no-discharge zones, and emergency orders. Additionally, in FY 2025, EPA will continue working on the development of ballast water discharge regulations for vessels of the Armed Forces. EPA will work to maintain national program capacity by training EPA staff and developing technical/regulatory support tools to improve implementation. EPA also will continue to provide support to the USCG in their role as the head of delegation at the International Maritime Organization (IMO). The IMO is a specialized agency of the United Nations with the responsibility to develop and maintain a comprehensive regulatory framework for worldwide shipping. Lastly, in FY 2025, EPA will continue to conduct extensive research on the management of ballast water in the Great Lakes.

### *Trash Free Waters Program*

The FY 2025 request includes resources and Full Time Equivalents (FTE) to support trash capture and prevention programs across the United States which are tied to water quality and waste management goals, as well as to implement activities under the Save Our Seas 2.0 Act. This program provides education and outreach and technical support to Tribes, states, municipalities and non-governmental organizations across the country, including communities in coastal regions and on major river systems, with a special focus on lower-income areas with environmental justice concerns.

FY 2025 funding will allow the Program to:

- Support the installation of trash capture systems in stormwater conveyance systems and in waterways using technologies that are cost-effective and that have high trash-removal efficiencies;
- Provide assistance on integrating trash prevention provisions into municipal stormwater management permits and practices, as well as broader watershed plans;
- Aid targeted source reduction efforts;
- Promote appropriate protocols for trash monitoring efforts;
- Research and address microplastics (including microfibers) in waterways;
- Engage in targeted outreach and education efforts in support of place-based trash capture and reduction; and
- Validate and replicate the most effective tools, projects, metrics, and partnerships across the Nation for subsequent application in locations within the United States and in countries with the greatest need.



The Trash Free Waters Program has been able to increase the number of place-based projects year by year through active engagement with partners. Since 2013, well over two hundred aquatic trash related projects have been undertaken with EPA's assistance, including projects addressing public education and outreach, research, the development and implementation of regional strategies, and more. EPA will continue to work with its partners to advance this initiative in FY 2025 and evaluate progress by reviewing best practices and challenges and applying lessons learned to future projects.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$304.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$2,233.0 / +5.2 FTE) This increase of resources and FTE builds program capacity, particularly in areas related to environmental justice, navigation and other water infrastructure support and oversight, climate change mitigation, and permitting. This investment also includes \$1.013 million in payroll.

**Statutory Authority:**

Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act); Clean Water Act; Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987; Save Our Seas 2.0 Act.

**Surface Water Protection**

Program Area: Ensure Clean Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$213,320</i></b>          | <b><i>\$224,492</i></b>              | <b><i>\$270,573</i></b>                   | <b><i>\$46,081</i></b>   |
| Total Budget Authority                                | \$213,320                        | \$224,492                            | \$270,573                                 | \$46,081   |
| Total Workyears                                       | 938.1                            | 1,010.3                              | 1,056.4                                   | 46.1   |

**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 the Nation’s coastal waters, rivers, lakes, wetlands, and streams. EPA works with states and tribes to make continued progress toward clean water goals.

EPA uses a suite of regulatory and non-regulatory programs to protect and improve water quality and ecosystem health in the Nation’s watersheds. In partnership with other federal agencies, tribes, states, territories, local governments, and non-governmental partners, EPA works collaboratively with public and private sector stakeholders nationally and locally to establish innovative, broad-scale, and location-appropriate programs to achieve the Agency’s goals.

This Program also supports implementation of water quality standards, effluent guidelines, impaired waters listing, water quality monitoring and assessment, water quality certification, National Pollutant Discharge Elimination System (NPDES) permitting, and management and oversight of the Clean Water State Revolving Fund (CWSRF).

**FY 2025 Activities and Performance Plan:**

Work in this Program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to 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. The FY 2025 request provides an increase of \$22.4 million and 22.8 FTE above FY 2024 annualized CR levels that will allow EPA to focus on the advancement of clean water infrastructure programs, with an emphasis on building climate change resilience, conducting CWA regulatory reviews, and advancing environmental justice through technical assistance and stakeholder engagement. The FY 2025 request also provides an increase of \$14.1 million and 22 FTE above FY 2024 annualized CR levels that will focus on investing in programs to put in place the national regulatory requirements needed to identify and control discharge of per- and

polyfluoroalkyl substances (PFAS), nutrients and bacteria in surface waters and publicly owned treatment works (POTWs).

### Program Implementation

*Water Quality Criteria and Standards.* Water quality criteria and standards provide the scientific and regulatory foundation for water quality protection programs under the CWA. EPA will provide new and revised national recommended ambient water quality criteria as required by CWA Section 304. EPA also will be supporting states and tribes with the adoption and implementation of water quality standards in accordance with 40 CFR part 131. In FY 2025, the Agency will place special emphasis on engaging with underserved communities in the review and setting of state water quality standards. The Agency also will place special emphasis on improving the water quality standards in tribal waters on reserved lands and in waterways where tribes retain treaty rights to better ensure that tribes' health and natural resources are protected.

*Effluent Limitations Guidelines (ELGs).* As required under the CWA, EPA will continue to annually review industrial sources of pollution. In FY 2025, EPA will seek to finalize 1) a rulemaking to establish more protective nutrient limits on wastewater discharges from meat and poultry product facilities and 2) a rulemaking to establish PFAS limits for the organic chemical manufacturing industry. As EPA finalizes detailed studies on the textile industry for PFAS discharges and the Concentrated Animal Feeding Operation (CAFO) industry for nutrient discharges, the Agency will consider the data and conclusions of these detailed studies in the ELG plan. Additionally, EPA will collect a national dataset on additional industrial discharges of PFAS to surface waters and influent to POTWs and conduct rulemakings on one or more additional categories of industrial dischargers of PFAS as the Agency determines necessary.

*Clean Water Act Analytical Methods Program.* EPA will continue developing and updating analytical methods (test procedures) that are used by industries and municipalities to analyze the chemical, physical, and biological components of wastewater and other environmental samples. EPA periodically updates existing analytical methods to reflect advances in analytical instrumentation and to foster innovation and improvement in the analytical chemistry community. In addition, as novel pollutants are identified for regulation under CWA programs, EPA develops and promulgates new analytical methods that can then be incorporated into NPDES and other permits. During FY 2025, EPA intends to finalize analytical methods that were multi-lab validated in previous years for determining PFAS in industrial wastewater to support ongoing PFAS industrial category rulemakings and NPDES permits, as well as investing in updating existing analytical methods for pollutants such as pesticides/herbicides, microbial contaminants, radiological contaminants, and nutrients in wastewater.

*Biosolids.* EPA will continue to implement the Biosolids (sewage sludge) Program as required under CWA Section 405, including reviewing the biosolids regulations at least every two years to identify additional toxic pollutants and promulgate 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. EPA will focus resources on obtaining and using the latest scientific knowledge to identify resource recovery and reuse alternatives, understanding, and managing the biosolids lifecycle, engaging partners — particularly those communities most affected — and

conducting research. Investment in the biosolids program is critical to addressing near term risks from chemicals known to be in domestic sewage sludge that is currently applied to land.

*Impaired Waters Listings and Total Maximum Daily Loads (TMDLs).* EPA will work with states, territories, tribes, and other partners to identify impaired waters, as required by CWA Section 303(d), and on developing and implementing TMDLs 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 will work with and provide support to states, territories, and tribes to ensure that TMDLs are effective and implementation ready. EPA also will support states, territories, and tribes develop other restoration approaches and plans for the protection of unimpaired or high-quality waters.

The TMDL Program is at an important inflection point as EPA began implementing the new “2022 - 2032 Vision for the Clean Water Act Section 303(d) Program” and continues to build on the work done throughout the first 10-year 303(d) Vision. As part of the 2022 - 2032 Vision, EPA provided four themes to consider in the CWA Section 303(d) program implementation - 1) Environmental Justice, 2) Climate Change, 3) Tribal Water Quality and Program Development, and 4) Program Capacity Building.

*Monitoring and National Aquatic Resource Surveys (NARS).* EPA will continue working with states and tribes to support the NARS statistically representative monitoring of the condition of the Nation’s waters and fish which supports CWA Section 305(b). EPA will explore opportunities to leverage NARS data analysis to gain insight on disparities in water quality and the impacts of climate change. EPA will leverage NARS training programs to support workforce development in water quality monitoring and build tribal capacity for monitoring and assessment. EPA will continue working with states and tribes to support base water quality monitoring programs and priority enhancements that serve state and tribal CWA programs in a cost-efficient and effective manner. The FY 2025 request would support EPA’s assistance for states and tribes to expand monitoring and reporting for PFAS and other priority water quality concerns. In addition, the request will support continued monitoring and reporting of contaminants (including PFAS) nationwide in fish. EPA will continue supporting state and tribal water quality data exchange and tools to maximize the use of data from multiple organizations to support water quality management decisions and continue supporting applications like How’s My Waterway to make water quality information readily accessible to the public and water quality managers.

*Managing Nonpoint Sources of Pollution.* EPA will continue to use staff and extramural resources to administer the Section 319 nonpoint source management grant program and continue efforts to reduce nonpoint sources of pollution. EPA will continue to emphasize and provide technical support to state, territory, and tribal Nonpoint Source programs to develop and implement watershed-based plans, which is central to achieving NPS load reductions contained in TMDLs to achieve water quality standards. Watershed-based plans enable states, territories, tribes, and local communities to track progress and make changes over time to meet their water quality goals. EPA will continue to forge and strengthen strategic partnerships with other EPA and federal agency programs to reduce nonpoint source pollution, promote the implementation of green infrastructure, and to build capacity in natural hazard mitigation planning and residence co-benefits.

*Waters of the United States.* EPA and the Department of the Army published the final revised definition for the “Waters of the United States” rule in January 2023. Considering the May 2023 U.S. Supreme Court decision in *Sackett*, the agencies finalized a new conforming rule to amend the 2023 “Waters of the United States” rule on August 29.<sup>391</sup> EPA also will continue to support the development of tools and resources with state and federal partners to facilitate implementation, such as the Streamflow Duration Assessment Methods.

*Water Quality Certification.* In accordance with Executive Order 13990, EPA completed a review of the 2020 CWA Section 401 certification rule and proposed a new rule on June 9, 2022, which was finalized in September 2023 and took effect on November 27, 2023. EPA will continue to support the development of tools and resources with the federal licensing and permitting agencies as well as the certifying states, territories, and tribes. Section 401 of the CWA gives states and authorized tribes the authority to address potential adverse water quality impacts of discharges from federally permitted or licensed projects that may affect the “Waters of the United States.”

*Water Quality Programs.* The NPDES Program protects human health, safety, and the environment by regulating point sources that discharge pollutants into waters of the United States. In an average year, over 10 thousand permits are issued to address discharges from among the approximately 15 thousand wastewater treatment facilities, nearly 60 categories of industries, and almost 300 thousand stormwater facilities. EPA authorizes the NPDES permit program to state, tribal, and territorial governments, and currently 47 states and the U.S. Virgin Islands have authorized programs.

In FY 2025, EPA will continue to implement the NPDES program that helps control point source discharges through permitting and pretreatment programs. The permitting process is a vital tool for protecting waterways, particularly in underserved communities that may suffer from a combination of economic, health, and environmental burdens, by setting effluent limits, monitoring, and reporting requirements, and other provisions. As climate change increases the stress on waterways, these permits allow EPA and the states to set appropriate requirements for wastewater and stormwater discharges to protect water quality and public health.

In addition, as required under the CWA and Executive Order 12866: *Regulatory Planning and Review*,<sup>392</sup> EPA will continue to support cost-benefit analysis for CWA regulatory actions. EPA will work with states, tribes, territories, and local communities to 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.

*Nutrient and Harmful Algal Bloom (HAB) Reductions.* The FY 2025 budget includes resources and FTE to support efforts to reduce nutrient pollution and HABs, which remain the most significant widespread water quality challenge across the country, despite decades of efforts to

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<sup>391</sup> For more information, please see: <https://www.epa.gov/wotus/amendments-2023-rule>.

<sup>392</sup> For more information, please see: <https://www.epa.gov/laws-regulations/summary-executive-order-12866-regulatory-planning-and-review>.

achieve reductions.<sup>393</sup> Climate change is exacerbating HABs. The sources and impacts of nutrient pollution and HABs vary depending on geographic location, and span urban, rural, and coastal landscapes. EPA has been working with its partners to address these challenges. Since 2022, over 13 thousand square miles of watersheds with waters identified as impaired by nutrients are now attaining standards. The FY 2025 request will allow EPA to assist states, territories, and authorized tribes in the development of numeric nutrient criteria through the Nutrient Scientific Technical Exchange Partnership & Support (N-STEPS) Program, establishment of numeric targets to apply narrative water quality standards (WQS), perform assessments and identify impaired waters, develop TMDLs, and support science research related to HABs.

*Per- and Polyfluoroalkyl Substances (PFAS).* The FY 2025 request directs resources toward addressing PFAS in surface waters through the development of national recommended ambient water quality criteria for PFAS; biosolids risk assessments for PFOA and PFOS; methods for detecting PFAS in wastewater; national collection of information on discharges of PFAS from industrial point source categories to determine if revisions to ELGs are warranted; revising existing ELGs for metal finishing operations, organic chemical manufacturers, and landfills to include numeric effluent limits on PFAS discharges; incorporating PFAS monitoring requirements in NPDES permits; recommending inclusion of PFAS in state and tribal fish tissue monitoring and fish advisory programs. In FY 2025, EPA will continue to implement the four-year PFAS Strategic Roadmap which contains a comprehensive set of actions that guide the Agency's efforts on PFAS.

*Water Reuse.* To assure that communities have safe, reliable sources of water that are resilient to drought, flooding, and population growth, EPA is working to advance water reuse nationwide. This work is being done in collaboration with a broad group of stakeholders including non-governmental organizations, states, tribes, and local governments. In FY 2025, EPA will continue to support the National Water Reuse Action Plan and the Federal Water Reuse Interagency Working Group. The Agency will develop and pursue actions that prioritize advancing technical and scientific knowledge on water reuse to ensure its safety across a range of uses and applications. EPA also will pursue actions that provide technical and financial tools to stakeholders to ensure the accessibility of water reuse.<sup>394</sup>

*WaterSense.* The WaterSense Program is a key component of the Agency's efforts to ensure long-term sustainable water infrastructure and help communities respond to water shortages that can be caused by drought, growth, or aging infrastructure. WaterSense provides consumers with a simple label to identify and select water-efficient products and homes to help them save water and money and provides resources and tools to help water utilities carry out efforts to manage water demand and wastewater flows. Products and homes may only bear the WaterSense label after being independently certified to ensure that they meet WaterSense criteria for efficiency and performance. As of December 2023, the Program has labeled close to 45 thousand models of plumbing and irrigation products, and more than 10 thousand homes have earned the WaterSense label. Through 2022, the Program helped save more than 7.5 trillion gallons of water and 337 metric tons of greenhouse gases.<sup>395</sup> In FY 2025, the Program will finalize or implement new

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<sup>393</sup> For more information, please see: <https://www.epa.gov/nutrientpollution>.

<sup>394</sup> For more information, please see <https://www.epa.gov/waterreuse>.

<sup>395</sup> WaterSense Accomplishment Reports (updated annually). For more information visit: <https://www.epa.gov/watersense/accomplishments-and-history>.

specifications for point-of-use reverse osmosis water treatment systems and irrigation spray sprinkler nozzles, issue a revised specification for tank-type toilets, release proposals to label or provide guidance on other product categories, and carry out consumer campaigns that encourage consumers to switch to WaterSense-labeled products and adopt water-efficient behaviors.

*Urban Waters Federal Partnership Program (UWFP).* The Urban Waters Federal Partnership Program (UWFP)<sup>396</sup> reconnects urban communities with their waterways, particularly communities that are overburdened and underserved. The Program supports local urban water champions (Ambassadors) who work with diverse local stakeholder groups to collaborate on community-led revitalization efforts to improve the Nation's waters and promote their economic, environmental, and social well-being. At the national level, EPA leads a coalition of over 15 federal agencies that support 21 designated UWFP partnership locations. In FY 2025, through its Urban Waters Learning Network (UWLN)<sup>397</sup>, the UWFP will continue to share resources, best practices, tools, trainings, mentoring, and financial assistance to support locations and other communities as they collaborate, develop solutions, and elevate new approaches on how to effectively integrate equity into climate resilience.<sup>398</sup> In FY 2025, UWFP will implement metrics to estimate the environmental and programmatic impact of the program and evaluate the health of the partnership in the 21 locations.<sup>399</sup>

*One Water/One Community:* EPA will coordinate CWA and Safe Drinking Water Act resources toward historically underserved and overburdened communities that are facing greater climate and water equity challenges to achieve greater resilience, access to clean and safe water, and an improved quality of life. This program will provide holistic support to communities as they respond to the climate crisis by increasing funding for planning and implementation actions across the country. Additionally, EPA will work with tribes to meet the unique needs of their communities.

### 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 (CWSRF) Program, which provides low-interest loans and additional subsidization to help finance wastewater treatment facilities and other water quality projects.<sup>400</sup> Federal capitalization to the SRFs is significantly leveraged; since 1988, the CWSRF Program has made over 48 thousand assistance agreements, funding approximately \$172 billion in wastewater infrastructure and other water quality projects.

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<sup>396</sup> For more information visit: <https://www.epa.gov/urbanwaters>.

<sup>397</sup> For more information, please see: <https://urbanwaterslearningnetwork.org/>.

<sup>398</sup> For more information, please see <https://urbanwaterslearningnetwork.org/equitable-climate-resilience-2/>.

<sup>399</sup> Pending approval by Office of Management and Budget of an UWFP Information Collection Request.

<sup>400</sup> For more information, please see <https://www.epa.gov/cwsrf>.

The FY 2025 request:

- 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.
- Drives progress on water infrastructure by increasing non-federal dollars leveraged by EPA water infrastructure finance programs (CWSRF, Drinking Water State Revolving Fund, and Water Infrastructure Finance Innovation Act). EPA leveraged \$11.4 billion in non-federal dollars in FY 2023 and expects to leverage another \$9.5 billion in FY 2025.
- Supports decentralized systems (septic or onsite) that provide communities and homeowners with a safe, affordable wastewater treatment option by implementing the 2020 Decentralized Wastewater Management Memorandum of Understanding and by improving access to CWSRF financing for communities who rely on decentralized systems.
- Supports the Wastewater Technology Center that provides accurate and objective resources on innovative and alternative wastewater technologies with a focus on small, mid-sized, and underserved communities.
- Supports the Wastewater Technology Clearinghouse, a searchable database that will provide reliable, objective information on proven innovative and alternative technologies for decentralized and centralized alternative wastewater treatment, such as water reuse, small system technologies used by lagoons, resource recovery, and nutrients.
- Supports the Sustainable Utility Management programs, implemented in partnership with industry associations and designed to protect and improve infrastructure investments through the Effective Utility Management Program, the Water Workforce Initiative, and tools such as augmented alternatives analysis that help communities leverage investments to achieve water protection goals and other community economic and societal goals; and
- Supports the Water Infrastructure and Resiliency Finance Center in assisting local leaders in identifying financial approaches for their drinking water, wastewater, and stormwater infrastructure needs.

#### Program Oversight/Accountability

*The Assessment TMDL Tracking Implementation System (ATTAINS).* ATTAINS is an online system for accessing information about the conditions in the Nation's surface waters. ATTAINS provides key information to the Agency, as well as states, territories, and tribes, who play a critical role in implementing the CWA. The Agency will continue to support states, tribes, and territories in electronically reporting CWA Section 303(d) and Section 305(b) assessment conclusions through ATTAINS to track improvements in impaired waters. This tool allows states and EPA to track and report progress in meeting water quality standards.



In FY 2023, over 15 thousand square miles of state waters were covered by priority TMDLs, other restoration approaches, or protection plans. EPA will continue to track progress of state waters covered by priority plans. However, beginning in FY 2025, EPA will transition to tracking a new universe for this work consistent with the new 2022-2032 Vision.

EPA continues to support streamlining efforts to allow states to reduce the time they spend on administrative reporting. EPA will work on improved reporting of the Agency's metric to reduce the number of square miles of watershed with surface water not meeting standards. Since FY 2022, over 27 thousand square miles of watersheds that contained previously impaired waters attained compliance with water quality standards.

*NPDES Oversight.* The National Program continues to work with the federal and state permitting authorities to provide oversight, technical assistance, and training to permit writers to support program implementation and pursue comprehensive protection of water quality on a watershed basis. EPA's oversight includes the National Pretreatment Program, which is a cooperative effort of federal, state, and local governments that perform permitting and enforcement tasks for discharges to publicly owned treatment works.

EPA continues to collaborate with the federal and state permitting authorities to identify opportunities to enhance the integrity and timely issuance of NPDES permits and permitting backlogs. After program improvements, between March 2018 and the end of FY 2023, the backlog of EPA-issued new and existing NPDES permits decreased from 106 to 12 and 547 to 194, respectively.

In FY 2025, EPA will continue to host NPDES-related workshops and provide technical assistance to build permit writer capacity on a range of topics including permit writing, pretreatment, whole effluent toxicity, stormwater, and nutrients. EPA also will issue general permits where appropriate to address the timeliness of permit issuance and continue to reduce the backlog of permits.

In FY 2025, EPA will continue to work with the federal and state permitting authorities to address PFAS in NPDES permitting. In FY 2023, EPA published a memorandum titled, *Addressing PFAS Discharges in NPDES Permits and Through the Pretreatment Program and Monitoring Programs*, which provides detailed instructions regarding how permitting authorities can address PFAS discharges in NPDES permits. EPA encourages permitting authorities to include monitoring requirements at facilities where PFAS are expected or suspected to be present in wastewater and stormwater discharges, utilizing EPA's recently published analytical method 1633, which addresses 40 unique PFAS. In FY 2025, EPA will continue to utilize the NPDES Program to monitor, report, and control discharges of PFAS and build upon the existing guidance by compiling best practices from state permitting authorities to address PFAS in NPDES permits, conducting training, and sharing the latest research and practices to prevent these contaminants from reaching surface waters.

EPA will address permits and litigation related to the *County of Maui v. Hawaii Wildlife Fund* Supreme Court decision that held that discharges from point sources through groundwater that eventually reach a water of the United States require an NPDES permit if they are the "functional equivalent" of a direct discharge to a water of the United States. In FY 2025, EPA will continue

to provide technical assistance and guidance to permit writers to implement this decision effectively in permits.

*Integrated Planning.* Clean water infrastructure investment needs are documented to be several hundred billion dollars, with wet weather improvements (combined sewer overflows [CSOs], sanitary sewer overflows [SSOs], bypasses, and stormwater discharges) comprising a significant portion of this total. Investment needs of this magnitude affect utility rates and disproportionately impact underserved communities. Integrated planning, utilizing green infrastructure, and other tools allow communities to synchronize infrastructure investments with broader community development goals. An integrated approach creates opportunities for affordable, multi-benefit investments that protect public health and enhance resiliency. As an effort to promote the adoption of green infrastructure as an effective solution to advance climate resilience and enhance the resilience of gray infrastructure, EPA has reinvigorated the Green Infrastructure Federal Collaborative.<sup>401</sup> This cooperative effort fosters engagement and cooperation between agencies that actively work to promote the implementation of green infrastructure. In FY 2025, EPA will continue to implement integrated planning and green infrastructure practices to address wet weather challenges and increase infrastructure resiliency.

*Combined Sewer Overflows:* Combined sewers have been a large focus for over two decades and EPA recognizes the tremendous investments that communities have made to significantly reduce combined sewer overflows and the substantial environmental progress that has been made. EPA's latest data indicate that there are more than 740 CSO communities (down from over 900) located in over 30 states and the District of Columbia. Even as communities have made progress in reducing both the number of overflows and the amount of untreated sewage discharged, remaining CSO discharges may be a concern for water quality and public health even following the completion of the projects in communities' long-term control plans. In FY 2025, EPA will continue developing guidance, seeking public comment on new draft guidance, and working to finalize the guidance for CSO communities. The guidance will clarify the permitting flexibilities and best implementation practices available as communities work toward water quality goals under the CWA. It will emphasize available integrated planning tools and permitting approaches that support equitable, resilient, and community-driven infrastructure decision-making.

*Building Coalitions to Advance the Permitting Program.* EPA continues to work with stakeholders and industry to identify challenges in implementation and best management practices. In FY 2025, EPA will continue to lead the Animal Agriculture Discussion Group (AADG), which consists of animal agriculture representatives from the U.S. Department of Agriculture, the animal feeding industry, and the states. AADG provides a forum for industry to engage with permitting authorities, resulting in a shared understanding of how to enhance agricultural practices that lead to greater water quality protection.

In FY 2023, EPA initiated the development of an NPDES general permit that the U.S. Forest Service intends to seek coverage under to address point source discharges to waters of the United States from the aerial application of fire retardants in geographic areas where EPA is the permitting authority. EPA estimates that approximately 30 months are needed to develop and issue a general permit and will continue to work on this permit development in FY 2025. In the interim, EPA

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<sup>401</sup> For more information please visit: <https://www.epa.gov/green-infrastructure/green-infrastructure-federal-collaborative>.

entered into a federal facility compliance agreement with the Forest Service that will allow the Forest Service to continue the use aerially delivered fire retardant in accordance with direction outlined in the agreement.

*Improving National Aquatic Resource Survey (NARS) Data.* Another process improvement effort is focused on streamlining the flow of NARS data from EPA labs to state partners and data analysts. The Agency will continue to implement these process improvements and monitor the impact of data delivery on timeliness of analysis and reporting.

*401(a)(2) Notifications.* In FY 2025, EPA intends to use a tracking system for all 401(a)(2) notifications and actions. EPA will track whether a “may affect” determination has been made and to who (state or tribe) and then note the follow-up coordination, as applicable, including whether a state or tribe objects to the issuance of a license or permit, potential public hearings, and EPA recommendations. The notifications will mostly come from the Army Corps of Engineers but can come from any federal licensing or permitting agency. This information will be used for future Information Collection Requests and to inform future implementation efforts to ensure a consistent and streamlined section 401(a)(2) process (e.g., development of templates and standard operating procedures for evaluating notifications and objections).

*Permitting Related to Infrastructure.* EPA is requesting additional resources to help process the increase in permits across the country driven by the Administration’s historical investment in infrastructure. These additional FTE are necessary to handle the influx in a variety of different permit types that require EPA approval or review, including Section 401 certification.

**Performance Measure Targets:**

**(PM INFRA-06) Number of tribal, small, rural, or underserved communities provided with technical, managerial, or financial assistance to improve system operations.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023           | FY 2024 | FY 2025 | Units       |
|---------------|---------|---------|---------|---------|---------|-------------------|---------|---------|-------------|
| <b>Target</b> |         |         |         |         | 339     | 542               | 1,100   | 1,300   | Communities |
| <b>Actual</b> |         |         |         | 187     | 1,668   | Data Avail 4/2024 |         |         |             |

**(PM NPDES-03) Number of existing EPA-issued NPDES individual permits in backlog.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <b>Target</b> |         | 360     | 280     | 230     | 250     | 210     | 200     | 210     | Permits |
| <b>Actual</b> | 456     | 373     | 333     | 284     | 229     | 194     |         |         |         |

**(PM SWP-01) Annual increase in square miles of watersheds with surface water meeting standards that previously did not meet standards.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> |         |         |         |         | 8,000   | 8,000   | 17,100  | 7,900   | Square Miles |
| <b>Actual</b> |         |         |         |         | 20,511  | 7,121   |         |         |              |

**(PM SWP-02) Annual increase in square miles of watersheds with previously impaired surface waters due to nutrients that now meet standards for nutrients.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| Target |         |         |         |         | 2,100   | 1,400   | 1,400   | 650     | Square Miles |
| Actual |         |         |         |         | 12,833  | 904     |         |         |              |

**(PM TMDL-03) Square miles of priority areas covered by TMDLs, other restoration plans, or protection approaches.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| Target |         |         |         |         |         | 7,940   | 19,280  | TBD     | Square Miles |
| Actual |         |         |         |         |         | 15,432  |         |         |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$9,352.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs. This change also includes support for critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$14,107.0 / +22.0 FTE) This program change, increases FTE and resources to accelerate progress on EPA’s PFAS Strategic Roadmap, to enable EPA to move more quickly on policy, regulatory, and enforcement actions across multiple statutory authorities, and to support states and tribes in taking action on PFAS. This investment also includes \$4.107 million in payroll.
- (+\$243.0 / +1.3 FTE) This program change, increases FTE to support agencywide implementation of EPA’s Diversity, Equity, Inclusion, and Accessibility Strategic Plan and Evidence Act data stewardship and governance requirements.
- (+\$22,379.0 / +22.8 FTE) This increase of resources and FTE supports the advancement of clean water infrastructure programs, with an emphasis on building climate change resilience, conducting Clean Water Act regulatory and permit reviews, and advancing environmental justice. This investment includes \$4.3 million in payroll.

**Statutory Authority:**

Clean Water Act; Marine Protection, Research, and Sanctuaries Act; Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987; Save Our Seas 2.0 Act.

## **Congressional Priorities**

## Congressional Priorities

Program Area: Clean and Safe Water Technical Assistance Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Environmental Programs &amp; Management</i></b> | <b><i>\$25,700</i></b>           | <b><i>\$30,700</i></b>               | <b><i>\$0</i></b>                         | <b><i>-\$30,700</i></b>  |
| Science & Technology                                  | \$23,283                         | \$30,751                             | \$0                                       | -\$30,751  |
| Total Budget Authority                                | \$48,983                         | \$61,451                             | \$0                                       | -\$61,451  |

### **Project Description:**

The purpose of the Water Quality Research and Support Grants 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 improving water quality under the Clean Water Act (CWA).

### **FY 2025 Activities and Performance Plan:**

Resources are proposed for elimination for this program in FY 2025 States have the ability to develop technical assistance plans for their water systems using Public Water System Supervision Program grant funds and set asides from the Drinking Water State Revolving Fund.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$30,700.0) This program change proposes to eliminate the Water Quality Competitive Grant Program. Resources are available through other existing programs and states are best positioned to develop technical assistance plans for their water systems.

### **Statutory Authority:**

SDWA § 1442(e); Federal Food, Drug and Cosmetic Act; Food Quality Protection Act; Endangered Species Act; CWA § 104(b)(3).

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Inspector General  
Resource Summary Table  
(Dollars in Thousands)**

|                          | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|--------------------------|--------------------------------------|--------------------------------------|---|--|
| <b>Inspector General</b> |                                      |                                      |   |  |
| Budget Authority         | \$41,521                             | \$44,030                             | \$65,257                                  | \$21,227   |
| Total Workyears          | 202.4                                | 227.5                                | 284.5                                     | 57.0   |

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

**Bill Language: Office of Inspector General**

*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$65,257,000, to remain available until September 30, 2026.*

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

| <b>Program Project</b>                  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Audits, Evaluations, and Investigations |                                  |                                      |   |  |
| Audits, Evaluations, and Investigations | \$41,521                         | \$44,030                             | \$65,257                                  | \$21,227   |
| <b>TOTAL IG</b>                         | <b>\$41,521</b>                  | <b>\$44,030</b>                      | <b>\$65,257</b>                           | <b>\$21,227</b>  |

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



## **Audits, Evaluations, and Investigations**

**Audits, Evaluations, and Investigations**

Program Area: Audits, Evaluations, and Investigations  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|                                 | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---------------------------------|----------------------------------|--------------------------------------|---|--|
| <b><i>Inspector General</i></b> | <b><i>\$41,521</i></b>           | <b><i>\$44,030</i></b>               | <b><i>\$65,257</i></b>                    | <b><i>\$21,227</i></b>   |
| Hazardous Substance Superfund   | \$13,244                         | \$11,800                             | \$13,979                                  | \$2,179  |
| Total Budget Authority          | \$54,765                         | \$55,830                             | \$79,236                                  | \$23,406   |
| Total Workyears                 | 246.6                            | 270.0                                | 333.5                                     | 63.5   |

**Program Project Description:**

Created pursuant to the Inspector General Act of 1978, as amended, the U.S. Environmental Protection Agency Office of Inspector General (OIG) is an independent office within the Agency. The mission of the OIG is to promote economy and efficiency in, and detect fraud, waste, and abuse related to, programs and operations of EPA and the U.S. Chemical Safety and Hazard Investigation Board (CSB), as well as to help ensure ethical conduct and program integrity. To this end, the OIG is responsible for conducting, supervising, and coordinating audits and investigations relating to EPA’s and CSB’s programs. One of the OIG’s top responsibilities is the requirement to keep agency heads, Congress, and the American people fully and currently informed about problems and deficiencies in Agency or Board programs and operations.

In support of the OIG’s independence, Congress provides the OIG with, among other things, a separate appropriation within the Agency’s budget. Appropriated resources allow the OIG to not only complete its mandated oversight work but also to identify and execute discretionary oversight of key areas, such as water infrastructure, climate change, environmental justice, and toxic chemicals. Investing in EPA’s OIG is a sound monetary investment. In FY 2023, for example, the OIG identified over \$176 million in potential fraud, waste, or abuse; in other words, for every dollar Congress invested in the OIG, the OIG returned at least three dollars in identified or avoided fraud, waste, and abuse. However, quantifying and monetizing the human health or environmental benefits from the OIG’s work is not always straight forward. For example, a recent evaluation of the effectiveness of EPA’s Accountability Framework for overseeing Chesapeake Bay Total Maximum Daily Load pollution-reduction goals resulted in renewed commitments from EPA’s Chesapeake Bay Program partners. Although there were no identified monetary benefits, the significance of this evaluation is illustrated through partner action and press coverage, which included front-page coverage in one of the partner’s major newspapers.

**Audits**

The Office of Audit (OA) is responsible for conducting financial and performance audits of EPA’s and CSB’s programs and operations. Utilizing a cadre of auditors with specialized training and experience in environmental, financial, and cyber programs, the OA generally conducts its projects

in compliance with the generally accepted government auditing standards, as applicable based upon the work performed. Specifically, the OA conducts performance audits to assess the economy, efficiency, and effectiveness, internal control, and compliance of EPA programs and EPA business operations. In addition, the OA conducts approximately 16 mandated audits each year, including financial audits of EPA's and CSB's financial statements as required by the Chief Financial Officers Act of 1990 and audits of EPA's and the CSB's information security practices as required by the Federal Information Security Modernization Act of 2014.

Impact is measured both in terms of recommendations and in potential monetary benefit. In FY 2023, the OA issued over a dozen reports leading to over 30 recommendations for program improvements. For example, in August 2023, the OA issued a management alert identifying erroneous guidance to states that they do not have to review single audits of nonfederal entities that borrow money from state revolving funds. Because of this erroneous guidance, the Mississippi State Department of Health did not review single audit reports which identified Drinking Water State Revolving Fund (DWSRF) and financial statement deficiencies for the City of Jackson. Once alerted, EPA promptly revised this guidance for state revolving funds. The OA also has identified over \$77 million in potential monetary benefits. For example, in an audit of DWSRF loan subsidies for disadvantaged communities, the OA found that if one state increased its set-aside award to the national average, it would have an estimated \$30.7 million for federal FY 2023 through FY 2026 that it could put to better use by assisting disadvantaged communities in qualifying for loans. Finally, the OA has begun reviewing the regulatorily required financial and compliance audits from each of the clean water and drinking water state revolving funds. These audits, and the OIG's review of these audits, is an important control in ensuring that the billions of dollars invested in water and wastewater infrastructure is used effectively and appropriately.

### **Investigations**

The OIG Office of Investigations (OI) is the oversight component responsible for investigating allegations of fraud, waste, and abuse related to EPA and CSB programs and operations including EPA's Superfund Program. Consisting of criminal investigators with statutory authority under the IG Act to carry firearms, make arrests, execute search and seizure warrants, and perform other law enforcement duties, the OI's special agents are authorized to conduct criminal, civil, and administrative investigations. With a geographical area of responsibility spanning from Saipan to Maine and Alaska to the U.S. Virgin Islands, the OI prioritizes work related to the critical sectors of water and wastewater, including those involving cybercrime or relating to national security, as well as crimes affecting the integrity of EPA and the CSB. Within these priorities, the OI leverages a data- and intelligence-driven framework to identify high-impact investigations.

One of the tools that the IG Act provides the OIG is to request assistance from any federal, state, or local governmental agency, allowing the OI to coordinate with such agencies regarding the prevention and detection of fraud, waste, and abuse. To this end, the OI's criminal and civil investigations are often done in coordination with the U.S. Department of Justice and with various law enforcement task forces. In FY 2023, the OI recovered more than \$5 million from more than a dozen criminal indictments and convictions or civil judgments. And through the OI's work, EPA was able to avoid awarding over \$12 million in a potential grant fraud scheme. In addition, the OI works with EPA's Suspension and Debarment Program, "whose actions protect the government

from doing business with entities that pose a business risk to the government.” In FY 2023, the OI initiated over 140 OIG investigations on fraud, waste, and abuse; these investigations were conducted in response to information obtained through intelligence-gathering or from witness reports. Finally, the OI has published three “lessons learned” Management Implication Reports, identifying potential measures to reduce the Agency’s vulnerability to criminal activity.

## **Evaluations**

The OIG Office of Special Review and Evaluation (OSRE) is responsible for evaluating the effectiveness of EPA’s and the CSB’s programs. Its oversight projects focus on the efficiency of program operations, such as program performance from implementation to outcome. It does so by leveraging a cadre of engineers, scientists, social scientists, and other environmental and public health professionals, who generally conduct projects in compliance with the Council of the Inspectors General on Integrity and Efficiency’s *Quality Standards for Inspection and Evaluation*. The evaluative reach of the OSRE spans every EPA program office and includes assessments of implementation efforts by EPA’s ten regional offices and the Agency’s state, local, and tribal partners, as well as EPA Superfund programs, and activities that support clean air, clean water, safer chemicals, cleaner communities, scientific research and integrity, and effective oversight and enforcement.

Past OIG evaluations have resulted in EPA policy changes, improvements to agency guidance documents and other written materials, increased transparency on regulatory and other decision-making, and process changes to eliminate barriers and improve program outcomes. These evaluations also have provided EPA and Congress with information that is useful in policymaking. For example, in FY 2023, the OSRE found that EPA’s residential wood heater program put human health and the environment at risk for exposure to dangerous fine-particulate-matter pollution by allowing sales of wood heaters that may not meet emission standards. It also found that EPA had distributed approximately \$82 million in grants for residential wood heater changeout programs, which would be wasted if the replacement models do not meet emission standards. Because of this report, Congress is requiring EPA to use FY 2024 funding for the program to increase its staffing and other required efforts, and to provide a briefing to Congress regarding improvements it plans to make to the program. Additionally, ten state attorneys general cited our report in litigation against EPA to update wood stove emissions standards. The OSRE also engages in nimble evaluations to quickly pivot planned work toward emerging public health concerns. For example, shortly after a fuel spill at the Red Hill Bulk Fuel Storage Facility contaminated Honolulu’s drinking water, the OSRE undertook an evaluation of EPA’s oversight of relevant authorized state programs’ response to contamination at Red Hill, ultimately making recommendations regarding plans to defuel and close the fuel storage facility.

## **Administrative Investigations**

The Administrative Investigations Directorate (AID), located in the Office of Special Review and Evaluation, conducts civil and administrative investigations into allegations of misconduct by senior employees and complaints of whistleblower reprisal by Agency or Board employees, contractors, subcontractors, grantees, subgrantees, or personal services contractors. It also performs special reviews of significant events and emergent issues of concern that involve a

suspected or alleged violation of law, regulation, or policy, as well as allegations of serious mismanagement. Additionally, along with select evaluation staff, this directorate regularly meets with EPA's scientific integrity official, updates coordination procedures between the OIG and EPA's Scientific Integrity Office, and reviews documents to make EPA aware of all identified allegations of violations of its Scientific Integrity Policy.

Since its creation in 2021, the AID has made an immediate impact in helping promote ethical conduct in EPA and the CSB, particularly in the areas of senior employee misconduct and scientific misconduct. Despite consisting of only five investigative attorneys and civil investigators, the AID carries a docket consists of over a dozen civil and administrative investigations. It also has issued significant reports related to ethical misconduct and whistleblower protection, among other matters. For example, the AID recently issued a report of investigation substantiating allegations that the former chair of the CSB improperly spent nearly \$100 thousand in Board funds for travel, training, and office refurbishment.

The AID also manages the OIG Hotline, triaging each complaint, tracking its referrals, monitoring the progress of its referrals, and communicating with complainants. As the principal method for reporting suspected fraud, waste, and abuse to the OIG, the OIG Hotline is an invaluable tool for gathering intelligence related to EPA and CSB programs and operations and for identifying further oversight work. Recent examples of projects arising out of hotline complaints include *The EPA's January 2021 PFBS Toxicity Assessment Did Not Uphold the Agency's Commitments to Scientific Integrity and Information Quality*, Report No. 23-E-0013 and *The EPA Lacks Complete Guidance for the New Chemicals Program to Ensure Consistency and Transparency in Decisions*, Report No. 23-P-0026.<sup>1</sup> In FY 2023, the OIG Hotline received 7,635 contacts through the OIG website, email account, and telephone number. Furthermore, the OIG employs authorities under 5 U.S.C. § 4512 to incentivize the disclosure of fraud, waste, or mismanagement through cash awards.

### **Data Analytics**

The Data Analytics Directorate (DAD) supports OIG wide oversight planning and execution by leveraging advance analytics to identify and highlight key risk areas to EPA or CSB program integrity. Specifically, the DAD uses programming languages and database software to automate the acquisition, transformation, and analysis of large and disparate data sets that supports audits, evaluations, and investigations. It also provides statistical sampling and survey creation support for audits and evaluations. The DAD's oversight products, created by a team of data analysts and data scientists, allow the OIG and the public to visualize the extent of EPA programs and operations.

Unlike other data analytics operations, the OIG uses its DAD to increase public awareness of EPA's programs and operations. For example, in FY 2023, the DAD published a new version of a geographical dashboard on the OIG website, allowing anyone to see where EPA is spending supplemental appropriations under the Infrastructure Investment and Jobs Act or the IIJA. This geographical dashboard allows the public to filter the spending data by such fields as congressional

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<sup>1</sup> For more information on Report No. 23-E-0013, please see <https://www.epa.gov/office-inspector-general/report-epas-january-2021-pfbs-toxicity-assessment-did-not-uphold-agencys> and for more information on No. 23-P-0026, please see [https://www.epa.gov/system/files/documents/2023-08/epaig\\_20230802-23-P-0026.pdf](https://www.epa.gov/system/files/documents/2023-08/epaig_20230802-23-P-0026.pdf).

districts and Justice40 Initiative overlays. The OIG also uses the DAD to create internal dashboards and other analytical tools to monitor OIG productivity and improve OIG operations. Just recently, the DAD developed a dashboard to monitor EPA's progress in completing corrective actions in response to audit or evaluation recommendations.

### **OIG Support**

The Office of Inspector General and its oversight programs are supported by the Office of Counsel, the Office of Congressional and Public Affairs, the Office of Information Technology, the Office of Mission Support, and the Office of Strategic Analysis and Results. These support offices provide legal, professional, and technical support to the oversight programs, as well as support the recruitment, retention, and training of the OIG's employees. These support offices also manage the OIG's public outreach efforts through, among other things, congressional and public engagements and by, among other things, engaging traditional and social media and the Internet. In FY 2023, the OIG expanded its social media outreach by becoming the first federal OIG on Instagram. The OIG also improved public outreach by acquiring a new domain, epaoig.gov, and developing a new website focused on facilitating the dissemination of the OIG's oversight products and the reporting of potential fraud, waste, and abuse related to EPA's or the CSB's programs and operations.

### **FY 2025 Activities and Performance Plan:**

The OIG takes a rigorous approach to the planning and execution of its oversight work, starting with the statutory mandate to prepare an annual statement summarizing "the most serious management and performance challenges facing the agency" and to briefly assess the Agency's progress in addressing those challenges. To identify these top management challenges, the OIG reviews the work of the OIG and the U.S. Government Accountability Office, solicits input from senior EPA leadership and program offices, and considers the public statements of EPA, administration, and congressional leaders, as well as EPA planning documents, such as the *FY 2022 - 2026 EPA Strategic Plan*. The OIG then plans specific audits and evaluations for the next fiscal year that will address these top management challenges, as well as the goals and objectives of the EPA OIG's strategic plan. This discretionary oversight is, of course, constrained by the OIG's statutory or regulatory mandates, such as the oversight of the financial and operation audits of the over 100 state revolving funds, as well as work requested by Congress or resulting from an OIG Hotline contact.

In FY 2025, the OIG will continue to target initiatives addressing EPA's and CSB's top management challenges and stated priorities. To execute these initiatives, the OIG will increase its agility to assess emerging environmental threats; increase its use of data analytics, business analytics, and business intelligence to better target resources to address high-risk, high-vulnerability areas of interest; employ best practices to improve efficiency, effectiveness, accountability, and monetary benefits; focus on measurable impacts; and increase its return on investment to the American public. The OIG also will continue to expand upon its oversight of

EPA's implementation of the IJJA to assess whether the approximately \$60 billion in IJJA funding provided to EPA is effectively and properly spent.

### **Audits**

The Office of Audit (OA) is responsible for nearly all of the OIG's mandates, which comprised over 34 percent of the office's oversight work in FY 2023. Furthermore, the OIG will need to continue its oversight of other requirements, such as single audits. For example, although EPA is the cognizant agency for audit under the Single Audit Act, the OIG is, under the IG Act, responsible for providing policy direction for audits relating to EPA's programs and operations. To this end, the OA will conduct quality control reviews of the single audits submitted to EPA. Finally, the Office of Audit will conduct oversight work in response to congressional requests or hotline contacts. In FY 2023, this comprised over 11 percent of the OA's work. Based on OIG funding trends, the OIG estimates that by FY 2025 more than half of the OA's work will be non-discretionary work. At the heart of the independence protections enshrined in the IG Act is the ability to conduct discretionary oversight of EPA's core programs; however, without additional resources to complete mandatory, requested, and discretionary oversight projects, the OA's ability to conduct discretionary oversight in FY 2025 will be significantly constrained.

### **Investigations**

The Office of Investigations will prioritize investigations based on its Annual Investigative Priorities and the OIG's strategic plan, giving consideration to the U.S. Department of Justice's prosecutorial priorities and the U.S. Attorney Offices' prosecutorial guidelines. With a vast geographic jurisdiction spanning Saipan to Maine and Alaska to the U.S. Virgin Islands, the Office of Investigations maximizes its reach by using technology, engaging stakeholders, and sharing information with and working alongside other federal, state, local, and tribal governments, and law enforcement agencies. An enduring investigative priority will be work related to the critical sectors of water and wastewater, including those investigations involving cybercrime and national security-related matters. This remit requires the office to have a cadre of special agents and civilian employees expressly trained in investigating and countering network attacks, intrusions, and cyber fraud; and specialists trained in obtaining evidence through digital forensics. Further, this cadre must be supported by ongoing training to maintain proficiency and currency on ongoing industry and technological advances as well as the ability to procure, sustain, and deploy specialized cyber investigation and forensic tools. As the OIG has faced stagnant or decreasing budgets over the last decade, the Office's ability to effectively investigate cyber-based threats to the critical sectors of water and wastewater has been constrained.

### **Evaluations**

Like the Office of Audit, the Office of Special Review and Evaluation will continue to conduct oversight projects in response to congressionally requested work, emerging environmental emergencies, and hotline contacts. Its discretionary oversight will continue to focus on program performance, state and federal program capacity, and federal oversight of state delegated air and water programs, among other things.

## **Administrative Investigations**

The Administrative Investigations Directorate (AID) generally initiates investigations in response to allegations of misconduct and special reviews in reaction to unique circumstances. However, over the last two years, the number of investigations on the AID's docket has significantly outnumbered the AID's ability to complete those investigations in a timely fashion. Many of these matters, particularly those involving allegations of scientific misconduct, are particularly complex, requiring rigorous and highly technical investigations. Additional resources in FY 2025 will allow the AID to take on more investigations and to complete those investigations sooner.

The OIG Hotline has recently seen a notable increase in contacts, going from less than 3,000 in FY 2022 to approximately 7,000 in FY 2023. As EPA expands its programs because of increased appropriations and expends more funds because of an unprecedented \$100 billion in supplemental appropriations, the AID expects to see a significant increase in the number of hotline contacts in FY 2025. With this expected increase in contacts will come an accompanying increase in allegations of ethical misconduct, scientific misconduct, and whistleblower retaliation that will need to be investigated.

## **Data Analytics**

The Data Analytics Directorate (DAD) supports the OIG's oversight by obtaining agency data and conducting data or statistical analysis. The result is often a dashboard or other visualization of structured and unstructured data, providing easy identification of complex problems or otherwise hidden relationships. The DAD's efforts to automate data acquisition and analysis processes has created time and cost efficiencies for audits, investigations, and evaluations. But the DAD also provides oversight products to the public through the OIG website, including a geographical dashboard showing EPA IJIA spending by program, region, and district. Sustaining this work will require continued investment in both personnel and analytic tools, such as computer hardware and database software. In FY 2025, the DAD will continue to help oversight the challenges facing EPA's contract and grant data management because of missing, incomplete, or unstructured data. Expanding the DAD's work will, therefore, require additional resources. Expanded DAD work will mean better analytic support for our audits, investigations, and evaluations and better oversight products for the public.

## **OIG Support**

In FY 2022, the OIG reported that an agency employee was improperly granted access to the Whistleblower Protection Coordinator's email box, potentially revealing confidential whistleblower information outside of the OIG. Accordingly, the OIG requests additional funding to upgrade its IT capabilities to ensure that it can begin obtaining technological independence from the Agency. The OIG must use EPA IT resources, including for its two most sensitive systems, the hotline and the whistleblower protection services. Vulnerabilities were discovered in these IT capabilities that gave EPA access to these sensitive systems. This initial effort towards IT independence allows the OIG to establish separate email and other systems from EPA.



### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,841.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTEs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$13,056.0 / +50.0 FTE) This program change provides resources and FTE to expand the oversight arm of audits, evaluations, and investigations, including administrative investigations into allegations of misconduct by senior agency employees and complaints of whistleblowers and the corresponding support offices; advanced data analytics; and business intelligence tools to address high-risk, high-vulnerability areas related to program integrity. This investment includes \$9.5 million for payroll.
- (+\$5,330.0 / +7.0 FTE) This program investment provides initial resources to oversee the establishment of a separate OIG tenancy. This investment includes \$1.3 million for payroll.

### **Statutory Authority:**

Inspector General Act of 1978, as amended, 5 U.S.C. §§ 401–424.

### **Budget Requests:**

Since 2010, the OIG's budget has only increased by \$1 million, which, when inflation is accounted for, represents a decrease of nearly \$13 million in real terms; put differently, the OIG's authorized full-time equivalent has decreased from 361 in 2010 to 270 or less in 2023. Exacerbating the OIG's diminished resources is the increasing assessments from the Council of the Inspectors General on Integrity and Efficiency. While the OIG's budget has declined by nearly 21 percent when inflation is accounted for, the CIGIE's assessment has increased from 16 basis points in FY 2016 to 40 basis points in FY 2025, representing a 250 percent increase in funding for CIGIE. This will require the OIG to pay \$316.9 thousand for increased CIGIE operations. For these reasons, the OIG requests the following, provided pursuant to 5 U.S.C. § 406(g):

- The aggregate budget request from the inspector general for the operations of the OIG is \$79.2 million (\$65.3 million OIG; \$13.9 million Superfund Transfer)
- The aggregate President's Budget for the operations of the OIG is \$79.2 million (\$65.3 million OIG; \$13.9 million Superfund Transfer)
- The portion of the aggregate President's Budget needed for training is \$1.0 million (\$820.0 thousand OIG; \$180.0 thousand Superfund Transfer)
- The portion of the aggregate President's Budget needed to support the Council of the Inspectors General on Integrity and Efficiency is \$316.9 thousand (\$259.9 thousand OIG; \$57.0 thousand Superfund Transfer).

“I certify as the Inspector General of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2025.”

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**APPROPRIATION: Building and Facilities  
Resource Summary Table  
(Dollars in Thousands)**

|                                | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|--------------------------------|--------------------------------------|--------------------------------------|---|--|
| <b>Building and Facilities</b> |                                      |                                      |   |  |
| Budget Authority               | \$21,446                             | \$48,752                             | \$105,569                                 | \$56,817   |
| Total Workyears                | 0.0                                  | 0.0                                  | 0.0                                       | 0.0  |

**Bill Language: Buildings and Facilities**

*For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$105,569,000, to remain available until expended.*

**Program Projects in B&F  
(Dollars in Thousands)**

| <b>Program Project</b>  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Homeland Security   |                                  |                                      |   |  |
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$3,944                          | \$6,676                              | \$6,676                                   | \$0  |
| Operations and Administration                                     |                                  |                                      |   |  |
| Facilities Infrastructure and Operations                          | \$17,502                         | \$42,076                             | \$98,893                                  | \$56,817   |
| <b>TOTAL B&amp;F</b>  | <b>\$21,446</b>                  | <b>\$48,752</b>                      | <b>\$105,569</b>                          | <b>\$56,817</b>  |

## **Homeland Security**

**Homeland Security: Protection of EPA Personnel and Infrastructure**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|                                       | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management   | \$6,059                          | \$5,188                              | \$5,158                                   | -\$30  |
| Science & Technology                  | \$625                            | \$625                                | \$501                                     | -\$124   |
| <b><i>Building and Facilities</i></b> | <b><i>\$3,944</i></b>            | <b><i>\$6,676</i></b>                | <b><i>\$6,676</i></b>                     | <b><i>\$0</i></b>  |
| Hazardous Substance Superfund         | \$1,167                          | \$1,029                              | \$1,530                                   | \$501  |
| Total Budget Authority                | \$11,795                         | \$13,518                             | \$13,865                                  | \$347  |
| Total Workyears                       | 12.3                             | 13.3                                 | 13.3                                      | 0.0  |

Total workyears in FY 2025 include 13.3 FTE to support Homeland Security Working Capital Fund (WCF) services.

**Program Project Description:**

EPA’s Buildings and Facilities resources, in the Homeland Security: Protection of EPA Personnel and Infrastructure Program, support the protection of federal employees, contractors, grantees, and private citizens who work within or visit EPA facilities. EPA’s buildings include headquarters and regional offices, program and research laboratories, and warehouses. These facilities are either owned or leased by EPA or the General Services Administration (GSA). This funding ensures federal mandates related to physical security and local emergency preparedness are met for EPA facilities. These funds support the physical security protection equipment and mechanisms required to protect occupants, facility relocation (*e.g.*, moves, new leases, consolidations, etc.), physical equipment upgrades/modernization, and corrective actions required to address security vulnerabilities identified during physical security assessments.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to partner with GSA on implementing Enterprise Physical Access Control Systems (ePACS). ePACS modernizes EPA’s security infrastructure in compliance with *Homeland Security Presidential Directive-12 (HSPD-12)*<sup>1</sup> and ensures that the Agency is enhancing safety, security, and efficiency with more effective controlled access to EPA physical space and networks.

In FY 2025, EPA will complete security projects to ensure protection of occupants and compliance with federal mandates and Interagency Security Committee (ISC) standards, including:

<sup>1</sup> For additional information, please see: <https://www.dhs.gov/homeland-security-presidential-directive-12>.

- Migrating to ePACS at the Research Triangle Park, NC Laboratory, Gulf Breeze, FL Laboratory, the Newport, OR Environmental Laboratory, the Washington, DC EPA Headquarters facilities, the Edison, NJ Region 2 Laboratory, and the New York City, NY Region 2 Headquarters.
- Upgrading closed-circuit television and physical security in response to vulnerabilities identified in physical security assessments.

The Agency will continue to utilize GSA's Managed Service Office program, USAccess, for Personal Identity Verification card enrollment and issuance. USAccess is a GSA managed, shared services solution that provides EPA with the ability to produce and maintain secure and reliable forms of identification, for all EPA employees and contractors as required by HSPD-12.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

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

## **Operations and Administration**



## Facilities Infrastructure and Operations

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|                                       | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---------------------------------------|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management   | \$275,614                        | \$283,330                            | \$308,134                                 | \$24,804   |
| Science & Technology                  | \$65,328                         | \$67,500                             | \$72,906                                  | \$5,406  |
| <b><i>Building and Facilities</i></b> | <b><i>\$17,502</i></b>           | <b><i>\$42,076</i></b>               | <b><i>\$98,893</i></b>                    | <b><i>\$56,817</i></b>   |
| Leaking Underground Storage Tanks     | \$803                            | \$754                                | \$729                                     | -\$25  |
| Inland Oil Spill Programs             | \$692                            | \$682                                | \$643                                     | -\$39  |
| Hazardous Substance Superfund         | \$74,115                         | \$65,634                             | \$72,349                                  | \$6,715  |
| Total Budget Authority                | \$434,054                        | \$459,976                            | \$553,654                                 | \$93,678   |
| Total Workyears                       | 304.7                            | 321.8                                | 331.1                                     | 9.3  |

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### **Program Project Description:**

EPA's Buildings and Facilities (B&F) appropriation supports the design, construction, repair, and improvement of EPA's federally owned and leased land and structures. B&F funds construction, renovation, and alteration projects costing more than \$300 thousand per statute. B&F resources ensure that the Agency complies with requirements, including the Energy Policy Act of 2005; the Energy Independence and Security Act of 2007 (EISA); the Energy Act of 2020; and regulatory mandates associated with soil and water pesticides testing.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency proposes an investment of an additional \$56.8 million in the Facilities and Operations Program. This funding supports critical space consolidation, construction, and the repair and improvement (R&I) of EPA's aging facility and laboratory real estate inventory, including to help reduce over \$100 million in backlogged R&I projects. This funding includes \$6 million to reconfigure and modernize the EPA-owned lab space at the Andrew W. Breidenbach Environmental Research Center (AWBERC) in Cincinnati, Ohio to improve the Agency's per- and polyfluoroalkyl substances (PFAS) research. Currently this work is conducted across several isolated PFAS analytical laboratories in the AWBERC facility, resulting in inefficient processes that limit the timeliness and number of analyses. This reconfiguration would create one contiguous laboratory dedicated to PFAS research with an investment in state-of-the-art equipment to advance PFAS analyses. This also includes investing \$5 million to support the modernization and

enhancement of the National Enforcement Investigations Center (NEIC) and National Forensics Center in Denver, Colorado to keep up with the evolving laboratory and forensics needs.

In accordance with the Memorandum on Implementation of agencywide Real Property Capital Planning (M-20-03) and the *Federal Assets Sale and Transfer Act* (FASTA),<sup>2,3</sup> the Agency will continue to review its space needs. B&F resources are essential to help EPA reduce the number of occupied leased facilities, consolidate and optimize space within owned facilities, and reduce square footage. Good stewardship practices demand that the physical conditions, functionality, safety and health, security, and research capabilities of the Agency's facilities are properly maintained to ensure successful completion of EPA's mission requirements and goals.

In FY 2025, EPA proposes an administrative provision to raise the B&F per project threshold from \$300 thousand in FY 2024 to \$350 thousand. The purpose of this proposed increase is to regularly adjust the threshold to keep it in line with construction and labor costs for smaller-scale construction and R&I projects. Economic conditions have created long lead times for services and materials, and higher construction costs are making projects more difficult to fund due budget constraints. The current \$300 thousand project threshold was set in FY 2023 after 10 years at \$150 thousand. Additional information is found in the Proposed FY 2025 Administrative Provisions section.

In accordance with the Memorandum on Advancing Climate Resilience through Climate-Smart Infrastructure Investments and Implementation Guidance for the Disaster Resiliency Planning Act (M-24-03), this program supports EPA's efforts to increase facility resiliency and sustainability to combat the effects of climate change while adapting EPA space to a growing workforce.<sup>4</sup> EPA will continue incorporating natural hazard and climate vulnerability assessments into their real property risk management process. In FY 2025, EPA will continue conducting climate resiliency assessments at EPA-owned facilities and prioritize additional opportunities to reduce climate-related fiscal risks. Assessments will identify potential projects that the Agency can undertake to increase facility resiliency against the impacts of climate change, such as roof stability or seawall construction projects. EPA will initiate all high-priority projects within 24 months of a climate assessment.

Through master planning and nationwide efforts to use space more efficiently, EPA identifies B&F projects which support the long-term conditions and efficiency of EPA facilities. Further, B&F resources are necessary for EPA to comply with GSA leasing practices requiring agencies to fund construction initiatives, including sustainable features as tenant improvements (TI) or up front and ongoing project costs.<sup>5</sup> These requirements significantly increase TI costs for new leases, pulling

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<sup>2</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/11/M-20-03.pdf>.

<sup>3</sup> For additional information, please refer to: *Federal Assets Sale and Transfer Act of 2016*, <https://www.congress.gov/114/plaws/publ287/PLAW-114publ287.pdf>.

<sup>4</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>)

<sup>5</sup> Many of these features are required by the Energy Independence and Security Act of 2007 or executive orders.

<sup>5</sup> For additional information, please see: <https://www.whitehouse.gov/wp-content/uploads/2023/11/M-24-03-Advancing-Climate-Resilience-through-Climate-Smart-Infrastructure-Investments.pdf>.

critical funding from ongoing efforts to consolidate space and reduce the Agency's footprint in accordance with *FASTA*.

Space consolidation and reconfiguration enable EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce. EPA will consider all opportunities for supporting organizational health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*,<sup>6</sup> and requests an additional \$5 million for this effort. EPA will work to optimize its space footprint to ensure that its facilities remain a critical place to collaborate, maintain connections, including engagement with local stakeholders and the public, and perform specialized work, while also adapting to the hybrid work model to reduce long-term rent costs.

The FY 2025 request will support the initiation of, and ongoing projects that provide critical maintenance for aging laboratory facilities and are key to ensuring that the Agency has access to preeminent laboratory science. To accomplish this, EPA must invest in infrastructure (e.g., architectural and design) and mechanical systems (e.g., electrical, water/steam, HVAC). These investments maintain a safe workplace and provide for high quality science that advance the Agency's mission. EPA will focus on critical facility repairs and infrastructure upgrades to maintain an acceptable Facility Condition Index (FCI), which measures the current state of EPA owned facilities.<sup>7</sup> Delaying essential repairs results in the deterioration of EPA's facilities, which increases long-term repair costs and enhances safety risks.

In FY 2025, the Agency will continue the following space optimization projects with the potential for the greatest long-term cost and energy savings:

- **Co-Locating in the Ada, Oklahoma, laboratory.** EPA will continue its work, which began in 2020, to consolidate employees currently in leased laboratory space into owned space. The Agency is co-locating operations for the regional laboratory in Houston, Texas, with the EPA-owned laboratory in Ada, Oklahoma. EPA is currently in the process of awarding contracts for phase two and phase three of the overall eight phase consolidation plan. Phase two entails library consolidation and renovations for a Glassware Prep room, and phase three will convert the Main Building's basement into R6 laboratories. In FY 2025, EPA will complete building infrastructure, electrical and mechanical upgrades.
- **Optimizing space at the Athens, Georgia, laboratory.** In FY 2025, EPA will continue construction in the Region 4 Main Lab Building to combine the facility with Office of Research and Development – Athens, as both of these facilities have not been fully utilized. This consolidation effort will save the Agency several million per year in rent, utilities, operation and maintenance, IT, and support services costs. The Athens space consolidation project started construction in 2020 and consists of six phases, EPA plans on awarding phase four in FY 2025.

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<sup>6</sup> For additional information, please see: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

<sup>6</sup> For additional information on the Synthesis Report of the U.S. EPA Laboratory Enterprise Evaluation, please refer to: <https://www.epa.gov/sites/production/files/2015-03/documents/synthesisreportoftheusepalaboratoryenterprise.pdf>.

- **Co-Locating in the Corvallis, Oregon, laboratory.** The Agency is co-locating operations for the Region 9 laboratory in Richmond, California, with the EPA-owned laboratory in Corvallis, Oregon. In FY 2025, the Agency will finalize construction of the Region 9 Facilities Support Services Center, which is designed for Region 9 laboratory support, and will continue renovations to accommodate Region 9 laboratory storage and office space in Corvallis, Oregon. In addition, EPA will perform upgrades to the central utility plant for the main lab building in FY 2025.

**Performance Measure Targets:**

**(PM CAA) Number of EPA-owned facility climate adaptation assessments completed.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| Target |         |         |         |         | 2       | 7       | 11      | 14      | Assessments |
| Actual |         |         |         |         | 1       | 7       |         |         |             |

**(PM CRP) Percentage of priority climate resiliency Projects for EPA-owned facilities initiated within 24 months of a completed facility climate assessment and Project prioritization.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent  |
| Actual      |         |         |         |         |         | 100     |         |         |          |
| Numerator   |         |         |         |         |         | 1       |         |         | Projects |
| Denominator |         |         |         |         |         | 1       |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$39,817.0) This program change supports implementation of EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* requirements that will require EPA to increase facility resiliency against the impact of climate change and to advance sustainability of EPA operations.
- (+\$6,000.0) This program change supports OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*. This investment will modernize and enable EPA facilities to support meaningful in-person work and advance organizational health.
- (+\$6,000.0) This program change will reconfigure lab space and invest in state-of-the-art equipment at the Andrew W. Breidenbach Environmental Research Center in Cincinnati, Ohio. This investment will enable EPA to advance and improve the Agency’s PFAS research.
- (+\$5,000.0) This program change is an increase to improve and make repairs at the National Enforcement Investigations Center and upgrade National Forensics Center in Denver, Colorado. This investment will enable EPA to keep up with the evolving laboratory and forensics needs.

**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).

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**APPROPRIATION: Hazardous Substance Superfund  
Resource Summary Table  
(Dollars in Thousands)**

|                                      | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|--------------------------------------|--------------------------------------|--------------------------------------|---|--|
| <b>Hazardous Substance Superfund</b> |                                      |                                      |   |  |
| Budget Authority                     | \$1,348,774                          | \$1,282,700                          | \$661,167                                 | -\$621,533   |
| Total Workyears                      | 2,585.0                              | 2,678.0                              | 2,732.7                                   | 54.7   |

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

**Hazardous Substance Superfund**

*For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance, and operation of aircraft, \$661,167,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2024, and not otherwise appropriated from the Trust Fund, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$661,167,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, \$13,979,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2026, and \$32,120,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2026.*

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

| <b>Program Project</b>                             | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Audits, Evaluations, and Investigations            |                                  |                                      |   |  |
| Audits, Evaluations, and Investigations            | \$13,244                         | \$11,800                             | \$13,979                                  | \$2,179  |
| Compliance   |                                  |                                      |   |  |
| Compliance Monitoring                              | \$1,377                          | \$1,017                              | \$1,036                                   | \$19   |
| Cross-Agency Coordination, Outreach, and Education |                                  |                                      |   |  |
| Exchange Network                                   | \$1,018                          | \$1,328                              | \$1,328                                   | \$0  |



| <b>Program Project</b>  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Enforcement   |                                  |                                      |   |  |
| Civil Enforcement   | \$15                             | \$0                                  | \$0                                       | \$0  |
| Criminal Enforcement  | \$6,766                          | \$7,999                              | \$8,876                                   | \$877  |
| Forensics Support   | \$1,597                          | \$1,240                              | \$1,720                                   | \$480  |
| Superfund: Enforcement  | \$173,076                        | \$171,347                            | \$0                                       | -\$171,347   |
| Superfund: Federal Facilities Enforcement                         | \$7,725                          | \$8,192                              | \$10,481                                  | \$2,289  |
| Subtotal, Enforcement   | \$189,178                        | \$188,778                            | \$21,077                                  | -\$167,701   |
| Environmental Justice   |                                  |                                      |   |  |
| Environmental Justice   | \$890                            | \$5,876                              | \$5,901                                   | \$25   |
| Homeland Security   |                                  |                                      |   |  |
| Homeland Security: Preparedness, Response, and Recovery           | \$36,249                         | \$34,661                             | \$57,358                                  | \$22,697   |
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$1,167                          | \$1,029                              | \$1,530                                   | \$501  |
| Subtotal, Homeland Security                                       | \$37,415                         | \$35,690                             | \$58,888                                  | \$23,198   |
| Indoor Air and Radiation  |                                  |                                      |   |  |
| Radiation: Protection   | \$2,081                          | \$2,472                              | \$3,144                                   | \$672  |
| IT / Data Management / Security                                   |                                  |                                      |   |  |
| Information Security  | \$1,494                          | \$1,062                              | \$6,012                                   | \$4,950  |
| IT / Data Management  | \$22,040                         | \$19,764                             | \$19,645                                  | -\$119   |
| Subtotal, IT / Data Management / Security                         | \$23,535                         | \$20,826                             | \$25,657                                  | \$4,831  |
| Legal / Science / Regulatory / Economic Review                    |                                  |                                      |   |  |
| Alternative Dispute Resolution                                    | \$758                            | \$791                                | \$1,841                                   | \$1,050  |
| Legal Advice: Environmental Program                               | \$844                            | \$599                                | \$482                                     | -\$117   |
| Subtotal, Legal / Science / Regulatory / Economic Review          | \$1,602                          | \$1,390                              | \$2,323                                   | \$933  |
| Operations and Administration                                     |                                  |                                      |   |  |
| Acquisition Management  | \$22,835                         | \$27,247                             | \$34,172                                  | \$6,925  |
| Central Planning, Budgeting, and Finance                          | \$32,914                         | \$31,338                             | \$30,512                                  | -\$826   |
| Facilities Infrastructure and Operations                          | \$74,115                         | \$65,634                             | \$72,349                                  | \$6,715  |
| Financial Assistance Grants / IAG Management                      | \$4,855                          | \$4,002                              | \$4,660                                   | \$658  |
| Human Resources Management  | \$7,382                          | \$7,419                              | \$9,303                                   | \$1,884  |
| Subtotal, Operations and Administration                           | \$142,100                        | \$135,640                            | \$150,996                                 | \$15,356   |

|  |                    |                    |                  |                   |
|--|--------------------|--------------------|------------------|-------------------|
| Research: Chemical Safety for Sustainability           |                    |                    |                  |                   |
| Health and Environmental Risk Assessment               | \$9,225            | \$4,901            | \$5,040          | \$139             |
| Research: Chemical Safety for Sustainability           | \$5,476            | \$8,060            | \$8,060          | \$0               |
| Subtotal, Research: Chemical Safety for Sustainability | \$14,701           | \$12,961           | \$13,100         | \$139             |
| Research: Sustainable Communities                      |                    |                    |                  |                   |
| Research: Sustainable and Healthy Communities          | \$18,525           | \$16,937           | \$17,517         | \$580             |
| Superfund Cleanup                                      |                    |                    |                  |                   |
| Superfund: Emergency Response and Removal              | \$256,354          | \$195,000          | \$0              | -\$195,000        |
| Superfund: EPA Emergency Preparedness                  | \$7,696            | \$8,056            | \$8,541          | \$485             |
| Superfund: Federal Facilities                          | \$26,167           | \$26,189           | \$37,680         | \$11,491          |
| Superfund: Remedial                                    | \$612,890          | \$618,740          | \$300,000        | -\$318,740        |
| Subtotal, Superfund Cleanup                            | \$903,107          | \$847,985          | \$346,221        | -\$501,764        |
| <b>TOTAL Superfund</b>                                 | <b>\$1,348,774</b> | <b>\$1,282,700</b> | <b>\$661,167</b> | <b>-\$621,533</b> |

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

## **Audits, Evaluations, and Investigations**

## Audits, Evaluations, and Investigations

Program Area: Audits, Evaluations, and Investigations  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Inspector General                           | \$41,521                         | \$44,030                             | \$65,257                                  | \$21,227   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$13,244</i></b>           | <b><i>\$11,800</i></b>               | <b><i>\$13,979</i></b>                    | <b><i>\$2,179</i></b>  |
| Total Budget Authority                      | \$54,765                         | \$55,830                             | \$79,236                                  | \$23,406   |
| Total Workyears                             | 246.6                            | 270.0                                | 333.5                                     | 63.5   |

### **Program Project Description:**

Created pursuant to the Inspector General Act of 1978, as amended, the U.S. Environmental Protection Agency Office of Inspector General (OIG) is an independent office within the Agency. The mission of the OIG is to promote economy and efficiency in, and detect fraud, waste, and abuse related to, programs and operations of EPA and the U.S. Chemical Safety and Hazard Investigation Board (CSB), as well as to help ensure ethical conduct and program integrity. To this end, the OIG is responsible for conducting, supervising, and coordinating audits and investigations relating to EPA's and CSB's programs. One of the OIG's top responsibilities is the requirement to keep agency heads, Congress, and the American people fully and currently informed about problems and deficiencies in Agency or Board programs and operations.

In support of the OIG's independence, Congress provides the OIG with, among other things, a separate appropriation within the Agency's budget. Appropriated resources allow the OIG to not only complete its mandated oversight work but also to identify and execute discretionary oversight of key areas, such as water infrastructure, climate change, environmental justice, and toxic chemicals. In FY 2023 the OIG identified over \$176 million in potential fraud, waste, or abuse across nearly all of its oversight offices and directorates, namely, the Office of Audit, the Office of Investigations, the Office of Special Review and Evaluation, the Administrative Investigations Directorate, and the Data Analytics Directorate. In other words, for every dollar Congress invested in the OIG, the OIG returned at least three dollars in identified or avoided fraud, waste, and abuse.

### **Audits**

The Office of Audit (OA) is responsible for conducting financial and performance audits of EPA's and CSB's programs and operations. Utilizing a cadre of auditors with specialized training and experience in environmental programs, the OA generally conducts its projects in compliance with the generally accepted government auditing standards, as applicable based upon the work performed. Specifically, the OA conducts performance audits to assess the economy, efficiency, and effectiveness, internal control, and compliance of EPA Superfund programs and EPA Superfund business operations. In addition, the OA conducts approximately 16 mandated audits each year, including financial audits of EPA's and CSB's financial statements as required by the

Chief Financial Officers Act of 1990 and audits of EPA's and the CSB's information security practices as required by the Federal Information Security Modernization Act of 2014.

Impact is measured both in terms of recommendations and in potential monetary benefit. In FY 2023, the OA issued over a dozen reports leading to over 30 recommendations for program improvements. These reports have focused on, among other things, numerous barriers to implementing effective resource management and program improvements in EPA's Superfund Program. An example of this work is an August 2023 audit report on actions the EPA has taken to identify and address any disproportionate health effects to disadvantaged communities located on or near the 35th Avenue Superfund site in North Birmingham, Alabama. The OA found that without policies, guidance, and performance measures, EPA programs may not be addressing cumulative impacts and disproportionate health effects on overburdened communities. Such policies, guidance, and performance measures are critical to advancing EPA's environmental justice and equity goals. The OA also has identified over \$77 million in potential monetary benefits. Finally, the OA has begun reviewing the regulatorily required financial and compliance audits from each of the clean water and drinking water state revolving funds. These audits, and the OIG's review of these audits, is an important control in ensuring that the billions of dollars invested in water and wastewater infrastructure is used effectively and appropriately.

### **Investigations**

The OIG Office of Investigations (OI) is the oversight component responsible for investigating allegations of fraud, waste, and abuse related to EPA and CSB programs and operations including EPA's Superfund Program. Consisting of criminal investigators with statutory authority under the IG Act to carry firearms, make arrests, execute search and seizure warrants, and perform other law enforcement duties, the OI's special agents are authorized to conduct criminal, civil, and administrative investigations. With a geographical area of responsibility spanning from Saipan to Maine and Alaska to the U.S. Virgin Islands, the OI prioritizes work related to the critical sectors of water and wastewater, including those involving cybercrime or relating to national security, as well as crimes affecting the integrity of EPA and the CSB. Within these priorities, the OI leverages a data- and intelligence-driven framework to identify high-impact investigations that relate to fraudulent practices in awarding, performing, and paying Superfund contracts, grants, or other assistance agreements, among other crimes.

One of the tools that the IG Act provides the OIG is to request assistance from any federal, state, or local governmental agency, allowing the OI to coordinate with such agencies regarding the prevention and detection of fraud, waste, and abuse. To this end, the OI's criminal and civil investigations are often done in coordination with the U.S. Department of Justice and with various law enforcement task forces. In FY 2023, the OI recovered more than \$5 million from more than a dozen criminal indictments and convictions or civil judgments. For example, in June 2023, a project manager was sentenced in federal court for misleading federal authorities about lead contamination in a city park after he was hired to remediate it. The project manager's employer agreed to pay more than \$2 million in a civil settlement agreement related to violations of the Comprehensive Environmental Response, Compensation, and Liability Act, and a separate settlement agreement related to violations of the False Claims Act. Through the OI's work, EPA also was able to avoid awarding over \$12 million in a potential grant fraud scheme. In addition,

the OI works with EPA's Suspension and Debarment Program, "whose actions protect the government from doing business with entities that pose a business risk to the government." In FY 2023, the OI initiated over 140 OIG investigations on fraud, waste, and abuse; these investigations were conducted in response to information obtained through intelligence-gathering or from witness reports. Finally, the OI has published three "lessons learned" Management Implication Reports, identifying potential measures to reduce the Agency's vulnerability to criminal activity.

### **Evaluations**

The OIG Office of Special Review and Evaluation (OSRE) is responsible for evaluating the effectiveness of EPA's and the CSB's programs. Its oversight projects focus on the efficiency of program operations, such as program performance from implementation to outcome. It does so by leveraging a cadre of engineers, scientists, social scientists, and other environmental and public health professionals, who generally conduct projects in compliance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*. The evaluative reach of the OSRE spans every EPA program office and includes assessments of implementation efforts by EPA's ten regional offices and the Agency's state, local, and tribal partners, as well as EPA Superfund programs and activities that support clean air, clean water, safer chemicals, cleaner communities, scientific research and integrity, and effective oversight and enforcement. An example of the OSRE's Superfund-related work is a current evaluation of the EPA's actions on the community health concerns near a Superfund site in St. Charles, Missouri.

Past OIG evaluations have resulted in EPA policy changes, improvements to agency guidance documents and other written materials, increased transparency on regulatory and other decision-making, and process changes to eliminate barriers and improve program outcomes. These evaluations also have provided EPA and Congress with information that is useful in policymaking.

### **Administrative Investigations**

The Administrative Investigations Directorate (AID), located in the Office of Special Review and Evaluation, conducts civil and administrative investigations into allegations of misconduct by senior employees and complaints of whistleblower reprisal by agency or Board employees, contractors, subcontractors, grantees, subgrantees, or personal services contractors. It also performs special reviews of significant events and emergent issues of concern that involve a suspected or alleged violation of law, regulation, or policy, as well as allegations of serious mismanagement. Additionally, along with select evaluation staff, this directorate regularly meets with EPA's scientific integrity official, updates coordination procedures between the OIG and EPA's Scientific Integrity Office, and reviews documents to make EPA aware of all identified allegations of violations of its Scientific Integrity Policy.

Since its creation in 2021, the AID has made an immediate impact in helping promote ethical conduct in EPA and the CSB, particularly in the areas of senior employee misconduct and scientific misconduct. Despite consisting of only five investigative attorneys and civil investigators, the AID carries a docket consists of over a dozen civil and administrative investigations. It also has issued significant reports related to ethical misconduct and whistleblower protection, among other matters. For example, the AID recently issued a report of investigation substantiating allegations

that the former chair of the CSB improperly spent nearly \$100 thousand in Board funds for travel, training, and office refurbishment.

The AID also manages the OIG Hotline, triaging each complaint, tracking its referrals, monitoring the progress of its referrals, and communicating with complainants. As the principal method for reporting suspected fraud, waste, and abuse to the OIG, the OIG Hotline is an invaluable tool for gathering intelligence related to EPA and CSB programs and operations and for identifying further oversight work. In FY 2023, the OIG Hotline received 7,635 contacts through the OIG website, email account, and telephone number. Furthermore, the OIG employs authorities under 5 U.S.C. § 4512 to incentivize the disclosure of fraud, waste, or mismanagement through cash awards.

### **Data Analytics**

The Data Analytics Directorate (DAD) supports OIG wide oversight planning and execution by leveraging advance analytics to identify and highlight key risk areas to EPA or CSB program integrity. Specifically, the DAD uses programming languages and database software to automate the acquisition, transformation, and analysis of large and disparate data sets that supports audits, evaluations, and investigations. It also provides statistical sampling and survey creation support for audits and evaluations. The DAD's oversight products, created by a team of data analysts and data scientists, allow the OIG and the public to visualize the extent of EPA programs and operations.

Unlike other data analytics operations, the OIG uses its DAD to increase public awareness of EPA's programs and operations. For example, in FY 2023, the DAD published a new version of a geographical dashboard on the OIG website, allowing anyone to see where the EPA is spending supplemental appropriations under the Infrastructure Investment and Jobs Act. This geographical dashboard allows the public to filter the spending data by such fields as congressional districts and Justice40 Initiative overlays. The OIG also uses the DAD to create internal dashboards and other analytical tools to monitor OIG productivity and improve OIG operations. Just recently, the DAD developed a dashboard to monitor the EPA's progress in completing corrective actions in response to audit or evaluation recommendations.

### **OIG Support**

The Office of Inspector General and its oversight programs are supported by the Office of Counsel, the Office of Congressional and Public Affairs, the Office of Information Technology, the Office of Mission Support, and the Office of Strategic Analysis and Results. These support offices provide legal, professional, and technical support to the oversight programs, as well as support the recruitment, retention, and training of the OIG's employees. These support offices also manage the OIG's public outreach efforts through, among other things, congressional and public engagements and by, among other things, engaging traditional and social media and the Internet. In FY 2023, the OIG expanded its social media outreach by becoming the first federal OIG on Instagram. The OIG also improved public outreach by acquiring a new domain, epaig.gov, and developing a new website focused on facilitating the dissemination of the OIG's oversight products and the reporting of potential fraud, waste, and abuse related to EPA's or the CSB's programs and operations.

## **FY 2025 Activities and Performance Plan:**

The OIG takes a rigorous approach to the planning and execution of its oversight work, starting with the statutory mandate to prepare an annual statement summarizing “the most serious management and performance challenges facing the agency” and to briefly assess the Agency’s progress in addressing those challenges. To identify these top management challenges, the OIG reviews the work of the OIG and the U.S. Government Accountability Office, solicits input from senior EPA leadership and program offices, and considers the public statements of EPA, administration, and congressional leaders, as well as EPA planning documents, such as the *FY 2022 – 2026 EPA Strategic Plan*. The OIG then plans specific audits and evaluations for the next fiscal year that will address these top management challenges, as well as the goals and objectives of the EPA OIG’s strategic plan. This discretionary oversight is, of course, constrained by the OIG’s statutory or regulatory mandates, such as the oversight of the financial and operation audits of the over 100 state revolving funds, as well as work requested by Congress or resulting from an OIG Hotline contact.

In FY 2025, the OIG will continue to target initiatives addressing EPA’s and CSB’s top management challenges and stated priorities, including enduring challenges related to land cleanup. To execute these initiatives, the OIG will increase its agility to assess emerging environmental threats; increase its use of data analytics, business analytics, and business intelligence to better target resources to address high-risk, high-vulnerability areas of interest; employ best practices to improve efficiency, effectiveness, accountability, and monetary benefits; focus on measurable impacts; and increase its return on investment to the American public. The OIG also will continue to expand upon its oversight of EPA’s implementation of the Infrastructure and Investment Jobs Act (IIJA) to assess whether the approximately \$60 billion in IIJA funding provided to EPA is effectively and properly spent.

### **Audits**

The Office of Audit (OA) is responsible for nearly all of the OIG’s mandates, which comprises over 34 percent of the office’s oversight work in FY 2023. Furthermore, the OIG will need to continue its oversight of other requirements, such as single audits. For example, although EPA is the cognizant agency for audit under the Single Audit Act, the OIG is, under the IG Act, responsible for providing policy direction for audits relating to the EPA’s programs and operations. To this end, the OA will conduct quality control reviews of the single audits submitted to the EPA. Finally, the OA will conduct oversight work in response to congressional requests or hotline contacts. In FY 2023, this comprised over 11 percent of the OA’s work. Based on OIG funding trends, the OIG estimates that by FY 2025 more than half of the OA’s work will be non-discretionary work. At the heart of the independence protections enshrined in the IG Act is the ability to conduct discretionary oversight of EPA’s core programs; however, without additional



resources to complete mandatory, requested, and discretionary oversight projects, the OA's ability to conduct discretionary oversight in FY 2025 will be significantly constrained.

### **Investigations**

The Office of Investigations will prioritize investigations based on its Annual Investigative Priorities and the OIG's strategic plan, giving consideration to the U.S. Department of Justice's prosecutorial priorities and the U.S. Attorney Offices' prosecutorial guidelines. With a vast geographic jurisdiction spanning Saipan to Maine and Alaska to the U.S. Virgin Islands, the Office of Investigations maximizes its reach by using technology, engaging stakeholders, and sharing information with and working alongside other federal, state, local, and tribal governments, and law enforcement agencies. Two enduring investigative priorities will be work related to the integrity of EPA's Superfund Program and to the critical sectors of water and wastewater, including those investigations involving cybercrime and national security-related matters. This remit requires the office to have a cadre of special agents and civilian employees expressly trained in investigating and countering network attacks, intrusions, and cyber fraud; and specialists trained in obtaining evidence through digital forensics. Further, this cadre must be supported by ongoing training to maintain proficiency and currency on ongoing industry and technological advances as well as the ability to procure, sustain, and deploy specialized cyber investigation and forensic tools. As the OIG has faced stagnant or decreasing budgets over the last decade, the Office's ability to effectively investigate cyber-based threats to the critical sectors of water and wastewater has been constrained.

### **Evaluations**

Like the Office of Audit, the Office of Special Review and Evaluation will continue to conduct oversight projects in response to congressionally requested work, emerging environmental emergencies, and hotline contacts. Its discretionary oversight will continue to focus on program performance, state and federal program capacity, and federal oversight of state delegated hazardous waste programs, among other things.

### **Administrative Investigations and Special Reviews**

The Administrative Investigations Directorate (AID) generally initiates investigations in response to allegations of misconduct and special reviews in reaction to unique circumstances. However, over the last two years, the number of investigations on the AID's docket has significantly outnumbered the AID's ability to complete those investigations in a timely fashion. Many of these matters, particularly those involving allegations of scientific misconduct, are particularly complex, requiring rigorous and highly technical investigations. Additional resources in FY 2025 will allow the AID to take on more investigations and to complete those investigations sooner.

The OIG Hotline has recently seen a notable increase in contacts, going from less than 3,000 in FY 2022 to approximately 7,000 in FY 2023. As EPA expands its programs because of increased appropriations and expends more funds because of an unprecedented \$100 billion in supplemental appropriations, the AID expects to see a significant increase in the number of hotline contacts in FY 2025. With this expected increase in contacts will come an accompanying increase in

allegations of ethical misconduct, scientific misconduct, and whistleblower retaliation that will need to be investigated.

### **Data Analytics**

The Data Analytics Directorate (DAD) supports the OIG's oversight by obtaining agency data and conducting data or statistical analysis. The result is often a dashboard or other visualization of structured and unstructured data, providing easy identification of complex problems or otherwise hidden relationships. The DAD's efforts to automate data acquisition and analysis processes has created time and cost efficiencies for audits, investigations, and evaluations. But the DAD also provides oversight products to the public through the OIG website, including a geographical dashboard showing EPA IJA spending by program, region, and district. Sustaining this work will require continued investment in both personnel and analytic tools, such as computer hardware and database software. In FY 2025, the DAD will continue to help oversight the challenges facing EPA's contract and grant data management because of missing, incomplete, or unstructured data. Expanding the DAD's work will, therefore, require additional resources. Expanded DAD work will mean better analytic support for our audits, investigations, and evaluations and better oversight products for the public.

### **OIG Support**

In FY 2022, the OIG reported that an agency employee was improperly granted access to the Whistleblower Protection Coordinator's email box, potentially revealing confidential whistleblower information outside of the OIG. Accordingly, the OIG requests additional funding to upgrade its IT capabilities to ensure that it can begin obtaining technological independence from the Agency. The OIG must use EPA IT resources, including for its two most sensitive systems, the hotline, and the whistleblower protection email. Vulnerabilities were discovered in these IT capabilities that gave EPA access to these sensitive systems. This initial effort towards IT independence allows the OIG to establish separate email and other systems from EPA.

### **Performance Measure Targets:**

The EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$91.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTEs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,170.0 / +3.5 FTE) This program investment provides initial resources to oversee the establishment of a separate OIG tenancy. This investment includes \$0.7 million for payroll.

- (+\$918.0 / +3.0 FTE) This program change provides resources and FTEs to expand the oversight of the Agency's Superfund Program. This investment includes \$0.6 million for payroll.

**Statutory Authority:**

The Inspector General Act of 1978, as amended, 5 U.S.C. §§ 401-424.

**Budget Requests:**

Since 2010, the OIG's budget has only increased by \$1 million, which, when inflation is accounted for, represents a decrease of nearly \$13 million in real terms; put differently, the OIG's authorized full-time equivalent has decreased from 361 in 2010 to 270 or less in 2023. Exacerbating the OIG's diminished resources is the increasing assessments from the Council of the Inspectors General on Integrity and Efficiency. While the OIG's budget has declined by nearly 21 percent when inflation is accounted for, the CIGIE's assessment has increased from 16 basis points in FY 2016 to 40 basis points in FY 2025, representing a 250 percent increase in funding for CIGIE. This will require the OIG to pay \$316.9 thousand for increased CIGIE operations. For these reasons, the OIG requests the following, provided pursuant to 5 U.S.C. § 406(g):

- The aggregate budget request from the inspector general for the operations of the OIG is \$79.2 million (\$65.3 million Office of Inspector General; \$13.9 million Superfund Transfer).
- The aggregate President's Budget for the operations of the OIG is \$79.2 million (\$65.3 million Office of Inspector General; \$13.9 million Superfund Transfer).
- The portion of the aggregate President's Budget needed for training is \$1.0 million (\$820.0 thousand Office of Inspector General; \$180.0 thousand Superfund Transfer).
- The portion of the aggregate President's Budget needed to support the Council of the Inspectors General on Integrity and Efficiency is \$316.9 thousand (\$259.9 thousand OIG; \$57.0 thousand Superfund Transfer).

"I certify as the Inspector General of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2025."

## **Compliance**

## Compliance Monitoring

Program Area: Compliance

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$104,593                        | \$112,730                            | \$168,474                                 | \$55,744   |
| Inland Oil Spill Programs                   | -\$5                             | \$649                                | \$2,154                                   | \$1,505  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$1,377</i></b>            | <b><i>\$1,017</i></b>                | <b><i>\$1,036</i></b>                     | <b><i>\$19</i></b>   |
| Total Budget Authority                      | \$105,966                        | \$114,396                            | \$171,664                                 | \$57,268   |
| Total Workyears                             | 441.1                            | 478.9                                | 544.6                                     | 65.7   |

### Program Project Description:

The Superfund Compliance Monitoring Program supports enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or “Superfund” law. EPA tracks Superfund-related enforcement activities in its national enforcement and compliance data systems, the Integrated Compliance Information System (ICIS) and Enforcement Compliance History Online (ECHO). ICIS is EPA’s largest mission-focused data system and is a critical infrastructure tool used by the Agency, state, tribal, local, and territorial governments as well as the regulated community to track compliance and enforcement of environmental statutes. ICIS data is available to the public via the internet-accessible ECHO system as well as the companion data change notification tool ECHO Notify. Electronic tracking of Superfund enforcement work allows EPA to ensure that its enforcement resources are allocated to address the most significant concerns and facilitates public transparency.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency will implement its comprehensive action plan for integrating Environmental Justice (EJ) and climate change considerations throughout all aspects of the Compliance Monitoring Program. EPA will track their EJ work through its performance measure focused on the percentage of inspections affecting communities with potential EJ concerns.

In FY 2025, EPA will focus on timely enforcement in communities with potential EJ concerns. The Program will continue to support tracking of CERCLA compliance and enforcement activities in ICIS and ECHO.

**Performance Measure Targets:**

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

|               | <b>FY<br/>2018</b> | <b>FY<br/>2019</b> | <b>FY<br/>2020</b> | <b>FY<br/>2021</b> | <b>FY<br/>2022</b> | <b>FY<br/>2023</b> | <b>FY<br/>2024</b> | <b>FY<br/>2025</b> | <b>Units</b>                    |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------------------|
| <b>Target</b> | 10,000             | 10,000             | 10,000             | 10,000             | 10,000             | 10,000             | 11,000             | 12,000             | Inspections<br>&<br>Evaluations |
| <b>Actual</b> | 10,600             | 10,300             | 8,500              | 10,800             | 13,900             | 13,100             |                    |                    |                                 |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$19.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also will support the ongoing operating and maintenance costs for ICIS.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.).

## **Cross-Agency Coordination, Outreach, and Education**

## Exchange Network

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$12,165                         | \$14,995                             | \$14,769                                  | -\$226   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$1,018</i></b>            | <b><i>\$1,328</i></b>                | <b><i>\$1,328</i></b>                     | <b><i>\$0</i></b>  |
| Total Budget Authority                      | \$13,183                         | \$16,323                             | \$16,097                                  | -\$226   |
| Total Workyears                             | 23.2                             | 30.2                                 | 30.2                                      | 0.0  |

### 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 EPA’s Digital Strategy (EEDS), 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) 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.<sup>1</sup> CDX provides a set of core shared services that promote a leaner and more cost-effective service framework for the Agency by avoiding the creation of duplicative applications. It enables faster and more efficient transactions for internal and external EPA clients, resulting in reduced burden.

Working in concert with CDX is EPA’s System of Registries, which is a system of shared data services designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes, including environmental justice (EJ). EPA and EN partners routinely reference these shared data registries, 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, foster data consistency and data quality as well as enable data integration.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to support core functions for the EN information technology (IT) systems. The EN Program will continue to be a pivotal component of EPA’s Digital Strategy that

<sup>1</sup> For more information on the Central Data Exchange, please see: <https://cdx.epa.gov/>.



supports business process change agencywide. Under this strategy and the 21<sup>st</sup> Century Integrated Digital Experience Act,<sup>2</sup> 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. EPA also is responsible for managing EN technical governance groups and administering the pre- and post-award phases of the EN grants to states, tribes, and territories. These efforts support a standards-based, secure approach for EPA and its state, tribal, and territorial partners to efficiently exchange and share environmental data electronically. The Agency also administers and implements the Cross-Media Electronic Reporting Regulation (CROMERR) that removes regulatory obstacles for e-reporting to EPA programs under Title 40 of the Code of Federal Regulations (CFR).

EPA aims to reduce burden and avoid costs while improving IT. With CDX's migration to the cloud, the Agency will continue to carry out baseline support for data exchange services leveraged by states and tribal partners. This also includes providing a technology framework – shared CROMERR services – which reduces the burden on programs and external reporters by providing CROMERR compliant solutions. For example, the shared electronic identity proofing and signature services for CROMERR supports 31 partner regulatory reporting programs to date. EPA estimates that partners adopting shared CROMERR services save \$120 thousand in development and at least \$30 thousand in operations each year, which results in a cost avoidance of greater than \$2.5 million for EN partners.

In FY 2025, EPA will continue to improve the functionality and use of the System of Registries.<sup>3</sup> In addition to streamlining the Registries, EPA will continue to implement a broader effort across the enterprise to engage organizations and facilitate the adoption of these data services through cloud technology and Representational State Transfer (REST or RESTful) application programming interfaces (API). Registries are shared data services in which common data are managed centrally but shared broadly. They improve data quality in EPA systems, enable integration and interoperability of data across program silos, and facilitate discovery of EPA information. An example of the Agency's effort to promote the adoption of data services is the integration of the tribal identification services (TRIBES) across EPA systems.

In FY 2025, EPA will continue implementing a solution related to shared facility identification information. Centralized facility management also is fundamental to better environmental management by bringing together EPA data across programmatic silos. Like facility data, substance information also is regulated across EPA programs, with many EPA programs relying on the Substance Registry Service (SRS) to improve data quality and reduce burden.

EPA tracks a wide range of data for each registry to measure customer usage and engagement. The Agency also tracks web service hits to measure the number of users leveraging publicly available APIs. For example, the SRS website has approximately 90 thousand pageviews per month; many of these pageviews are users visiting the SRS web area to understand regulatory information about chemicals. SRS also receives between 20 and 140 thousand web service hits per month (depending on reporting cycles), mostly by EPA systems that have incorporated the web services into their

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<sup>2</sup> For more information on the 21<sup>st</sup> Century Integrated Digital Experience Act, please refer to: <https://www.congress.gov/115/plaws/publ336/PLAW-115publ336.pdf>.

<sup>3</sup> For more information, please see: [https://ofmpub.epa.gov/sor\\_internet/registry/sysofreg/about/about.jsp](https://ofmpub.epa.gov/sor_internet/registry/sysofreg/about/about.jsp).

online reporting forms. FY 2025 priorities for EPA registries include continually improving registry technologies by migrating the registries to a cloud-based environment open-source platform to make them easier to locate, access, and utilize.

In FY 2025, EPA will continue to expand 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 FY 2025, EPA will continue to work with the Department of Homeland Security's Customs and Border Protection (CBP) to maintain, utilize, and improve systems to facilitate the import and export of legitimate goods and leverage big data and artificial intelligence tools to identify and prevent or stop illegal goods from entering or leaving the United States. EPA supports over 16 data exchange types within EPA and with CBP to automate and streamline over 8 million annual import and export filings. This automation is essential for managing a significantly increasing number of imports and exports (due to e-Commerce) and allows coordinators/officers to focus on compliance monitoring and key high value targeting activities for non-compliant imports and exports, and to better coordinate with CBP.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**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).

## **Enforcement**

## **Criminal Enforcement**

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$57,374                         | \$62,704                             | \$67,829                                  | \$5,125  |
| <b><i>Hazardous Substance Superfund</i></b> | <b>\$6,766</b>                   | <b>\$7,999</b>                       | <b>\$8,876</b>                            | <b>\$877</b>   |
| Total Budget Authority                      | \$64,140                         | \$70,703                             | \$76,705                                  | \$6,002  |
| Total Workyears                             | 252.7                            | 269.3                                | 299.4                                     | 30.1   |

### **Program Project Description:**

The Criminal Enforcement Program investigates and works with the U.S. Department of Justice (DOJ) to prosecute criminal violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and associated violations of Title 18 of the United States Code such as fraud, conspiracy, false statements, and obstruction of justice. EPA's criminal investigators (Special Agents) do this through investigation of criminal conduct, committed by individual and corporate defendants, that threatens public health and the environment.

The Criminal Enforcement Program is strengthened by an ongoing collaboration with the Environmental Justice (EJ) Program, other EPA program offices, and Department of Justice (DOJ) to ensure Superfund enforcement work addresses the impacts of illegal environmental pollution activities nationwide and especially on overburdened communities.

Within the Criminal Enforcement Program, forensic scientists, attorneys, technicians, engineers, and other program experts support Special Agents in their investigations. EPA's criminal enforcement attorneys provide legal and policy support for all program's responsibilities, including forensics and expert witness preparation, to ensure that program activities are carried out in accordance with legal requirements and agency policies. The Agency's National Enforcement Investigations Center (NEIC) provides field investigation, laboratory analysis, toxicology, chemistry, engineering, and regulatory support to the Criminal Enforcement Program. These efforts support successful environmental crimes prosecutions primarily by the United States Attorneys and DOJ's Environmental Crimes Section. In FY 2023, the Criminal Enforcement Program opened 199 new cases. The conviction rate for criminal defendants charged in EPA criminal enforcement investigations in FY 2023 is 100 percent, with sentences totaling 106 years of incarceration.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an additional \$166 thousand and 0.7 FTE to investigate environmental crimes related to the National Enforcement Compliance Initiatives (NECIs).<sup>4</sup> EPA will continue efforts to devote resources toward, and effectively focus on, those areas and communities that are disproportionately affected by pollution and environmental crime.

EPA will continue to address Superfund-related issues within criminal enforcement, including in overburdened communities. The Criminal Investigation Division (CID) works with partners at DOJ to jointly prosecute wrongdoing and reduce the impact pollution has on these areas through investigation, judicial actions, and settlements. The Environmental Justice Criminal Initiative focuses prioritization of investigative resources to overburdened and vulnerable communities, while maintaining case initiation standards and reducing the impact of pollution. In FY 2025, EPA will continue to prioritize criminal enforcement resources for investigations which involve vulnerable communities or those that have historically been overburdened by pollution. This effort has been focused as a Criminal Enforcement Program Initiative with an emphasis on addressing environmental crimes and crime victims in these areas. EPA program goals and priorities include the following:

- In FY 2025, EPA's Environmental Crime Victim Witness Assistance Program will continue to closely align its implementation of the Criminal Victims' Rights Act and the Victims' Rights and Restitution Act with EPA's EJ work.<sup>5</sup> Activities will include data mining and mapping to identify locations of vulnerable communities, environmental crime victims, and public health impacts overlap. This strategy will aid the Program in identifying sources of pollution impacting these communities to better focus criminal enforcement resources where overburdened and vulnerable populations need it most. Where appropriate, EPA will use environmental crime victim program resources and emergency funds to assist individuals in such communities. EPA conducts outreach to environmental crime victims and overburdened communities using the social media platform Nextdoor, sharing information relating to EJ, sources of pollution, and links to EPA's Report a Violation webpage directly to households in overburdened communities.
- In FY 2025, the Agency requests an additional \$741 thousand and 0.7 FTE to support efforts to interdict the illegal import, manufacture, and use of certain HFC products, pursuant to the American Innovation and Manufacturing (AIM) Act. The Criminal Enforcement Program, working with the Office of Air and Radiation, the Air Enforcement Division, and the Department of Homeland Security, will continue implementing its responsibilities as a part of the hydrofluorocarbon (HFC) Enforcement Task Force, whose permanent mission is to ensure U.S. compliance with the AIM Act. The Task Force will continue to identify, intercept, and interdict illegal HFC imports, share data to support allowances, train customs officers and enforcement personnel, and address common HFC import experiences with other countries. EPA will continue to collaborate with Customs and Border Protection (CBP), DOJ, and other federal partners to successfully enforce federal laws related to HFCs. Critically important to success in this program are dedicated analysts, which the Program is currently in the process

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<sup>4</sup> For additional information, please see: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00500.pdf>.

<sup>5</sup> For more information, please visit: <https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>.

of hiring, to research, assess, and coordinate with federal partners, private industry, and task force members.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$30.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$166.0 / +0.7 FTE) This program increase will enhance investigations for environmental crimes related to the NECIs, especially in areas and communities that are disproportionately affected by pollution. This includes \$158.0 thousand for payroll.
- (+\$741.0 / +0.7 FTE) This program investment will ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, transport, and store HFCs. The increase in FTE will allow analysts to research, assess, and coordinate with federal partners, private industry, and task force members. This investment includes \$158.0 thousand for payroll.

**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); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); American Innovation and Manufacturing Act.

## Forensics Support

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Science & Technology                        | \$14,152                         | \$15,532                             | \$19,337                                  | \$3,805  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$1,597</i></b>            | <b><i>\$1,240</i></b>                | <b><i>\$1,720</i></b>                     | <b><i>\$480</i></b>  |
| Total Budget Authority                      | \$15,749                         | \$16,772                             | \$21,057                                  | \$4,285  |
| Total Workyears                             | 70.3                             | 70.3                                 | 78.7                                      | 8.4  |

### Program Project Description:

The Forensics Support Program provides expert scientific and technical support for Superfund civil and criminal enforcement cases, as well as technical expertise for the Agency's compliance efforts. EPA's National Enforcement Investigations Center (NEIC) is an environmental forensic center accredited for both laboratory analysis and field sampling operations that generate environmental data for law enforcement purposes. It is fully accredited under International Standards Organization (ISO) 17025, the main standard used by testing and calibration laboratories, as recommended by the National Academy of Sciences.<sup>6</sup> The NEIC maintains a sophisticated chemistry and physical science laboratory, and a corps of highly trained inspectors and scientists with expertise across environmental media. The NEIC works closely with EPA's Criminal Enforcement Program to provide technical support (e.g., sampling, analysis, consultation, and testimony) to criminal investigations. The NEIC also works closely with other EPA programs to provide technical assistance, consultation services, and on-site inspection, investigation, and case resolution services in support of the Agency's Superfund Enforcement Program.

The Forensics Support Program will continue to provide expert scientific and technical support for EPA's Superfund enforcement efforts. The Program will focus its work on collecting and analyzing materials to characterize contamination and attribute it to an individual facility or source. The work the NEIC performs supports the most complex cases nationwide, requiring a level of expertise and equipment not found elsewhere in EPA. The laboratory will continue to coordinate its support for the Agency's Superfund, Research and Development, and Land and Emergency Management Programs to evaluate and leverage emerging technologies for enforcement solutions.

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<sup>6</sup> *Strengthening Forensic Science in the United States: A Path Forward*, National Academy of Sciences, 2009, available at: [http://www.nap.edu/catalog.php?record\\_id=12589](http://www.nap.edu/catalog.php?record_id=12589).

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, NEIC will support the President's directive to deliver Environmental Justice (EJ) to communities across America and to hold polluters accountable for their actions.<sup>7</sup> To achieve these goals, the Agency will employ NEIC's environmental forensics expertise to investigate violations of environmental statutes, to prosecute environmental crimes in communities that are disproportionately affected by pollution and environmental crime, and to target those areas more effectively. NEIC supports EJ concerns by targeting critical industry inspections in overburdened or vulnerable communities and utilizes the data to work with EPA regional offices to take enforcement actions that could ultimately improve air and water quality in such communities. NEIC also will continue to further develop and deploy the Agency's Geospatial Measurement of Air Pollution (GMAP) van, a mobile tool to help identify Clean Air Act noncompliance throughout the United States.

In FY 2025, the NEIC will continue to streamline its forensics work and identify enhancements to the Agency's sampling and analytical methods, using existing and emerging technology. The NEIC is continuing to expand and modernize field and laboratory capabilities to support enforcement programs' investigations in support of the National Enforcement and Compliance Initiatives, including PFAS and drinking water. The NEIC will continue to build on its previous progress to maximize the efficiency and effectiveness of its operations, produce timely and high-quality civil inspection reports, improve procurement processes, and continue to identify and implement further efficiencies in laboratory operations. NEIC will continue to enhance the work completed in FY 2021 and FY 2022 to support criminal and civil program efforts to combat climate change.

## **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

## **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$76.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, changes to benefits costs, and changes to lab utilities and security costs.
- (+\$39.0 / +0.2 FTE) This program change will support civil investigations related to the National Enforcement Compliance Initiatives. This increase includes \$37.0 thousand for payroll.

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<sup>7</sup> For more information please visit: <https://www.federalregister.gov/documents/2021/01/25/2021-01765/protecting-public-health-and-the-environment-and-restoring-science-to-tackle-the-climate-crisis> or <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.



- (+\$109.0 / +0.2 FTE) This program investment will ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, transport, and store PFAS and drinking water samples. This investment includes \$37.0 thousand for payroll.
- (+\$256.0) This program net increase will be used to support the Agency's forensics laboratory at the National Enforcement Investigations Center.

**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); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); American Innovation Manufacturing Act.

**Superfund: Enforcement**

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$173,076</i></b>          | <b><i>\$171,347</i></b>              | <b><i>\$0</i></b>                         | <b><i>-\$171,347</i></b>   |
| Total Budget Authority                      | \$173,076                        | \$171,347                            | \$0                                       | -\$171,347   |
| Total Workyears                             | 732.2                            | 771.3                                | 771.8                                     | 0.5  |

In FY 2025, the Budget proposes to transition the Superfund Enforcement FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE. These FTE are built into the Agency’s FTE ceiling.

**Program Project Description:**

The Superfund Enforcement Program protects communities by ensuring prompt site cleanup using an “enforcement first” approach that maximizes the participation of liable and viable parties in performing and paying for cleanups which preserves federal dollars for sites where there are no liable or viable parties. The Superfund Enforcement Program obtains potentially responsible parties’ (PRPs) commitments to perform or pay for cleanups through judicial and administrative enforcement actions. The Superfund Enforcement Program works closely with the Superfund Remedial, Superfund Emergency Response and Removal Programs, and the U.S. Department of Justice (DOJ) to combine legal and technical skills to bring enforcement actions and address emerging issues. Superfund enforcement efforts ensure that Superfund sites with responsible parties or interested third parties are cleaned up in a timely manner and result in more site cleanups than would be possible using only government funds, which in turn supports reuse.

The Superfund Enforcement Program:

- Obtains cleanup commitments from responsible parties and third parties, thereby providing long term human health and environmental protections and making contaminated properties available for reuse.
- Takes enforcement actions, including negotiating site cleanup agreements to require cleanup and recover costs from responsible parties, thereby preserving federal taxpayer dollars for sites where there are no viable contributing parties.
- Develops cleanup enforcement policies and model documents.
- Issues guidance and utilizes tools to clarify potential cleanup liability to support the cleanup, reuse, and revitalization of contaminated properties.

In FY 2023, the Superfund Enforcement Program secured commitments for cleanup and cost recovery and billed parties for oversight costs, all totaling approximately \$1.2 billion. The use of Superfund enforcement tools contributed to the cleanup and redevelopment by private parties of 127 private party sites in FY 2023.

EPA may deposit payments received pursuant to settlement agreements with potentially responsible parties for EPA's past response costs, as well as cash-out payments received from parties for future site cleanup, into site-specific special accounts established for use consistent with a settlement agreement for a specific site. Site specific special accounts provide needed cleanup dollars at many sites that otherwise may not have received funding. In FY 2023, EPA collected \$185.3 million from potentially responsible parties to deposit into special accounts and disbursed or obligated approximately \$365.0 million from special accounts to perform cleanup actions at sites (excluding reclassifications).

The Superfund Enforcement Program obtains expeditious and protective cleanups of sites by PRPs through enforcement instruments that maximize program efficiencies by obtaining responsible party funding and performance of cleanups. The Superfund Enforcement Program also seeks to promote the redevelopment and reuse of sites by encouraging PRPs to invest in cleanups that facilitate reuse outcomes. In addition, the Superfund Enforcement Program supports the cleanup and reuse of sites by third parties through the development of guidance and other tools to address potential liability concerns that may pose a barrier to third-party investment. EPA also works to ensure that legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup remedies.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the President's Budget proposes to transition the Superfund Enforcement Program, including associated FTE costs, from the annual Superfund appropriated resources to the Superfund tax receipts.<sup>8</sup> The Program will continue to encourage and facilitate PRP's prompt site cleanup and investment by third parties in FY 2025 to preserve more tax dollars for cleanups where there are no viable parties. Superfund tax receipts from FY 2023, on top of annual appropriations, have bolstered the Program and will continue strengthening enforcement in future fiscal years, where granted.

In FY 2025, the Agency will continue to strengthen EPA's Superfund Enforcement Program, complement work in the Superfund Remedial and Superfund Emergency Response and Removal Programs, provide financial support for DOJ to pursue judicial actions to compel PRP cleanup, and support possible actions in response to lead and per- and polyfluoroalkyl substances (PFAS) releases. EPA will continue its work to achieve prompt site cleanup, maximize the work participation by PRPs, and secure third-party funding of cleanups. In addition, the Agency will prioritize its efforts on the most significant sites in terms of human health and environmental impact. To support the Agency's focus on Environmental Justice (EJ) and climate change, the Superfund Enforcement Program intends to:

- Require responsible parties to take early cleanup actions,
- Ensure prompt cleanup actions by responsible parties,

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<sup>8</sup> Please refer to the Superfund Tax Policy Paper in the Appendix that continues to raise EPA's concerns regarding the timing and uncertainty of tax collections.

- Develop robust enforcement instruments that address impacts on communities and climate change vulnerabilities,
- Increase oversight of enforcement instruments,
- Build trust and capacity through increased community engagement, and
- Integrate sustainability principles into enforcement tools, policies, and guidance used for the cleanup and reuse of contaminated sites.

The Agency will continue its efforts to establish site-specific special accounts to facilitate cleanup. As special account funds may only be used for sites and uses specified in the settlement agreement, special account resources, annually appropriated resources, and Superfund tax receipts are critical to the Superfund Program to clean up Superfund sites. In addition, the Agency continues to work under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to address lead and PFAS contamination by gathering information and developing cases to support possible actions under multiple statutory authorities in response to lead and PFAS releases. In anticipation of PFAS being potentially designated as CERCLA hazardous substances and the continued focus and updates on lead exposure levels that pose a threat to human health and the environment, the Agency expects the Superfund enforcement workload to increase significantly. In addition, the Superfund Enforcement Program will continue its efforts to address contamination at historically impacted communities, focusing on community engagement and facilitating cleanup at such sites.

DOJ's participation in CERCLA cases is statutorily mandated for settlements related to remedial action cleanups and most cost recovery settlements and is required for all judicial enforcement matters. DOJ's support will be prioritized to maximize PRP performance of cleanup, particularly protection of human health at sites located in historically impacted communities. EPA provides financial support to DOJ for these activities. In FY 2025, similar to the Superfund Enforcement Program, DOJ's support is proposed to be transitioned to the Superfund tax receipts through an interagency agreement. DOJ also will continue to support EPA on both the Superfund lead and PFAS cleanup work.

### **Cost Recovery Support**

In FY 2025, the Agency will continue to standardize the financial management processes for the financial management aspects of Superfund cost recovery and the collection of debt to the federal government. EPA's financial, programmatic, and legal offices will continue to maintain the accounting and billing of Superfund oversight costs attributable to responsible parties and third. These costs represent EPA's cost of overseeing Superfund site cleanup efforts by responsible and third parties as stipulated in the terms of settlement agreements. In FY 2023, the Agency collected \$238.4 million in cost recoveries, of which \$65.8 million were returned to the Superfund Trust Fund and \$ 185.3 million were deposited in site-specific, interest-bearing special accounts.

The Agency will continue to pursue an "enforcement first" approach that maximizes PRP participation at Superfund sites by performing enforcement activities such as conducting PRP searches, negotiating site-specific settlements, pursuing insurance and bankruptcy recoveries, and recovering costs through appropriate cash-out settlements. These activities ensure that responsible parties conduct or pay for cleanups and preserve federal dollars for sites where there are no viable

contributing parties. The Agency will continue to work to increase opportunities for community engagement at Superfund sites.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$171,347.0 / -771.3 FTE) In FY 2025, the Agency proposes to transition the Superfund Enforcement Program from the annual Superfund appropriation to the Superfund tax receipts. This includes an estimated \$154.0 million for payroll. In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund taxes which will be available for use in FY 2025 across EPA Superfund programs. As the Superfund Taxes were recently passed, there is much uncertainty regarding the tax collections. The Agency anticipates maintaining the pace of Superfund enforcement work with the Superfund tax receipts.
- (+771.8 FTE) In FY 2025, the Agency proposes to transition 771.8 Superfund Enforcement FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE.

**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); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

## Superfund: Federal Facilities Enforcement

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|                                      | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|--------------------------------------|--------------------------|-----------------------------|----------------------------------|--|
| <i>Hazardous Substance Superfund</i> | <i>\$7,725</i>           | <i>\$8,192</i>              | <i>\$10,481</i>                  | <i>\$2,289</i>   |
| Total Budget Authority               | \$7,725                  | \$8,192                     | \$10,481                         | \$2,289  |
| Total Workyears                      | 35.8                     | 40.9                        | 45.2                             | 4.3  |

### Program Project Description:

EPA’s Superfund Federal Facilities Enforcement Program monitors compliance and pursues enforcement primarily at sites where there is federal ownership or a federal operator, whether full or partial, and the federal owner conducts or is involved in cleanup under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA” or “Superfund”). After years of service and operation, many federal facilities are contaminated with hazardous substances, pollutants, per – and polyfluoroalkyl substances (PFAS), solvents, munitions, and radioactive wastes. Enforcement actions can facilitate timely and protective cleanup and potential redevelopment of these sites.

Pursuant to CERCLA Section 120, EPA must enter into Interagency Agreements, commonly referred to as Federal Facility Agreements (FFAs), with responsible federal agencies to ensure their cleanups at National Priorities List (NPL) sites are protective of public health and the environment, and to provide EPA with enforceable oversight of the investigation and cleanup processes. These FFAs govern cleanups at 175 federal facility Superfund sites, including many of the Nation’s largest and most complex cleanup projects. While only 10 percent of the NPL sites are federal facility sites, over 41 percent of the total operable units in the Superfund Program are at federal facilities.<sup>9</sup>

In the Federal Facilities Enforcement Program, EPA assesses the compliance of federal facilities with environmental statutes and regulations, and works in partnership with federal, state, tribal, and local agencies, where appropriate, to encourage compliance, compel regulated entities to correct and/or mitigate violations, and assess appropriate penalties for violations. Pollution from approximately 30,000 federal facilities can impact surrounding communities, federal employees, service members, and their children, potentially by contaminating drinking water, polluting the air, and lead-based paint hazards. By partnering with other federal agencies and departments, and using enforcement tools where needed, the Federal Facility Enforcement Program ensures that the

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<sup>9</sup> Operable units often comprise discrete areas of a cleanup site, depending on the complexity of the problems associated with the site. These operable units may address geographic areas of a site, specific site problems, or areas where a specific action is required. An example of a typical operable unit could include removal of drums and tanks from the surface of a site.

federal government sets a positive example by meeting its obligations under applicable environmental laws.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency will continue to support possible actions in response to significant contamination from federal facilities, including a request for an increase of approximately \$2.0 million and 4.3 FTE to address PFAS releases. Such actions include sampling private drinking water wells for PFAS in communities with Environmental Justice (EJ) concerns where such contamination has migrated from a military installation. The Agency seeks both to identify drinking water with significant PFAS contamination and to evaluate historic Department of Defense sampling results where no interim remedial actions to address PFAS contamination have occurred. EPA will continue to focus its enforcement resources on the highest priority sites, particularly those that may present an imminent and substantial endangerment, have human exposure not yet under control, have an impact on overburdened or vulnerable communities with EJ concerns, or have the potential for beneficial redevelopment. EPA also will negotiate and amend, as appropriate, FFAs for federal facility sites on the NPL, and continue to monitor FFAs for compliance. EPA will expedite cleanup and redevelopment of federal facility sites, particularly those located in communities with EJ concerns, and will use dispute resolution processes and other approaches to timely resolve formal and informal cleanup disputes. The Agency will continue to seek ways to improve its engagement with other federal agencies, and state, tribal, local governments, and their partners, emphasizing protective, timely cleanups that address communities' needs. EPA will work with its federal partners to encourage greater community outreach and transparency.

In FY 2025, the Agency will work to address PFAS contamination by developing information and, where needed, initiating investigations, to support possible actions under multiple statutory authorities, consistent with the PFAS National Enforcement and Compliance Initiative. Federal facilities (e.g., Department of Defense military installations and Department of Energy sites) are starting to address PFAS contamination at their NPL sites. As federal agencies conduct this work at their federal facility NPL sites, CERCLA requires EPA to oversee the work. An increased investment for EPA's Superfund Federal Facilities Enforcement Program will support EPA's efforts to monitor the increasing number of initiated PFAS remedial investigations projected to occur at federal facilities in the coming years. In FY 2025, the Program will pursue enforcement actions, where needed, to ensure compliance with CERCLA and other federal environmental laws to protect public health.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$264.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs. This change includes critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$2,025.0 / +4.3 FTE) This program increase will be used to address PFAS contamination by overseeing the increasing number of initiated remedial investigations projected to occur at federal facilities. This investment includes \$802.0 thousand for payroll.

**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); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 120.



## **Environmental Justice**

## Environmental Justice

Program Area: Environmental Justice

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

Objective(s): Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$109,347                        | \$102,159                            | \$317,712                                 | \$215,553  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$890</i></b>              | <b><i>\$5,876</i></b>                | <b><i>\$5,901</i></b>                     | <b><i>\$25</i></b>   |
| Total Budget Authority                      | \$110,237                        | \$108,035                            | \$323,613                                 | \$215,578  |
| Total Workyears                             | 116.4                            | 223.6                                | 264.6                                     | 41.0   |

### Program Project Description:

EPA’s Environmental Justice (EJ) Program coordinates the Agency’s efforts to address the needs of overburdened and vulnerable communities by decreasing environmental burdens, increasing environmental benefits, and building collaborative partnerships with all stakeholders to build healthy, sustainable communities based on residents’ needs and desires. EPA’s EJ Program focuses on collaboration as a central principle and method of advancing justice. The Program’s core philosophy is that EJ challenges need strong collaborative partnerships that include federal, state, local, and tribal governments along with the private sector, academia, and philanthropy to support communities in addressing multifaceted problems and positively changing conditions on the ground. The Program provides technical assistance and expert consultative support to communities, partners at all levels of government, and other stakeholders such as business and industry, to achieve protection from environmental and public health hazards for people of color, low-income communities, and indigenous communities at or near Superfund sites.

Work in this program directly supports Administrator Michael Regan’s message in the memo titled “Our Commitment to Environmental Justice” issued on April 7, 2021.<sup>10</sup> In addition, this work supports implementation of Executive Order (EO) 14096: *Revitalizing Our Nation’s Commitment to Environmental Justice for All*,<sup>11</sup> EO 14091: *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>12</sup> EO 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>13</sup> and EO

<sup>10</sup> For additional information, please refer to: <https://www.epa.gov/sites/default/files/2021-04/documents/regan-messageoncommitmenttoenvironmentaljustice-april072021.pdf>.

<sup>11</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>.

<sup>12</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2023/02/22/2023-03779/further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal>.

<sup>13</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

14008: *Tackling the Climate Crisis at Home and Abroad*.<sup>14</sup> In accordance with the America's Water Infrastructure Act (AWIA) of 2018 (P.L. 115-270), every EPA regional office employs a dedicated EJ coordinator, and the Agency maintains a list of these persons on EPA's website.<sup>15</sup> The Superfund portion of this program has focused on issues that affect people of color, low income, and Indigenous communities at or near Superfund sites. The EJ Program complements the Agency's community outreach and other work accomplished under the Superfund Program at affected sites.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.2, Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will advance implementation of EJ activities in support of the Superfund Program. The EJ Program will elevate and expand the use of coordinated and collaborative community-driven partnerships to address community priorities by promoting the active engagement of community-based organizations, other federal agencies, and tribal, state, and local governments. This will advance environmental protection and public health for overburdened communities at or near Superfund sites. The EJ Program will guide EPA's efforts to empower communities to identify and develop solutions to address environmental harms, working to utilize nationally consistent data that combines environmental and demographic indicators in mapping and prioritizing communities with EJ concerns at or near Superfund sites. These efforts help build healthy and sustainable communities through technical assistance, enabling overburdened and vulnerable communities to revitalize their local economies while also better facilitating EPA efforts to further focus federal resources and program design to benefit communities with EJ concerns and those most at risk of climate change impacts at or near Superfund sites.

The EJ Program will continue to partner with and support other agency programs in their efforts to fully integrate EJ considerations into all of EPA's policies, programs, and activities while also developing nationally consistent data that combines environmental and demographic indicators in mapping and prioritizing communities with EJ concerns at or near Superfund sites.

### **Performance Measure Targets:**

Work under this program supports performance results in the Environmental Justice Program under the EPM appropriation.

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<sup>14</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>15</sup> For additional information, please refer to: <https://www.epa.gov/environmentaljustice/forms/contact-us-about-environmental-justice>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$25.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

## **Homeland Security**

## Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Science & Technology                        | \$26,376                         | \$25,347                             | \$40,802                                  | \$15,455   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$36,249</i></b>           | <b><i>\$34,661</i></b>               | <b><i>\$57,358</i></b>                    | <b><i>\$22,697</i></b>   |
| Total Budget Authority                      | \$62,624                         | \$60,008                             | \$98,160                                  | \$38,152   |
| Total Workyears                             | 116.1                            | 124.1                                | 145.3                                     | 21.2   |

### Program Project Description:

EPA leads or supports many critical aspects of preparing for and responding to a nationally significant incident involving possible chemical, biological, radiological, and nuclear (CBRN) agents. The Homeland Security Preparedness, Response, and Recovery Program implements a broad range of activities that cover multifaceted federal efforts, including:

- National trainings and exercises;
- Participation in national interagency exercises and field studies with federal and state partners;
- Support for headquarters and regional Emergency Operations Centers;
- Enhancements for national information technology systems;
- Developing guidance and standard operating procedures for responding to CBRN incidents;
- Secured warehouse space for homeland security operations and storage; and
- Laboratory analyses of environmental samples and site decontamination projects.

EPA's homeland security program develops these responsibilities through research and maintaining a level of expertise, training, and preparedness specifically focused on threats associated with CBRN. This work is consistent with the Department of Homeland Security's (DHS') National Response Framework (NRF).

EPA assists with multi-media training and exercise development and implementation for responders, which establishes and sustains coordination with states, local communities, tribes, and other federal agencies (OFAs). The Agency also provides technical assistance to OFAs, including DHS, the Department of Defense (DOD), the Department of Justice (DOJ), and the Department of Health and Human Services (HHS), in the areas of environmental characterization, decontamination, and waste disposal methods. In addition, the program operates a national environmental laboratory for chemical warfare agents and implements EPA's National Approach to Response.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, the Homeland Security Preparedness, Response, and Recovery Program will:

- Initiate a multi-year plan for carrying out the White House's National Biodefense Strategy (NBS) and associated Implementation Plan. For FY 2025, EPA is requesting additional resources and FTE to: 1) acquire and sustain rapid and mobile analysis capabilities to characterize the extent of biological contamination at the incident location. This capability will inform immediate response actions and can continue to be leveraged through the remediation phases; 2) enhance planning and capacity of waste management in response to a biological incident through the procurement of commercial services and subject matter expertise; and 3) advance science to evaluate risk-based clearance goals to biological agents and procedures to determine re-occupancy through acquisition and subject matter expertise.
- Utilize the Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft. ASPECT aids first responders by providing aerial surveillance screening for wide-area chemical, radiological, and nuclear detection, as well as infrared and advanced imagery products with real-time data delivery.
- Perform a multi-year strategic modernization of the ASPECT airborne screening capability to the Chemical Incident and Radiological Reconnaissance on Unmanned Systems (CIRRUS) program. In FY 2025, EPA is requesting an increase of resources and FTE to support CIRRUS needed to expedite emergency response. EPA will transition this capability to remotely piloted platforms to more effectively and efficiently support emergency response, climate crisis, and environmental justice missions. This system will simultaneously reduce response time to a broader geographic area, enhance response redundancy, capitalize on potential cost-efficiencies of remotely piloted vehicles, and significantly reduce the hazards associated with crewed flight operations at extremely low altitudes.
- Operate, enhance, and significantly overhaul the aging Portable High-Throughput Integrated Identification System (PHILIS) capability. PHILIS units provide the Nation with mobile analytical “all hazards” confirmatory labs (qualitative and quantitative) with unique capability to analyze chemical warfare threat agents. PHILIS provides on-scene, high-throughput analyses of air, soil, and water samples in areas that have experienced a significant incident. PHILIS can support risk mitigation of contaminated sites which face climate change impacts and affect communities with environmental justice concerns by mobilizing laboratory capabilities to areas of need. In FY 2025, EPA is requesting additional resources to replace outdated PHILIS platforms and equipment, establish new analytical capabilities to support emergency response actions, and enable the program to be able to support more than one deployment at a time. The platform replacements will provide greatly improved long-distance mobility, reliability, maintenance and operating

costs, and operational uniformity. The FY 2025 equipment investment will procure state-of-the-art systems to increase overall automation, throughput, and sensitivity of the PHILIS assets as well as bring parity in capabilities between the two (“East” and “West”) PHILIS labs. The goal of the program is to allow for deployment of the laboratories to more than one emergency response at a time and for long-term sustainment of deployments lasting over one month, such as the Red Hill drinking water emergency in 2021/2022 and the East Palestine Train Derailment in 2023.

- Participate in trainings and exercises on CBRN preparedness and response topics with key federal response partners (*e.g.*, DHS, DOD, and DOJ) on select inter-agency workgroups.
- Target exercises to improve preparedness for communities with environmental justice concerns and increase incorporation of environmental justice into preparedness activities.
- Support the ERT, which provides nationwide assistance and consultation for emergency response actions, including unusual or complex incidents. In such cases, the ERT supplies subject matter experts, with special equipment and technical or logistical assistance.
- Provide expertise on detection, environmental characterization, decontamination, and waste disposal methods following the release of a CBRN agent.
- Maintain operational support for the Emergency Management Portal and WebEOC response systems.
- Conduct research, through the Homeland Security Research Program (HSRP), to enhance response capabilities by developing methods, tools, and information for site characterization, decontamination, waste management, and clearance for priority chemical, biological, and radiological threats all while reducing time and cost and ensuring safety. This research includes testing commercially available technologies to support response and site cleanup capabilities.
- HSRP, in collaboration with Program and Regional Office partners and other federal, state, local, territorial, and tribal stakeholders, will conduct research to generate resources, tools, and training for risk communication outreach, building relationships, and community engagement to empower under-resourced communities and populations with environmental justice concerns.
- HSRP will proceed with the development of sample collection protocols and analysis methods for inclusion in EPA’s Environmental Sampling and Analytical Methods (ESAM)<sup>16</sup> on-line tool. EPA’s ESAM detection, sampling, and analysis tool helps local, state, territorial, tribal, and federal emergency response field personnel and their supporting laboratories more effectively and efficiently respond to incidents, enabling smooth transitions of samples and data from the field to the laboratory to decision makers.

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<sup>16</sup> For more information, please see: <https://www.epa.gov/esam>.



- Maintain a highly skilled, well-trained, and well-equipped response workforce that has the capacity to respond to simultaneous incidents as well as threats involving CBRN substances. This includes training On-Scene Coordinators, volunteers of the Response Support Corps (RSC), and members of Incident Management Teams. RSC volunteers provide critical support to headquarters and regional Emergency Operations Centers and assist with operations in the field. To ensure technical proficiency, this cadre of response personnel requires initial training and routine refresher training.

**Performance Measure Targets:**

Work under this program directly supports performance results in the Superfund: EPA Emergency Preparedness program under the Superfund appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$574.0 / +3.0 FTE) This program change is to plan to develop rapid, mobile, analytical capabilities to characterize the extent of biological contamination and to enhance planning and waste management capacity in response to a biological incident. This includes \$560.0 thousand in payroll.
- (+\$12,433.0 / +1.8 FTE) This program change is an increase in resources and FTE to support Chemical Incident and Radiological Reconnaissance on Unmanned Systems (CIRRUS) needed to expedite emergency response and provide additional assistance to EPA partners. These efforts improve preparedness for communities with environmental justice concerns, such as fenceline communities. This includes \$337.0 thousand in payroll costs and additional changes to fixed support costs.
- (+\$9,704.0) This program change is an increase in resources to replace outdated PHILIS equipment. These funds will allow the program to complete a PHILIS equipment upgrade, update all mobile lab technology, and replace vehicle platforms. These efforts will assist in improving preparedness for communities with environmental justice concerns, such as fenceline communities.
- (-\$164.0) This program change decreases non-payroll resources in order to support additional FTE costs for site characterization and decontamination research.
- (+\$150.0 / +1.2 FTE) This net program change is an increase in resources and FTE for research to enhance response capabilities by developing methods, tools, and information for site characterization and decontamination. This includes \$190.0 thousand in payroll costs and additional changes to fixed support costs.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act, §§ 104, 105, and 106; Homeland Security Act of 2002.

**Homeland Security: Protection of EPA Personnel and Infrastructure**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$6,059                          | \$5,188                              | \$5,158                                   | -\$30  |
| Science & Technology                        | \$625                            | \$625                                | \$501                                     | -\$124   |
| Building and Facilities                     | \$3,944                          | \$6,676                              | \$6,676                                   | \$0  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$1,167</i></b>            | <b><i>\$1,029</i></b>                | <b><i>\$1,530</i></b>                     | <b><i>\$501</i></b>  |
| Total Budget Authority                      | \$11,795                         | \$13,518                             | \$13,865                                  | \$347  |
| Total Workyears                             | 12.3                             | 13.3                                 | 13.3                                      | 0.0  |

Total workyears in FY 2025 include 13.3 FTE to support Homeland Security Working Capital Fund (WCF) services.

**Program Project Description:**

The federal government develops and maintains Continuity of Operations (COOP) plans and procedures that provide for the continued performance of its essential functions. The Homeland Security COOP Program works with other government and non-government organizations to ensure that Mission Essential Functions (MEFs) and Primary Mission Essential Functions (PMEFs) continue to be performed during emergency situations. The Department of Homeland Security/Federal Emergency Management Agency’s (FEMA) Federal Continuity Directive-1 (FCD-1) requires EPA to develop a continuity plan that ensures its ability to accomplish its MEFs from an alternate site, during a national disaster, continues and that the Agency will be able to continue operations successfully with limited staffing and without access to resources available during normal activities.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will:

- Expand efforts, under FEMA’s Federal Mission Resiliency (FMR) directives, including assessment of the FMR strategy, building upon existing National Continuity Policy, updating training and exercise materials to incorporate FMR constructs, and developing assessment tools to measure progress.
- Conduct selected annual reviews of regional COOP plans, PMEFS and MEFs, and make updates as needed.

- Monitor the continuity programs across the Agency, focusing on testing, training, and exercises as related to general COOP awareness and procedures.
- Undergo a monthly evaluation of the headquarters' COOP Program, including program plans and procedures, risk management, budgeting, and essential functions. Further, FEMA will perform an in-person biannual review of EPA's COOP Program and provide the results to the Administrator and to the Executive Office of the President.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$501.0) This program change is an increase in resources to support EPA's COOP implementation and training.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act §§ 104, 105, 106; Intelligence Reform and Terrorism Prevention Act of 2004; Homeland Security Act of 2002; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

## **Indoor Air and Radiation**

**Radiation: Protection**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$8,390                          | \$9,088                              | \$11,748                                  | \$2,660  |
| Science & Technology                        | \$2,321                          | \$1,683                              | \$2,416                                   | \$733  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$2,081</i></b>            | <b><i>\$2,472</i></b>                | <b><i>\$3,144</i></b>                     | <b><i>\$672</i></b>  |
| Total Budget Authority                      | \$12,792                         | \$13,243                             | \$17,308                                  | \$4,065  |
| Total Workyears                             | 57.3                             | 54.8                                 | 67.2                                      | 12.4   |

**Program Project Description:**

This program addresses potential radiation risks that may be found at Superfund and hazardous waste sites. Through this program, EPA ensures that Superfund site cleanup activities reduce and/or mitigate the health and environmental risks of radiation by including support of removal actions, as needed.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

Work in this program directly supports protecting communities from hazardous waste and environmental damage, thereby protecting human health and the environment, and contributing to the well-being of disadvantaged communities that may be disproportionately impacted by radioactive releases. In FY 2025, EPA’s National Analytical Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and National Center for Radiation Field Operations (NCRFO) in Las Vegas, Nevada, will continue to provide analytical and field support to manage and mitigate radioactive releases and exposures. These two organizations provide analytical and technical support for the characterization and cleanup of Superfund and hazardous waste sites.

NAREL and NCRFO provide data evaluation and assessment, document review, and field support through ongoing fixed and mobile analytical capability. Thousands of radiochemical analyses are performed annually at NAREL on a variety of samples from contaminated sites. NAREL is EPA's only radiological laboratory with in-house radiochemical analytical capability. NCRFO provides field-based technical support for screening and identifying radiological contaminants at Superfund and non-Superfund sites across the country, including air sampling equipment and expert personnel.

More specifically, these organizations focus on providing technical support and high-quality data to support agency decisions at sites across the country. They also develop guidance for cleaning up Superfund and other sites that are contaminated with radioactive materials.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$119.0) This change to fixed and other costs is an increase due to the recalculation of lab utilities.
- (+\$553.0 / +2.4 FTE) This program change reflects an increase in program capacity for activities such as analytical and field support to assess, manage, and mitigate radioactive releases and exposures at contaminated sites. This investment includes \$423.0 thousand for payroll and additional changes to fixed support costs.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

**IT/ Data Management/ Security**

## Information Security

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$8,188                          | \$9,142                              | \$23,937                                  | \$14,795   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$1,494</i></b>            | <b><i>\$1,062</i></b>                | <b><i>\$6,012</i></b>                     | <b><i>\$4,950</i></b>  |
| Total Budget Authority                      | \$9,682                          | \$10,204                             | \$29,949                                  | \$19,745   |
| Total Workyears                             | 10.3                             | 14.1                                 | 17.1                                      | 3.0  |

### 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 Information Security Program’s mission is to protect the confidentiality, integrity, and availability of EPA’s information assets. The information protection strategy includes, but is not limited to, risk management, oversight, and training; network management and protection; and incident management.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$5.0 million to support enhancements to protect the Agency’s information technology (IT) portfolio. This investment will improve EPA's IT resiliency and limit vulnerabilities in the event of a malicious attack. EPA will continue to work toward full compliance with high priority directives (Adoption of Multifactor Authentication, Encryption of Data At Rest, Encryption of Data In Transit, Cybersecurity Supply Chain Risk Management, Zero Trust Architecture, and Event Logging) in Executive Order (EO) 14028: *Improving the Nation’s Cybersecurity*.<sup>17</sup>

<sup>17</sup> Work in this program takes direction for IT implementation practices and priorities from the following:

- EO 14028: *Improving the Nation’s Cybersecurity* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/>).
- OMB Memo M-19-26: *Update to the Trusted Internet Connection (TIC) Initiative* (<https://www.whitehouse.gov/wp-content/uploads/2019/09/M-19-26.pdf>).
- OMB Memo M-21-30: *Protecting Critical Software Through Enhanced Security Measures* (<https://whitehouse.gov/wp-content/uploads/2021/08/M-21-30.pdf>).
- OMB Memo M-21-31: *Improving the Federal Government’s Investigative and Remediation Capabilities Related to Cybersecurity Incidents* (<https://www.whitehouse.gov/wp-content/uploads/2021/08/M-21-31-Improving-the-Federal-Governments-Investigative-and-Remediation-Capabilities-Related-to-Cybersecurity-Incidents.pdf>).
- OMB Memo M-22-01: *Improving Detection of Cybersecurity Vulnerabilities and Incidents on Federal Government Systems through Endpoint Detection and Response* (<https://www.whitehouse.gov/wp-content/uploads/2021/10/M-22-01.pdf>).



## Improving the Defense and Resilience of Government Networks

### *Zero Trust Architecture (ZTA)*

A key priority for EPA's information security will be implementing zero trust capabilities addressing gaps identified by the Agency to enable the development of networks which can resist malevolent actions regardless of their origin. ZTA will grant authorized users full access to the tools and resources needed to perform their jobs but limit access to unnecessary areas. Proper permissions for a given user's needs are a critical component of ZTA, and coding for more granular control over the network environment is an information security priority. The Agency also will focus addressing the need to ensure all devices in EPA's environment are compliant with information security requirements prior to accessing network resources. EPA will continue efforts to elevate awareness of and harden isolated environments with enhanced security measures by integrating those environments with continuous monitoring capabilities to improve visibility and reduce risk.

EPA will continue to improve defense and resilience of government networks in accordance with ZTA security principles, which focus on virtual identity management capabilities. These improvements ensure agency staff can access necessary software applications while providing resistance to malicious phishing campaigns and sophisticated online attacks. For those system environments not integrated into the larger enterprise system (*i.e.*, those that may not be compatible with the enterprise-wide identity management capabilities), EPA will continue efforts to harden those systems with continuous monitoring capabilities to reduce risk.

The Agency will continue to implement cybersecurity enhancements necessary to support a larger remote workforce, which includes strengthening cloud security monitoring and access to sensitive data, cyber incident response, and cloud platform management services. These enhancements allow agency staff to securely use systems and services in the cloud while also improving application performance associated with Trusted Internet Connections (TIC). The Agency also will pilot enterprise web application control tools to protect web applications by preventing malicious traffic from accessing the web application or agency data. The Agency will continue to build its Insider Threat Program for the unclassified network to monitor Privileged Users and Systems Administrators activity, as recommended by several cybersecurity assessments,<sup>18</sup> and to monitor and report on EPA networks and systems.

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- OMB Memo M-22-09: *Moving the U.S. Government Toward Zero Trust Cybersecurity Principles* (<https://www.whitehouse.gov/wp-content/uploads/2022/01/M-22-09.pdf>).
  - OMB Memo M-22-16: *Administration Cybersecurity Priorities for the FY 2024 Budget* (<https://www.whitehouse.gov/wp-content/uploads/2022/07/M-22-16.pdf>).
  - OMB Memo M-23-03: *Fiscal Year 2023 Guidance on Federal Information Security and Privacy Management Requirements* (<https://www.whitehouse.gov/wp-content/uploads/2022/12/M-23-03-FY23-FISMA-Guidance-2.pdf>).
  - OMB Memo M-23-18: *Administration Cybersecurity Priorities for the FY 2025 Budget* (<https://www.whitehouse.gov/wp-content/uploads/2023/06/M-23-18-Administration-Cybersecurity-Priorities-for-the-FY-2025-Budget-s.pdf>).
  - NIST 800-53 (<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r5.pdf>).

<sup>18</sup> These assessments include Annual Assessments and Classified briefings with the Department of Homeland Security and EPA's Office of Homeland Security, as well as a 2017 OIG Report, available at: [https://www.epa.gov/sites/production/files/2017-10/documents/epa\\_oig\\_20171030-18-p-0031.pdf](https://www.epa.gov/sites/production/files/2017-10/documents/epa_oig_20171030-18-p-0031.pdf).

## *IT Modernization for Federal Cybersecurity by Design*

EPA will continue to strengthen IT assets and develop resiliency against potential cybersecurity threats. This work includes enhancing Multifactor Authentication to strengthen access controls to data and evaluating areas which still may require implementation of encryption for Data at Rest and Data in Transit to protect data. EPA has prioritized investments to protect the most sensitive systems and information. Additionally, EPA will work with the Department of Homeland Security and the Continuous Diagnostics and Mitigation (CDM) Program to ensure up-to-date technologies are implemented.

Cyberattacks are rapidly increasing in volume and sophistication, impacting both IT and operational technology systems. EPA's Agency IT Security and Privacy (AITSP) Program enables agencywide implementation, management, and oversight of the Chief Information Officer's (CIO) Information Security and Privacy Programs through continuous monitoring functions; one objective includes the maturation of the Continuous Authorization to Operate (ATO). These capabilities serve to identify and address security vulnerabilities and incidents quickly, ensuring that EPA's information environment remains safe.

EPA will continue to support the ongoing implementation of capabilities for data labeling and data loss prevention, which will improve security information and event management by collecting, synthesizing, managing, and reporting cybersecurity events for systems across the Agency.

The Information Security Program supports EPA's Enterprise Security Operations Center (SOC), which manages the Computer Security Incident Response Capability (CSIRC) processes to support identification, response, alerting, and reporting of suspicious activity. EPA will continue maturing the system logging capabilities in Event Logging (EL) Level 3 for Advanced Logging requirements at all criticality levels, leveraging Security Orchestration, Automation, and Response tools to streamline threat and vulnerability management, incident response, and security operations automation. Additionally, EL 3 will utilize User Behavior Monitoring analytics to enable early detection of malicious behavior. Through CSIRC, EPA will continue to collaborate with other federal agencies and law enforcement entities, as needed, to support the Agency's mission.

The Agency's Security Operations Center will continue maturing End Point Detection and Response capabilities with the CDM Program to support proactive detection of cybersecurity incidents, active cyber threat hunting, containment and remediation, and incident response. EPA will continue modernizing its network and system logging capabilities (on-premises systems and connections hosted by third parties, such as Cloud Service Providers) for both investigation and remediation purposes.

EPA leverages CDM capabilities to address the Agency's cybersecurity security gaps and efficiently identify and respond to government-wide cybersecurity threats and incidents. In FY 2025, as part of the work with the Department of Homeland Security to support implementation of current and future Phase CDM requirements, the CDM Program will continue closing remaining gaps in asset management. Privileged access to EPA's network will continue to provide critical security controls for the Agency's cloud applications. The CDM Program also will review interior EPA network boundary protection from interconnections to external networks and expand

endpoint detection and response capabilities. EPA also will continue to mature and promote utilization of the CDM dashboard to rapidly identify and respond to potential threats in the information technology environment. EPA will continue collaborating with DHS on enhancing threat hunting capabilities. In line with Office of Management and Budget (OMB) and DHS direction, the CDM Program will implement priority capabilities as they are identified. In FY 2025, EPA estimates a \$15 million budget for the CDM Program.

## **Strengthening the Foundations of our Digitally-Enabled Future**

### *Securing Infrastructure Investments*

The Agency collects Federal Information Security Modernization Act (FISMA) metrics and evaluates related processes, tools, and personnel to identify gaps and opportunities for improvement.<sup>19</sup> EPA's CIO, who also is the Senior Agency Official for Privacy (SAOP), in coordination with the Chief Information Security Officer, will continue to monitor and report on these metrics. EPA will:

- Modernize and automate the methodology and workflow for collecting Federal Information Registry data supporting the System of Record Notice Management process.
- Continue implementing Ground Truth Testing to validate security and find weaknesses through manual and automated penetration testing and red team exercises.

The Agency continues to work on refinements to improve the ability to track and report on critical software used by the Agency in compliance with Federal Information System Reporting and OMB direction. EPA includes cybersecurity and privacy components in senior leadership program reviews. These reviews enhance CIO oversight by enabling better risk area determination and targeted improvement to system and mission program managers. While EPA program and regional offices maintain responsibility for improving their performance in specific cybersecurity measures, EPA's senior leadership routinely reviews performance results and potential challenges for achieving continuous improvement.

The Agency will be making investments in securing mission activities from risks posed by leading edge technologies such as Generative Artificial Intelligence (AI), Robotic Process Automation (RPA) and Quantum Computing.<sup>20</sup> These investments will help to ensure that agency personnel can perform their business mission activities efficiently and securely with the implementation of the necessary controls to allow use of leading-edge technologies within the environment and prevent malicious actors from leveraging these technologies to disrupt business operations.

### *Human Capital*

EPA will further enhance agency-specific role-based training to ensure personnel in key cybersecurity roles have a comprehensive understanding of modern, secure IT and cybersecurity

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<sup>19</sup> Including those found in Federal Information Security Modernization Act of 2014 and Federal Information Security Cybersecurity Act of 2015.

<sup>20</sup> OMB Memo 23-02: Migrating to Post-Quantum Cryptography: <https://www.whitehouse.gov/wp-content/uploads/2022/11/M-23-02-M-Memo-on-Migrating-to-Post-Quantum-Cryptography.pdf>.

requirements, with the skills, knowledge, and capabilities to effectively support EPA’s cybersecurity posture.

*Technology Ecosystems*

EPA will build on efforts to fully implement the Agency’s Cybersecurity Supply Chain Risk Management Controls to comply with the Government Accountability Office findings.<sup>21</sup> This work includes coordinating across the Agency with personnel from Information Technology, Information Security, and Procurement to update the policy and obtain the necessary tools to address these critical security requirements. EPA will continue to implement standards, procedures, and criteria to harden and secure software development environments, and investigate the addition of automated tools to secure the development environment.

**Performance Measure Targets:**

**(PM ALR) Implementation of advanced event logging requirements (EL3) across EPA networks.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| Target |         |         |         |         | EL1     | EL3     | EL3     | EL3     | Tier  |
| Actual |         |         |         |         | EL0     | EL0     |         |         |       |

**(PM DAR) Percentage of EPA data at rest in compliance with encryption requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target      |         |         |         |         |         | 90      | 95      | 100     | Percent |
| Actual      |         |         |         |         |         | 93      |         |         |         |
| Numerator   |         |         |         |         |         | 110     |         |         | Systems |
| Denominator |         |         |         |         |         | 118     |         |         |         |

**(PM DIT) Percentage of EPA data in transit in compliance with encryption requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Target      |         |         |         |         |         | 90      | 98      | 100     | Percent |
| Actual      |         |         |         |         |         | 98      |         |         |         |
| Numerator   |         |         |         |         |         | 116     |         |         | Systems |
| Denominator |         |         |         |         |         | 118     |         |         |         |

**(PM MFA) Percentage of EPA systems in compliance with multifactor authentication requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| Target      |         |         |         |         | 75      | 85      | 100     | 100     | Percent      |
| Actual      |         |         |         |         | 48      | 79      |         |         |              |
| Numerator   |         |         |         |         | 223     | 321     |         |         | Applications |
| Denominator |         |         |         |         | 463     | 406     |         |         |              |

<sup>21</sup> Government Accountability Office Report on information and communications technology (ICT) Supply Chain: GAO-21-164SU.

**(PM ZTA) Percentage of “Zero Trust Architecture” projects completed on time.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent  |
| Actual      |         |         |         |         |         | 50      |         |         |          |
| Numerator   |         |         |         |         |         | 1       |         |         | Projects |
| Denominator |         |         |         |         |         | 2       |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$4,950.0) This program change supports enhancements to protect the Agency’s information technology infrastructure portfolio and advance the implementation of EO 14028: *Improving the Nation’s Cybersecurity*. This investment will increase EPA’s information technology resiliency and limit vulnerabilities in the event of a malicious attack.

**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).

## IT / Data Management

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$95,631                         | \$91,821                             | \$108,601                                 | \$16,780   |
| Science & Technology                        | \$3,489                          | \$3,197                              | \$3,346                                   | \$149  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$22,040</i></b>           | <b><i>\$19,764</i></b>               | <b><i>\$19,645</i></b>                    | <b><i>-\$119</i></b>   |
| Total Budget Authority                      | \$121,160                        | \$114,782                            | \$131,592                                 | \$16,810   |
| Total Workyears                             | 457.5                            | 490.9                                | 510.9                                     | 20.0   |

Total work years in FY 2025 include 175.0 FTE to support IT/Data Management working capital fund (WCF) services.

### **Program Project Description:**

This program supports the maintenance of EPA’s Information Technology (IT) and Information Management (IT/IM) services that enable citizens, regulated facilities, states, and other entities to interact with EPA electronically to access, analyze and understand, and share environmental data on-demand. The Information Technology/Data Management (IT/DM) 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 federal IT requirements, including the Federal Information Technology Acquisition Reform Act (FITARA); Technology Business Management (TBM); Capital Planning and Investment Control (CPIC); and the Open, Public, Electronic, and Necessary Government Data Act.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, in accordance with Executive Order 14110<sup>22</sup> on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence, EPA will encourage the use of AI in the federal space, and do so with transparency, responsibility, safety, and ethical standards. The Agency will maintain EPA’s current AI Inventory and develop a compliance plan, strategy, and AI governance committee. EPA forecasts that workforce demand for AI tools and training will increase and is addressing this need through the development of training and pilot programs. Security and privacy risks are of utmost importance and governance channels already exist which are constantly evaluating risks associated with AI. EPA will be working to integrate AI into these existing governance channels.

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<sup>22</sup> For more information, please see: <https://www.federalregister.gov/documents/2023/11/01/2023-24283/safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence>.

In FY 2025, in line with OMB Memoranda M-23-15 *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*, EPA will make investments in IT infrastructure to support meaningful, in-person work across the Agency. Investments include modernizing and enhancing available tools to ensure the workforce has the proper technology to operate as effectively as possible in a modern capacity to implement the Agency's mission. Additionally, resources will be utilized to provide a high-quality service delivery experience for the public.

In FY 2025, EPA will continue implementation of its agencywide Digitization Strategy, which includes the operation of two EPA digitization centers and the operation of the Agency Records Management System (ARMS), which is necessary to meet the requirements of Memoranda M-19-21 *Transition to Electronic Records* issued by the Office of Management and Budget and the National Archives and Records Administration.<sup>23</sup> In FY 2025, EPA will digitize, validate, and upload electronic files into the ARMS. Additionally, EPA will leverage artificial intelligence and machine learning to assist staff with appropriately scheduling electronic records that are saved to ARMS. The Agency will operate the Paper Asset Tracking Tool (PATT) to track paper records as they are submitted and processed through the digitization centers.

The Agency also will continue implementing the 21<sup>st</sup> Century Integrated Digital Experience Act (P.L. 115-336), which includes modernization of internal and public-facing websites and digital services, as well as digitization of paper forms and non-digital services. EPA will continue digitizing the Agency's public-facing paper forms in compliance with the 21<sup>st</sup> Century Integrated Digital Experience Act and based on the completed inventory of the Agency's forms.

In FY 2025, EPA will continue to maintain and manage its core IT/DM services, including Information Collection Requests, the National Library Network, the Agency's Docket Center, and EPA's Section 508 Program, which directly supports the requirements under Executive Order (EO) 14035: *Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*.<sup>24</sup>

Key initiatives include:

- Further strengthening the Agency's IT acquisition and portfolio review process as part of the implementation of FITARA. In the most recent FITARA scorecard, released in September 2023,<sup>25</sup> EPA scored an overall B. EPA will continue to use the results of the FITARA scorecard to drive agency priorities and investments.
- Continuing work to convert internal administrative paper or analog workflows into modern digital workflows to speed up routine administrative tasks, reduce burdensome paperwork for EPA employees and managers, improve internal data collection and reporting, and improve cross-agency data interoperability and delivery to the public. In FY 2025, application development work will continue to automate processes identified in the Agency high priority list.

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<sup>23</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/08/M-19-21-new-2.pdf>.

<sup>24</sup> For more information, please refer to Executive Order: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/06/25/executive-order-on-diversity-equity-inclusion-and-accessibility-in-the-federal-workforce/>.

<sup>25</sup> For additional information, please refer to: <https://fitara.meritalk.com/>.

- Continuing to implement EPA’s Controlled Unclassified Information Program to standardize, simplify, and improve information management and IT practices to facilitate the sharing of important sensitive data within the Agency, with key stakeholders outside of the Agency, and with the public, meeting federal standards as required by Executive Order 13556: *Controlled Unclassified Information*.<sup>26</sup>
- Increasing the use of registries, continue migration to a cloud infrastructure, and improve registry quality by modernizing from custom built solutions to commercial off-the-shelf tools with expanded capabilities. Registries are shared data services in which common data are managed centrally but shared broadly; they improve data quality in EPA systems, enable integration and interoperability of data across program silos, and facilitate discovery of EPA information publicly and internally.

EPA’s Customer Experience (CX) Program will focus on improving the mission support experience of EPA staff to improve their ability to serve the public, in line with the guidance in Executive Order 14058.<sup>27</sup> The Program focuses on collaborations such as the Hiring and Onboarding process, which collects feedback from IT professionals, hiring managers, regions, programs, and other stakeholders to improve the experience for hiring authorities and new employees at EPA. The CX Program collects customer feedback, conducts data analytics, assesses priorities within a governing community of practice, and presents recommendations to senior leaders to allocate resources to improve CX initiatives.

In FY 2025, 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 such as the Facility Registry System, the Agency can integrate, interpret, and visualize multiple data sets and information sources to support environmental decisions. The Agency will continue developing and increasing capabilities of EPA’s Data Management and Analytics Platform, which has both internal and public facing elements, such as Envirofacts. EPA will partner with other agencies, states, tribes, and academic institutions to propose innovative ways to use, analyze, and visualize data through EPA’s Data Management and Analytics Platform. In FY 2025, EPA will continue implementation of a governance framework for enterprise data life cycle approach for managing regulated facility data.

In FY 2025, Web Infrastructure Management will continue to modernize EPA’s web presence to support internal and external users with information on EPA business, support employees with internal information, and provide a clearinghouse for the Agency to communicate initiatives and successes. EPA also will continue to upgrade its web infrastructure to ensure that it meets current statutory and evolving security requirements.

The EPA Chief Data Officer (CDO), with support from the Agency’s Data Governance Council (DGC) will continue to develop enterprise scale data governance, including data policies, procedures, and standards to ensure all priority data assets are fully available. Additionally, they will promote data management that emphasizes equitability and FAIR (Findable, Accessible,

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<sup>26</sup> For more information, please refer to Executive Order: <https://www.federalregister.gov/documents/2010/11/09/2010-28360/controlled-unclassified-information>.

<sup>27</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/12/16/2021-27380/transforming-federal-customer-experience-and-service-delivery-to-rebuild-trust-in-government>.



Interoperable, and Reusable) data principles. EPA's enterprise data governance implementation plans depend on coordination across the Agency's program offices and regions. Currently, EPA relies on a network of data managers and stewards across the Agency to implement governance. To facilitate effective communication between the DGC and responsible parties, as well as to ensure development and implementation of the most effective data policies, procedures, and standards, EPA has established a data officer position in each EPA program office and region. These data officers fulfill essential communication and coordination functions and serve as anchors for building a stronger culture of utilizing data to build evidence and support decision making across EPA.

**Performance Measure Targets:**

Work under this program supports performance results in the Information Technology/Data Management Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$119.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); 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; Foundations for Evidence-Based Policy Making Act of 2018; Geospatial Data Act of 2018.

**Legal / Science / Regulatory / Economic Review**

## Alternative Dispute Resolution

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$845                            | \$972                                | \$2,820                                   | \$1,848  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$758</i></b>              | <b><i>\$791</i></b>                  | <b><i>\$1,841</i></b>                     | <b><i>\$1,050</i></b>  |
| Total Budget Authority                      | \$1,602                          | \$1,763                              | \$4,661                                   | \$2,898  |
| Total Workyears                             | 4.7                              | 5.9                                  | 14.0                                      | 8.1  |

### Program Project Description:

EPA's Alternative Dispute Resolution (ADR) Program offers cost-effective processes for preventing and resolving conflicts on Superfund Program matters as an alternative to litigation and to support collaboration. The Program provides facilitation, mediation, public involvement, training, and consensus building advice and support for the entire Agency. The Program's ADR services support the Superfund Program's work with communities, Potentially Responsible Parties, and other stakeholders, and in particular assist the Superfund Program in meeting their legal requirements to engage meaningfully with communities by helping to develop collaborative and effective partnerships.

Significantly, the ADR Program provides conflict resolution and community engagement support for the Superfund Program to assist with contentious situations at some of the most challenging sites. In FY 2023, the ADR Program provided ongoing facilitation support for community engagement in East Palestine, OH following the Norfolk Southern freight train derailment. In addition to the conflict prevention and resolution support that the ADR Program provides at several Superfund sites across the country, the ADR Program also supports the Superfund Program's needs for training in negotiation, public involvement, and other similar topics. In FY 2023, the ADR Program delivered conflict resolution training for the Community Involvement Training Program, the National Association of Remedial Project Managers Training Program, and the On-Scene Coordinators Readiness Training Program. The Program expects to do so again in FY 2025.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$1.05 million and 2.4 FTE to build its ADR program to meet the requests in the areas of environmental justice and Title VI civil rights cases. EPA will continue to provide conflict prevention and ADR services on an increasing number of Superfund Program matters. This program also supports implementation of Executive Order (EO) 13985:

*Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.*<sup>28</sup>

Specifically, the ADR Program will:

- Administer its five-year Environmental Collaboration and Conflict Resolution Services (ECCRS) contract, which will be awarded in Spring 2024 and is expected to have a \$70 million capacity. The ADR Program provides most of its conflict prevention and resolution services to the Agency through this contract. The contract supports more than 50 Superfund projects by providing facilitators and mediators to resolve conflicts at Superfund sites and is expected to take on an additional 20 to 30 projects in FY 2025, for an expected total of 70-80 Superfund projects supported through the ECCRS contract in FY 2025. The ADR Program has experienced an increase in requests for contract services to support community involvement at Superfund sites in FY 2023 and the trend is expected to continue. Contract support contributes to more productive engagement between the Superfund Program and affected communities, especially underserved and overburdened communities.
- Provide the services described above through the four conflict resolution specialists on staff and Regional Environmental Collaboration and Conflict Resolution (ECCR) Specialists, who perform environmental ADR work as collateral duty with support from the ADR Program. The ADR Program expects to provide support through conflict resolution specialists and ECCR Specialists for agency programs and stakeholders by providing facilitation of public meetings, mediation, or other consensus building support on six to ten Superfund projects in FY 2025, which is an increase in direct services (provided by staff) from two to four in FY 2023. As with contract support, direct staff support promotes greater collaboration and the inclusion of underserved and overburdened communities at Superfund sites experiencing conflict.
- Provide training to EPA staff in conflict resolution concepts and skills. The ADR Program offers this training through eight interactively designed courses to all national program offices and regional offices. The ADR Program delivered three trainings to agencywide Superfund audiences in FY 2023, including conflict resolution training for the Superfund Community Involvement biannual training program and negotiation training for the National Association for Remedial Project Managers' annual conference. The ADR Program expects to increase routine training for Superfund Community Involvement Coordinators in FY 2025. Trainings include the building of critical skills for Superfund personnel, such as working across cultural divides and supporting productive dialogue. These skills help Superfund Program staff better engage with communities.
- Help to achieve the goals of President Biden's Justice40 initiative by tracking the number of ADR projects in which services are provided to underserved and overburdened communities. From January to December 2023, the ADR Program initiated 22 new projects that provide conflict prevention or ADR services to benefit underserved and overburdened communities, and the Program expects to increase services in FY 2025.

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<sup>28</sup> For more information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

The following are examples of FY 2023 accomplishments supporting the Superfund Program:

- Provided facilitation and mediation assistance for more than 50 agency supported Superfund projects, an increase of 18 percent over FY 2022, including multiple sites with challenging community engagement issues.
- Assisted with process design and facilitated a town hall meeting with Rep. Debbie Dingell to address community concerns related to the Norfolk Southern freight train derailment. EPA Region 5 Regional Administrator Debra Shore participated in the meeting, which was held in Belleville, MI, along with representatives from the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Norfolk Southern, Republic Services, and other state and local officials. Over 150 people attended the town hall, and nearly 50 engaged with the panelists.
- Provided facilitation support for the Meeker Avenue Plume Superfund Site in Region 2 as part of the Superfund Pilot Workshop Series. The workshops are a form of conflict prevention and are designed to build early relationships with communities affected by Superfund sites; the workshop for the Meeker Avenue Site drew over 100 participants, who learned about the site and engaged with EPA in an informational setting.
- Provided training support for Superfund audiences, including negotiation and other courses for Community Involvement Coordinators, Remedial Project Managers, and others working on Superfund sites.

#### **Performance Measures Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$14.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,036.0 / +2.4 FTE) This program change is an increase for the use of alternative dispute resolution processes, such as mediation and facilitation, to promote equity by including underserved communities in negotiations. This investment includes \$497.0 thousand for payroll.

#### **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); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

## **Legal Advice: Environmental Program**

Program Area: Legal / Science / Regulatory / Economic Review  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$60,207                         | \$60,061                             | \$86,615                                  | \$26,554   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$844</i></b>              | <b><i>\$599</i></b>                  | <b><i>\$482</i></b>                       | <b><i>-\$117</i></b>   |
| Total Budget Authority                      | \$61,051                         | \$60,660                             | \$87,097                                  | \$26,437   |
| Total Workyears                             | 258.8                            | 273.3                                | 352.5                                     | 79.2   |

Total Workyears in FY 2025 include 8.3 FTE funded by TSCA fees and 22.0 FTE to support Legal Advice working capital fund (WCF) services.

### **Program Project Description:**

The Legal Advice: Environmental Program provides legal representation, legal counseling, and legal support for environmental activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) through the Office of General Counsel's (OGC) Solid Waste and Emergency Response Law Office (SWERLO). Funding supports legal counseling activities necessary for the Superfund Program's extensive work to clean up contaminated sites, which advances environmental justice (EJ) for neighboring communities, and supports EPA's state, tribal, and local partners. For example, the Program provides legal analysis and advice to help inform EPA's decisions regarding the assessment of certain contaminants at a given Superfund site under federal law and a party's potential liability under CERCLA.

The Program supports EPA's Superfund work at thousands of sites and spans a wide array of Superfund legal issues regarding removal and remedial cleanups costing billions of dollars. The Program is essential to providing the high-quality legal work to help ensure defensibility of EPA's decisions to protect human health and the environment.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will prioritize legal support for the Superfund Program to assist with the Administration's priorities including: tackling the climate crisis, advancing EJ, and supporting state, tribal, and local partners. The Program's increasing work to support CERCLA activities and these priorities includes but is not limited to counseling on how to address EJ and climate resiliency in EPA's remedy decisions at Superfund sites, counseling on authorities to address emergencies and disasters, counseling on the defensibility of agency actions, drafting significant portions of agency actions, and participating in litigation in defense of agency actions.

In particular, the Program expects a continued significant increase in work to provide key legal advice and support related to cleanups, enforcement, rulemakings, guidance, and litigation concerning per- and polyfluoroalkyl substances (PFAS). The Program provides critical legal advice on actions that are part of the EPA's *PFAS Strategic Roadmap*<sup>29</sup>, an Administration priority which takes a whole-of-agency approach to address PFAS. For example, the Program will provide significant counsel on EPA's proposal to designate PFAS as a CERCLA hazardous substance, an action that, if finalized, could significantly advance EJ goals for communities across the country impacted by PFAS. Similarly, the Program provides legal counsel on other agency actions, including an advance notice of proposed rulemaking on various PFAS and guidance related to the destruction and disposal of PFAS. Legal support is critical to the Superfund Program at many points throughout the cleanup process. This program also provides legal advice and counseling for final rules adding Superfund sites to the National Priorities List (NPL), an important step in advancing cleanup at the Nation's most contaminated sites. This benefits states, tribes, and local communities, who may not have adequate resources to address these sites on their own. The Program also provides legal advice on the statutory and regulatory requirements governing the remedy selection process (such as the consideration of state and tribal standards). This work also benefits states, tribes, and local communities to allow for state/tribal and public engagement on cleanups in their communities.

The following are examples of FY 2023 accomplishments, which illustrate the Program's important role in implementing the Agency's core priorities and mission:

- The Program served as the lead on several noteworthy litigation matters. For example:
  - The Program led EPA's efforts to develop the Agency's position on a legal issue of first impression related to CERCLA's statute of limitations for contribution actions. Program attorneys drafted EPA's letter to the Solicitor General and advocated to ensure EPA's interests will be reflected in the United States brief in *Georgia-Pacific Consumer Products v. International Paper Company*, No. 22-465 (U.S.) to be filed soon.
  - Program attorneys, with the U.S. Department of Justice (DOJ), successfully obtained from the U.S. Court of Appeals for the Tenth Circuit a favorable opinion affirming a district court's dismissal of a landowner's claims seeking injunctive relief to expedite a CERCLA response action. *Resort Center Association v. Regan*, No. 21-4150 (10th Cir., May 26, 2023).
  - Program attorneys, with DOJ, successfully obtained from the U.S. Court of Appeals for the Ninth Circuit a favorable opinion in *U.S. v. Shell USA*, No. 21-55320 (9th Cir., Nov. 7, 2022). The court held that the United States rightfully sought cost recovery under CERCLA section 107, and rejected a claim that the United States was required to seek contribution under CERCLA section 113. The court ultimately upheld the appellant's liability for approximately \$50 million at the McColl Superfund Site in Fullerton, California.

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<sup>29</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>

- The Program provided critical legal counseling on Superfund PFAS issues and the Program’s legal advice has been central to advancing EPA’s efforts on a top Administration priority to address PFAS contamination. For example, program attorneys:
  - Provided essential legal guidance on EPA’s proposed rule to designate Perfluorooctanoic acid (PFOA)/Perfluorooctane sulfonic acid (PFOS) as CERCLA hazardous substances;
  - Provided further counsel to EPA on the use of CERCLA authority to compel potentially responsible parties to investigate and address PFAS, the use of enforcement discretion, and on the impacts of proposed legislation on EPA’s authorities; and
  - Played a lead role in advocating for EPA’s work protecting human health and the environment during interagency discussions on how the federal government approaches PFAS investigation and cleanup, including at military bases.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$117.0) This net change is a decrease due to a slight reduction to the program. It is offset by an increase to fixed and other costs due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs. The Program will continue to provide legal representation, counsel, and support for the Agency’s CERCLA activities.

**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); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).



## **Operations and Administration**

## Acquisition Management

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$33,034                         | \$37,251                             | \$42,085                                  | \$4,834  |
| Leaking Underground Storage Tanks           | \$173                            | \$181                                | \$136                                     | -\$45  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$22,835</i></b>           | <b><i>\$27,247</i></b>               | <b><i>\$34,172</i></b>                    | <b><i>\$6,925</i></b>  |
| Total Budget Authority                      | \$56,042                         | \$64,679                             | \$76,393                                  | \$11,714   |
| Total Workyears                             | 268.9                            | 307.7                                | 355.7                                     | 48.0   |

### Program Project Description:

Superfund 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 (IT) improvements for acquisition.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$6.9 million and 28.0 FTE for this program. The Agency will continue to strengthen EPA’s capacity to process new, increased, and existing contract award actions in a timely manner; advance EPA utilization of small and disadvantaged businesses; support "Made in America" initiatives; and address supply chain risk management activities for information and communication technology. EPA processes and awards contract actions in line with Federal Acquisition Regulation (FAR) and guidance from the Office of Management and Budget’s (OMB) Office of Federal Procurement Policy (OFPP).

In FY 2025, EPA will continue to support the implementation of supply chain risk requirements in Section 889 of the 2019 National Defense Authorization Act and the “Made in America Laws” referenced in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America's Workers*,<sup>30</sup> while furthering Category Management. The Agency has developed a Made in America Acquisition training curriculum to train EPA’s acquisition workforce and has developed a comprehensive EPA Made in America intranet site which includes resources on Agency and Federal Market Resources, compliance requirements and process guidance for both

<sup>30</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/25/executive-order-on-ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers/>.

procurement and assistance agreements. EPA also has established a Supply Chain Risk Management (SCRM) Program Management Office and task force to formally develop a comprehensive architecture for the Agency's supply chain, as well as mechanisms to identify and mitigate risk.

In FY 2025, EPA will continue working to eliminate barriers to full and equal participation in agency procurement and contracting opportunities for all communities and will continue serving as an active member of the Procurement Equity Workgroup. The Agency will promote the equitable delivery of government benefits and opportunities by making contracting and procurement opportunities available on an equal basis to all eligible providers of goods and services. This work aims to increase the percentage of EPA contract spend awarded to small businesses located in Historically Underutilized Business Zones (HUBZones). These businesses often lack dedicated resources and in-house capacity to capitalize on agency acquisition and financial assistance opportunities.

In FY 2025, in support of Administration climate sustainability initiatives, EPA will work with applicable program offices to identify and prioritize procurement plans that spur innovation, commercialization, and deployment of clean energy technologies.

EPA remains committed to leveraging Category Management principles and enabling Spend Under Management (SUM) in each of its programs and purchasing areas to save taxpayer dollars and improve mission outcomes. In FY 2025, EPA will continue to utilize data provided by OFPP and the General Services Administration, to implement spend analysis, trend analysis, and data visualization tools to measure progress toward EPA's Category Management goals.

OMB's SUM initiative focuses on managed total acquisition spend and agency activities which transition spend to contract vehicles aligned with Category Management principles. Since FY 2023, EPA has elevated its focus on employing Category Management from purely strategic sourcing to broader monitoring and management of EPA's primary spend categories—Facilities & Construction, Professional Services, IT, Industrial Products & Services, Office Management, and Human Capital. Category Liaisons were established to oversee and improve progress with EPA's development of Category-level strategies in the primary spend categories. In FY 2025, EPA Category Liaisons will partner with Federal and EPA Category Managers to execute established Category-level strategies to enable greater SUM and improve the Agency's ability to achieve its Category Management goals.

In FY 2025, EPA will continue to implement SUM principles to leverage pre-vetted agency and government-wide contracts. Through SUM solutions, acquisition experts will optimize spending within the government-wide category management framework and increase the transactional data available for agency-level analysis of buying behaviors. To modernize the acquisition process and remove barriers to entry for obtaining government contracts, EPA has developed two innovative tools available agencywide: the EPA Solution Finder, which provides solution and ordering information for all EPA enterprise-wide contract solutions; and the SUM Opportunity Tool, which recommends existing solutions to address newly identified agency requirements for commodities and services and those supported on expiring contracts.

EPA also will elevate its focus on the Category Management approach to improve management and results of its portfolio of contracts. EPA will continue to maximize considerations for implementing Strategic Sourcing Initiatives (SSIs), thereby enhancing purchase coordination, improving price uniformity and knowledge-sharing, and leveraging small business capabilities to meet acquisition goals. EPA will continue to implement strategic sourcing initiatives first launched in FY 2023 in the areas of Lab Equipment Maintenance; Diversity, Equity, Inclusion, and Accessibility; Organizational Development and Coaching; Business and Financial Services; and Intellitrak software.

**Performance Measure Targets:**

Work under this program supports performance results in the Small Minority Business Assistance Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,713.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$5,212.0 / +28.0 FTE) This net program change will strengthen EPA's capacity to process new, increased, and existing award contract actions in a timely manner; advance EPA utilization of small and disadvantaged business; support "Made in America" initiatives; and support supply chain risk management activities for information and communication technology. The change is partially offset by program efficiencies realized, reducing acquisition system costs. This investment includes \$5.3 million for payroll.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$85,840                         | \$87,099                             | \$100,595                                 | \$13,496   |
| Leaking Underground Storage Tanks           | \$373                            | \$457                                | \$474                                     | \$17   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$32,914</i></b>           | <b><i>\$31,338</i></b>               | <b><i>\$30,512</i></b>                    | <b><i>-\$826</i></b>   |
| Total Budget Authority                      | \$119,128                        | \$118,894                            | \$131,581                                 | \$12,687   |
| Total Workyears                             | 441.2                            | 472.0                                | 486.7                                     | 14.7   |

Total workyears in FY 2025 include 2.0 FTE funded by TSCA fees.

Total workyears in FY 2025 include 45.7 FTE to support Central Planning, Budgeting, and Finance working capital fund (WCF) services.

### **Program Project Description:**

EPA’s financial management community maintains a strong partnership with the Superfund Program. EPA’s Office of the Chief Financial Officer (OCFO) supports this continuing partnership by providing a full array of financial management support services and systems necessary to pay Superfund bills, recoup cleanup and oversight costs for the Trust Fund. EPA’s OCFO manages Superfund activities under the Central Planning, Budgeting, and Finance Program in support of integrated planning, budget formulation and execution, financial management, performance and accountability processes, financial cost recovery, and systems to ensure effective stewardship of Superfund resources. This program supports agency activities to meet requirements of the Government Performance and Results Modernization Act (GPRMA) of 2010,<sup>31</sup> as amended by the Foundations for Evidence-Based Policymaking Act of 2018 (“Evidence Act”), with an emphasis on Title I of the Act;<sup>32</sup> the Digital Accountability and Transparency (DATA) Act of 2014;<sup>33</sup> the Federal Information Technology Acquisition Reform Act (FITARA) of 2015;<sup>34</sup> the Federal Management Financial Integrity Act (FMFIA);<sup>35</sup> the Inspector General Act of 1978.<sup>36</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

<sup>31</sup> For more information, please see: <https://www.congress.gov/111/plaws/publ352/PLAW-111publ352.pdf>.

<sup>32</sup> For more information, please see: <https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf>.

<sup>33</sup> For more information, please see: <https://www.congress.gov/113/plaws/publ101/PLAW-113publ101.pdf>.

<sup>34</sup> FITARA became law as a part of the National Defense Authorization Act for Fiscal Year 2015 (Title VIII, Subtitle D), <https://www.congress.gov/113/plaws/publ291/PLAW-113publ291.pdf>.

<sup>35</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/STATUTE-96/pdf/STATUTE-96-Pg814.pdf>.

<sup>36</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/USCODE-2012-title5/pdf/USCODE-2012-title5-app-inspector.pdf>.

In FY 2025, EPA requests an additional 0.5 FTE in this program. This increase invests in a solution that would move the Agency forward in assessing enterprise and programmatic risk, internal control, and audit management. EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility, management integrity, financial services are efficiently and consistently delivered nationwide, and programs demonstrate results. The Program will maintain key planning, budgeting, and financial management activities. The Program will ensure secure efficient maintenance operations of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget Formulation System, which includes a Performance Module, and related financial reporting systems. The Agency is reviewing its financial systems for modernization and innovation opportunities to support greater effectiveness of targeting legacy systems for replacement. Dashboards are now in place to support payroll, FTE management, and to support GPRMA performance planning and systematic tracking of progress.

In FY 2025, EPA also will continue to standardize and streamline business processes and operations to promote transparency and efficiency. The Program will apply Lean Management techniques and leverage input from customer-focused councils, advisory groups, and technical workgroups to continue improve. At the beginning of FY 2023, EPA began processing new interagency agreements within G-invoicing, as per the Treasury guidelines. G-invoicing will streamline processing and improve management of Interagency Agreements (IA) with the Army Corps of Engineers for Superfund site clean-up. The system implementation will continue to evolve over the next few years as more agencies come online and start to do business with the Agency in G-invoicing. EPA will continue to work transferring its entire catalog of interagency agreements to G-invoicing by the end of FY 2025, however this transfer is dependent on the trading partners' ability to access G-invoicing.

In FY 2025, the Program will continue to focus on core responsibilities in the areas of strategic planning and budget preparation, financial reporting, transaction processing, and Superfund Cost Recovery. In FY 2023, EPA successfully implemented the new billing and cost recovery system, e-Recovery, for Superfund, Federal Emergency Management Agency, and Oil Spill. The Agency will continue to implement FITARA requirements in accordance with EPA's Implementation Plan.<sup>37</sup> The Chief Information Officer will continue to be engaged throughout the budget planning process to ensure that information technology (IT) needs are properly planned and resourced in accordance with FITARA.

The Program will continue to conduct internal control program reviews and use the results and recommendations from the Office of Inspector General (OIG) to provide evidence of the financial soundness of EPA's financial management program and identify areas for further improvement. Annually, EPA conducts internal control reviews of multiple programs. In FY 2023, EPA enhanced its enterprise risk management and risk assessment processes in order to help with the collection and analysis of agency's risks and mitigating controls. The Program will continue to collect key operational statistics for its financial management program to further evaluate its operations and for management decision-making. In future years, the Agency will continue to refine and implement controls on payments by re-evaluating and adjusting its Payment Integrity operations to allow for broader reviews of payment transactions. At the end of the current fiscal

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<sup>37</sup> For more information please see: <http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan>.

year, the Program will provide assurance to the OIG of the validity of financial statements and overall financial reporting.

With increased focused on internal controls, audit management, and enterprise risk assessment, in FY 2025, the Agency will continue to expand the Program's efforts in this area including implementing a new internal control tool. The new tool will allow the Agency to easily crosswalk the anticipated increase in the number of audits for program integrity to the 600+ risks and internal controls. The tool also will help the Agency to better monitor the effectiveness, impact and testing of the internal controls set in place.

EPA has made significant strides in recent years to strengthen programs considered susceptible to improper payment. However, the Agency continues to be vigilant in reducing fraud, waste, and abuse, and strengthening internal controls over improper payments. In addition, as required by the Payment Integrity Information Act of 2019 (PIIA) (P.L. 116-117)<sup>38</sup> and OMB Memorandum *M-21-19 Appendix C*,<sup>39</sup> EPA conducts risk assessments of all its payment streams. Other improvements include the recent implementation of upgraded systems used for payments and invoice processing through which the Agency anticipates even fewer payment errors moving forward. To strengthen our processes, EPA is developing risk assessment plans for significant increases for new funding the Agency receives. These risk assessments will outline potential areas that may require additional guidance for tracking and reporting, performance measures, and internal controls to prevent and detect possible improper payment activities.

#### **Performance Measure Targets:**

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$997.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE from annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$92.0 / +0.5 FTE) This program change invests in a management integrity tool to turn manual data collection and analysis activities into a streamlined, customer-focused and agencywide tool that meets the analytical needs of enterprise risk, internal control, and audit environments. The FTE will support system configuration, training, on-going administrative functions and expanded agency analysis and compilation activities. This investment includes \$92.0 thousand for payroll.

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<sup>38</sup> For more information, please see: <https://www.congress.gov/116/plaws/publ117/PLAW-116publ117.pdf>.

<sup>39</sup> For more information, please see: <https://www.whitehouse.gov/wp-content/uploads/2021/03/M-21-19.pdf>.

- (-\$1,915.0) This program disinvestment reflects the cost savings from decommissioning the SCORPIOS cost recovery system. In FY 2023, EPA successfully implemented and replaced SCORPIOS with the new e-Recovery system. This program change also includes efficiencies gained in adopting G-Invoicing for IAs and reflects fulfillment of a one-time cost to complete enhancements for the Agency infrastructure investment for devolution and continuity of operations projects and other workforce support needs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).



## Facilities Infrastructure and Operations

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$275,614                        | \$283,330                            | \$308,134                                 | \$24,804   |
| Science & Technology                        | \$65,328                         | \$67,500                             | \$72,906                                  | \$5,406  |
| Building and Facilities                     | \$17,502                         | \$42,076                             | \$98,893                                  | \$56,817   |
| Leaking Underground Storage Tanks           | \$803                            | \$754                                | \$729                                     | -\$25  |
| Inland Oil Spill Programs                   | \$692                            | \$682                                | \$643                                     | -\$39  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$74,115</i></b>           | <b><i>\$65,634</i></b>               | <b><i>\$72,349</i></b>                    | <b><i>\$6,715</i></b>  |
| Total Budget Authority                      | \$434,054                        | \$459,976                            | \$553,654                                 | \$93,678   |
| Total Workyears                             | 304.7                            | 321.8                                | 331.1                                     | 9.3  |

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### **Program Project Description:**

Superfund resources in the Facilities Infrastructure and Operations Program fund the Agency's rent, utilities, and security. The 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, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$6.7 million and 0.5 FTE in the Facilities Infrastructure and Operations Program to support agencywide climate sustainability and resiliency initiatives, and EPA facilities' operating costs and projects. Investing in the reconfiguration of EPA's workspaces enables the Agency to release office space and avoid long-term rent costs, consistent with the *Federal Assets Sale and Transfer Act*.<sup>40</sup> These resources are essential to help EPA reduce the number of occupied leased facilities, consolidate and optimize space within owned facilities, and reduce square footage. The Agency's space consolidation and energy efficiency efforts result in cost avoidances due to projected rent and utility increases in out-years. For FY 2025, the Agency requests a total of \$41.59 million in rent, \$2.84 million in utilities, and \$8.8 million for security in

<sup>40</sup> For additional information, please refer to: <https://www.congress.gov/bill/114th-congress/house-bill/4465>, *Federal Assets Sale and Transfer Act of 2016*.

the Superfund appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level.

EPA will continue conducting climate resiliency assessments at EPA-owned facilities to identify critical upgrades that are necessary to improve facility resiliency against the impacts of climate change, such as roof stabilization or seawall construction projects. EPA also will continue incorporating natural hazard and climate vulnerability assessments into their real property risk management process. In FY 2025, EPA will conduct climate assessments at the Andrew W. Breidenbach Environmental Research Center, and Center Hill Research Facility in Cincinnati, OH, and the National Vehicle and Fuel Emissions Laboratory in Ann Arbor, MI. As a result of FY 2022 assessments, EPA initiated two high priority projects in FY 2023: a feasibility study to improve the resilience of the causeway leading to the Gulf Ecosystem Measurement and Modeling Division campus in Gulf Breeze, FL, and a solar array feasibility study at the research facility in Narragansett, RI.

Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce.<sup>41</sup> EPA will consider all opportunities for supporting organizational health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*.<sup>42</sup> Even if modifications are kept to a minimum, each move requires initial funding to achieve long-term cost avoidance and sustainability goals. These investments support sustainable federal infrastructure and the clean energy goal of net-zero emissions by 2050.

In FY 2025, EPA will implement energy, water, and building infrastructure requirements with emphasis on environmental programs (e.g., Environmental Management Systems, Environmental Compliance Programs, Leadership in Energy and Environmental Design Certification, alternative fuel use, fleet reductions, telematics, and sustainability assessments). This funding will support investments in infrastructure (e.g., architectural and design) and mechanical systems (e.g., Optimized Building Management Systems for heating and cooling with load demand driven controls). In line with federal sustainability goals, EPA will work to utilize 100 percent carbon pollution-free electricity on a net annual basis by 2030.

EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations determined through audits and assessments and will provide health and safety training to field staff (e.g., inspections, monitoring, and on-scene coordinators). The Agency will continue its partnership with GSA to utilize shared services solutions, *USAccess*, and Enterprise Physical Access Control System (ePACS) programs. *USAccess* provides standardized HSPD-12 approved Personal Identity Verification (PIV) card enrollment and issuance and ePACS provides centralized access control of EPA facilities, including restricted and secure areas.

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<sup>41</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) and EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>).

<sup>42</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

**Performance Measure Targets:**

**(PM CAA) Number of EPA-owned facility climate adaptation assessments completed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|
| <b>Target</b> |         |         |         |         | 2       | 7       | 11      | 14      | Assessments |
| <b>Actual</b> |         |         |         |         | 1       | 7       |         |         |             |

**(PM CRP) Percentage of priority climate resiliency Projects for EPA-owned facilities initiated within 24 months of a completed facility climate assessment and Project prioritization.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b>      |         |         |         |         |         | 100     | 100     | 100     | Percent  |
| <b>Actual</b>      |         |         |         |         |         | 100     |         |         |          |
| <b>Numerator</b>   |         |         |         |         |         | 1       |         |         | Projects |
| <b>Denominator</b> |         |         |         |         |         | 1       |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$279.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,275.0) This increase includes adjustments to rent, utilities, security, and transit subsidy needs.
- (+\$5,161.0 / +0.5 FTE) This program change supports implementation of EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* requirements that will require EPA to increase facility resiliency against the impact of climate change and to advance sustainability of EPA operations. EPA will invest in facility climate assessments and Optimized Building Managements Systems; EPA facilities projects to optimize space, avoid costs, and increase efficiency; and EPA’s Climate Adaptation Plan. This investment includes \$93.0 thousand for payroll.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$28,225                         | \$30,188                             | \$34,745                                  | \$4,557  |
| <b><i>Hazardous Substance Superfund</i></b> | <b>\$4,855</b>                   | <b>\$4,002</b>                       | <b>\$4,660</b>                            | <b>\$658</b>   |
| Total Budget Authority                      | \$33,079                         | \$34,190                             | \$39,405                                  | \$5,215  |
| Total Workyears                             | 145.5                            | 156.8                                | 184.5                                     | 27.7   |

**Program Project Description:**

Superfund resources in the Financial Assistance Grants and Interagency Agreement (IA) Management Program support the management of grants and IAs as well as suspension and debarment activities for assistance and procurement programs. Grants and IAs historically comprise approximately a significant percentage of EPA’s annual appropriations. Resources in this program ensure that EPA manages grants and IAs to meet the highest fiduciary standards and achieve measurable results for environmental programs and agency priorities, and that the government’s financial resources and business interests are protected from fraud and mismanagement. These objectives are critically important for the Superfund Program, as a substantial portion of the Program is implemented through IAs with the U.S. Army Corps of Engineers and the U.S. Coast Guard.

**FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$658.0 thousand and 4.7 FTE for this program. The Agency will continue implementing the FY 2021-2025 Grants Management Plan, focusing on efficient award and management of assistance agreements, enhancing partnerships within the grants management community, promoting environmental justice (EJ), and ensuring effective grant oversight and accountability.

EPA will continue to provide technical assistance and outreach to recipients of federal funding; improve capacity for oversight and tracking of new and increased grant investments; and process financial assistance agreements in a timely manner. EPA will conduct a robust training program for EPA staff and grant applicants and recipients that will focus on:

- 1) Helping applicants find and apply for competitive and non-competitive grant opportunities.
- 2) Providing compliance assistance to ensure applicants and recipients are prepared to receive and administer funding from the annual appropriations as well as the Infrastructure

Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), and Congressionally Directed Spending.

3) Ensuring recipients understand and comply with the federal requirements that apply to them and primary recipients.

EPA will use and adapt the grant competition and grant-making processes to promote equity and support for underserved communities. For example, EPA will provide technical assistance to potential grantees from underserved communities on sound financial management practices to reduce barriers to competition for EPA grant resources. EPA also will track grant place of performance to help determine whether underserved communities realize the benefits of EPA grant programs.

EPA will continue to ensure compliance with the Build America, Buy America Act and policies in its financial assistance programs, consistent with Executive Order 14005 and Office of Management and Budget (OMB) Memorandum M-24-02.<sup>43,44</sup> These efforts include establishing appropriate terms and conditions, developing information to share with recipients, conducting market research and industrial engagement, and, where absolutely necessary, providing limited and targeted waivers consistent with statutory requirements and OMB directive.

In FY 2025, the Agency will continue to make use of discretionary debarments and suspensions as well as statutory disqualifications under the Clean Air Act and Clean Water Act to protect the integrity of federal assistance and procurement programs. 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 federal assistance awards (e.g., grants, cooperative agreements, loans, and loan guarantees).

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$306.0)) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$964.0 / +4.7 FTE) This program change will support technical assistance and outreach to first time recipients of federal funding; improve capacity for oversight and tracking of new and increased grant investments; and the timely processing of financial assistance agreements. This investment includes \$884.0 thousand for payroll.

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<sup>43</sup> For more information, please refer to: <https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>.

<sup>44</sup> For more information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/10/M-24-02-Buy-America-Implementation-Guidance-Update.pdf>.

**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  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$51,882                         | \$51,261                             | \$68,124                                  | \$16,863   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$7,382</i></b>            | <b><i>\$7,419</i></b>                | <b><i>\$9,303</i></b>                     | <b><i>\$1,884</i></b>  |
| Total Budget Authority                      | \$59,264                         | \$58,680                             | \$77,427                                  | \$18,747   |
| Total Workyears                             | 210.6                            | 254.4                                | 328.7                                     | 74.3   |

Total work years in FY 2025 include 1.5 FTE to support Human Resources Management working capital fund (WCF) services.

### **Program Project Description:**

Superfund resources for the Human Resources (HR) Management Program support human capital management (HCM) activities throughout EPA. HCM activities include diverse outreach, recruitment, hiring, employee development, performance management, leadership development, strategic planning (including workforce planning, succession management, employee acclimation and experience management), data analysis and labor union engagement. These factors are critical for building, developing, and retaining a diverse and talented workforce at EPA. Additional HCM activities supported by EPM resources include personnel and payroll processing through the Human Resources Line of Business. EPM resources also support overall federal advisory committee management and Chief Human Capital Officer Council activities under applicable statutes and guidance, including the Agency’s Human Capital Operating Plan.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$18.75 million and 74.3 FTE across EPM and Superfund resources for the HR Management Program to continue to implement EPA’s Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan, establish a centralized EPA intern program, implement evidence-gathering and application under EPA’s Learning Agenda, and strengthen agencywide capacity to hire and onboard staff in a timely and equitable manner. The activities supported by EPA’s HR Management Program contribute to effective workforce management and are critical for strengthening the workforce, retaining expertise, and capturing institutional knowledge. EPA continues developing mechanisms to ensure employees have the right skills to successfully achieve the Agency’s core mission today and in the future.

EPA is committed to advancing equity, in line with President Biden’s Executive Orders (EOs) 13985,<sup>45</sup> 13988,<sup>46</sup> 14020,<sup>47</sup> 14035,<sup>48</sup> and 14075.<sup>49</sup> In FY 2025, in line with EO 14035, EPA requests an additional \$7.826 million to implement the actions identified in the DEIA Strategic Plan and to assess whether agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable. EPA will undertake an evidence-based and data-driven approach to determine whether, and to what extent, agency practices result in inequitable employment outcomes, and whether agency actions may help to overcome systemic societal and organizational barriers. Further, the Agency’s Chief Diversity Officer will oversee the assessment of the status and effects of existing DEIA initiatives or programs and review the institutional resources available to support human resources activities. For areas where evidence is lacking, the Agency will propose opportunities to advance DEIA. EPA will continue to involve employees at all levels of the organization in the assessment of DEIA initiatives and programs.

In FY 2025, EPA will manage and propose an additional \$1.360 million investment in its Senior Executive Service Candidate Development Program. The Program will focus on incorporating DEIA strategies to ensure future executives reflect the diversity of the American population and possess the skills necessary to lead a diverse and talented workforce operating in a hybrid work environment. The Agency will continue to implement a centralized paid internship program and with the additional funds requested, will expand on existing internship opportunities across the Agency and to strengthen talent and workforce acquisition. This paid internship program focuses on expanding federal work experience opportunities for underrepresented and underserved populations which may have experienced barriers to applying or fully participating in existing opportunities. EPA’s program will provide a total of approximately 180 four-month internship opportunities across EPA Programs and Regional Offices. Additionally, EPA will implement a plan to convert eligible interns to permanent federal service based on performance and completing program requirements.

EPA has increased efforts to improve DEIA with virtual outreach events targeting diverse networks such as veterans, persons with disabilities, Returned Peace Corps Volunteers, and Historically Black Colleges and Universities and other Minority Serving Institutions. To recruit EPA’s next generation of employees, EPA will continue outreach to new potential sources for future employees and use all available hiring authorities including Schedule A and recruitment incentives. In FY 2025, EPA will continue to work with Science, Technology, Engineering, and Mathematics-focused institutions and organizations such as the Society of Hispanic Professional Engineers and National Society of Black Engineers. EPA also will participate in the President’s Management Council Interagency Rotational Program to create leadership development

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<sup>45</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

<sup>46</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01761/preventing-and-combating-discrimination-on-the-basis-of-gender-identity-or-sexual-orientation>.

<sup>47</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/03/11/2021-05183/establishment-of-the-white-house-gender-policy-council>.

<sup>48</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>.

<sup>49</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2022/06/21/2022-13391/advancing-equality-for-lesbian-gay-bisexual-transgender-queer-and-intersex-individuals>.



assignments for GS 13-15 level employees. EPA will continue to review applicant flow diversity data every quarter to assess progress and identify areas for improvement.

In FY 2025, in line with OMB Memoranda M-23-15 - *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*,<sup>50</sup> EPA will continue to implement, and update as necessary, its Work Environment Plan in a manner that emphasizes meaningful in-person work and advances organizational health and performance. EPA will continue to assess and implement any necessary investments in information technology and real property necessary to implement its Work Environment Plan. EPA also will continue to support front-line supervisor training for managing individuals and teams working in hybrid environments and effectively delivering results to customers and stakeholders. EPA will continue to support a data-driven culture which routinely uses performance measures for measuring, monitoring, and improving organizational health and organizational performance.

The Agency will continue to build Talent Teams to effectively expand recruitment and hiring to meet critical agency skill needs, as well as continue to leverage childcare subsidies to support retention. EPA also will continue to support and invest in evidence-building activities to carry out a workforce strategy guided by data-driven decisions as part of its implementation of the Evidence Act through the Workforce Planning learning priority area in EPA's Learning Agenda. This work also addresses implementing OMB's Statistical Policy No. 15, Standards for the Classification of Federal Data on Race and Ethnicity. This work includes determining Mission Critical Competencies, enhancement of EPA's competency assessment tool, conducting a skills gap analysis across the Agency, and implementing knowledge transfer strategies to support Succession Management.

In FY 2025, EPA will continue to operate and maintain the Talent Enterprise Diagnostic (TED) tool to allow EPA to make data-driven, strategic workforce decisions. TED data will serve a crucial role in EPA's Workforce Planning and Succession Management activities by identifying potential competency gaps across the Agency and by increasing management's understanding of where needed skill sets should reside within EPA. Additionally, EPA will continue to maintain and operate dashboards related to Mission Critical Occupations, Workforce Demographics, and Diversity. These dashboards provide data visualizations and easy-to-understand information about the current workforce, assisting EPA with Succession Management by identifying workforce gaps due to anticipated retirements and attrition trends. This is critical considering approximately 22 percent of EPA's workforce is retirement eligible and another 15 percent of the current workforce will become retirement eligible over the next five years.

The Agency will continue to implement Executive Order 14003, *Protecting the Federal Workforce*,<sup>51</sup> issued on January 22, 2021. EPA reviewed its unions' agreements to identify and eliminate provisions influenced by four revoked executive orders and will increase the focus on pre-decisional involvement and interest-based bargaining. In FY 2025, EPA will continue working to reset and repair relationships and involve unions in a collaborative way, promoting the Agency's

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<sup>50</sup> For additional information, please see: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

<sup>51</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/22/executive-order-protecting-the-federal-workforce/>.

and the unions' shared goal of the positive and equitable treatment of newly empowered employees.

Finally, EPA's advisory committees have proven effective in building consensus among the Agency's diverse external partners and stakeholders. In line with President Biden's *Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking*,<sup>52</sup> EPA remains committed to ensuring highly qualified external experts serve on agency committees and members and future nominees of EPA advisory committees reflect the diversity of America in terms of gender, race, ethnicity, geography, and other characteristics.

### **Performance Measure Targets:**

Work under this program supports performance results in the Human Resources Management Program under the EPM appropriation.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$64.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, changes to benefits costs, and changes to workers compensation and childcare.
- (+\$691.0 / +10.0 FTE) This program change is an increase to continue to develop and diversify its new paid internship program to strengthen talent and workforce acquisition and focus on expanding federal work experience opportunities for underrepresented and underserved populations. This investment includes \$590.0 thousand for payroll.
- (+\$569.0) This program change is an increase to support the implementation of Executive Order 14035 – Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce, carry out the actions identified in EPA's DEIA Strategic Plan, and assess whether agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable.
- (+\$360.0) This program change is an increase to support the continuation of the Senior Executive Service Candidate Development Program with a goal that EPA senior leaders reflect the diversity of the American people and will include a special focus on developing diversity, equity, accessibility, and inclusivity competencies.
- (+\$200.0 / +0.6 FTE) This program change is an increase in support of the Foundations for Evidence-Based Policymaking Act of 2018. Resources will be used for Learning Agenda's evidence-gathering activities. This investment includes \$79.0 thousand for payroll.

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<sup>52</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/>.

**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).

## **Research: Chemical Safety and Sustainability**

## Health and Environmental Risk Assessment

Program Area: Research: Chemical Safety for Sustainability  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| Science & Technology                        | \$40,119                 | \$39,918                    | \$45,746                         | \$5,828  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$9,225</i></b>    | <b><i>\$4,901</i></b>       | <b><i>\$5,040</i></b>            | <b><i>\$139</i></b>  |
| Total Budget Authority                      | \$49,345                 | \$44,819                    | \$50,786                         | \$5,967  |
| Total Workyears                             | 156.6                    | 155.9                       | 179.9                            | 24.0   |

### Program Project Description:

EPA's Health and Environmental Risk Assessment (HERA) Research Program is focused on generating assessments that inform decisions made by EPA and others, including states and tribes. These assessments provide the scientific basis for decisions under an array of environmental laws including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). With funding from Superfund, the HERA program supports the risk assessment needs of the Agency's Superfund Program and regional risk assessors by providing Provisional Peer-Reviewed Toxicity Values (PPRTVs) and other fit-for-purpose human health assessments. The HERA Research Program also provides technical support on the application of human health and ecological risk assessment practices at hazardous waste sites for Superfund. These assessment tools and activities support risk-based management decisions at contaminated Superfund and hazardous waste sites.

The HERA Research Program supports the Agency's mission to protect human health and the environment by identifying and characterizing the health hazards of chemicals of concern to the Superfund Program and responding to technical requests on topics relevant to human health or ecological risk assessment at hazardous waste sites. EPA scientists in the HERA Research Program synthesize available scientific information on the potential health and environmental impacts of exposures to individual chemicals and chemical mixtures in the environment, such as per- and polyfluoroalkyl substances (PFAS). PPRTVs and other assessments under the HERA program are important sources of toxicity information and toxicity values to ensure improvements in human health and the environment in communities near Superfund sites.

Priorities for PPRTV development are based on the needs of the Agency's Office of Land and Emergency Management (OLEM), with input from Agency regional offices, and are re-evaluated annually. Research areas under the HERA program include applying new data; computational tools; enhancement of supporting data/knowledge bases; and efficiency of derivation for PPRTV values.

There are over 1,300 Superfund sites on the National Priorities List.<sup>53</sup> Communities near Superfund sites or in emergencies are faced with an urgent need for coordinated assistance to assess and address environmental contamination issues. The HERA Research Program anticipates environmental contamination issues. It develops new assessment approaches to enhance rapid response and screening capabilities and to augment toxicity value derivation procedures for human health toxicity assessments.

### **Recent Accomplishments of the HERA Research Program include:**

The HERA Research Program has developed assessment products that inform science-based decision-making, enhance timely responses, improve screening capabilities, and augment toxicity value derivations for use in risk assessments.

- **Portfolio of Chemical Assessments:** In FY 2023, EPA finalized seven PPRTV assessments under the HERA program, including PPRTVs that apply analogue read-across analysis for chemicals with limited data such as the *PPRTV for Perylene*.<sup>54</sup> In FY 2024, EPA anticipates delivering six to nine additional high-priority PPRTV assessments<sup>55</sup> based on the needs and priorities of EPA's Superfund Program. The HERA Research Program also continues to support the needs of EPA's Office of Land and Emergency Management through the development of assessments for other priority chemicals, such as PFAS, polychlorinated biphenyls, methylmercury, hexavalent chromium, and inorganic arsenic.<sup>56</sup>
- **Advancements in Lead Modeling:** The Agency anticipates finalizing updates to the All-Ages Lead Model (AALM)<sup>57</sup> in FY 2024 which will include improved lead biokinetic modeling in adults and children.
- **Technical Support:** The HERA Research Program responds to ongoing requests for scientific support on human and ecological assessment via the Superfund Health Risk Technical Support Center<sup>58</sup> and Ecological Risk Assessment Support Center.<sup>59</sup> Recent efforts have included providing risk assessment support at Saint-Gobain McCaffrey Street (New York), Plattsburg Air Force Base (Vermont), Velsicol Chemical Corp (Michigan), Tittabawassee River (Michigan), LA. Clarke & Son (Virginia), and ASARCO Superfund Site (Nebraska). Ongoing requests include assistance with employing new approach methods, review of probabilistic risk assessment models, and continued stakeholder engagement on complex science to address the needs of Superfund sites across the United States.

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<sup>53</sup> For more information, please see: <https://www.epa.gov/superfund/superfund-national-priorities-list-npl>.

<sup>54</sup> For more information, please see: [https://cfpub.epa.gov/ncea/pprtv/chemicalLanding.cfm?pprtv\\_sub\\_id=1845](https://cfpub.epa.gov/ncea/pprtv/chemicalLanding.cfm?pprtv_sub_id=1845).

<sup>55</sup> For more information, please see: <https://www.epa.gov/pprtv>.

<sup>56</sup> For more information, please see: <https://www.epa.gov/iris/iris-recent-additions>.

<sup>57</sup> For the current All-Ages Lead Model, please see: <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=343670>.

<sup>58</sup> For more information, please see: <https://www.epa.gov/land-research/superfund-health-risk-technical-support-center-stsc>.

<sup>59</sup> For more information, please see: <https://www.epa.gov/land-research/epas-technical-support-centers>.

## FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, the HERA Research Program's work will focus explicitly on efforts integral to achieving the Agency's priorities and informing EPA's implementation of key environmental regulations. Examples of this work include:

- **PFAS Research:** PFAS are a class of chemicals of concern in the environment. Decision-making on PFAS chemicals is hindered by a limited number of standard toxicity values. There are still large numbers of PFAS, of high interest to partners, that currently have no federally published, peer-reviewed toxicity values. As described in the *PFAS Strategic Roadmap*,<sup>60</sup> within the HERA Research Program, EPA is prioritizing additional PFAS for the development of peer-reviewed toxicity values. This will result in an expanded set of high-quality peer-reviewed toxicity values for use by federal, state, and tribal officials that must make risk assessment and management decisions.
- **PPRTV Assessments:** In FY 2025, the HERA Research Program anticipates delivering six to nine additional high-priority PPRTV assessments as prioritized by EPA's Office of Land and Emergency Management.
- **Portfolio of Assessment Products:** In FY 2025, EPA will complement the PPRTVs by providing additional human health assessment products for priority chemicals. By developing a range of fit-for-purpose assessment products, the Agency will match the assessment scope and problem formulation with program needs to increase efficiency.
- **Linking Databases and Management Tools:** In FY 2025, the HERA Program will continue to collaborate with the Chemical Safety for Sustainability (CSS) Research Program to link the architecture of assessment databases and literature management tools, including *Health and Environmental Research Online*<sup>61</sup> and the *Health Assessment and Workplace Collaborative*<sup>62</sup> with the *CompTox Chemicals Dashboard*.<sup>63</sup>
- **Rapid Technical Support:** In FY 2025, the HERA Program will continue essential technical assistance across EPA to provide rapid technical support to programs and regions. These activities will provide expedited technical support for evaluating chemical-specific exposures at Superfund and contaminated sites, as well as incorporating case-specific information related to urgent situations.
- **Lead:** Childhood lead exposure continues to be one of the highest priorities for EPA. To advance the application of lead exposure and biokinetic models in EPA regulatory decisions

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<sup>60</sup> For more information, please see EPA's PFAS Strategic Roadmap at: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

<sup>61</sup> For more information, please see: <https://hero.epa.gov/hero/>.

<sup>62</sup> For more information, please see: <https://hawcprd.epa.gov/>.

<sup>63</sup> For more information, please see: <https://comptox.epa.gov/dashboard>.

and site assessments, the HERA Research Program will enhance, evaluate, and apply lead biokinetic models for estimating potential blood lead levels for regulatory determinations.<sup>64</sup> Additionally, the Exposure Factors Handbook<sup>65</sup> will be continually updated to provide up-to-date data on various human factors, including soil and dust ingestion rates, used by risk assessors.

Please note that certain activities within this program could have implications associated with the Administration's Cancer Moonshot Initiative.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of Agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published the fourth generation of the StRAPs,<sup>66</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>67</sup> is designed to inform states about their role within EPA and EPA's research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and Agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

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<sup>64</sup> For more information, please see: <https://www.epa.gov/superfund/lead-superfund-sites-software-and-users-manuals>.

<sup>65</sup> For more information, please see: <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=236252>.

<sup>66</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>67</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.



**Performance Measure Targets:**

Work under this program supports performance results in the Research: Chemical Safety for Sustainability Program under the S&T appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$139.0) This program change reflects an increase for the Health and Environmental Assessment program. This increase will assist in advancing science assessments like PPRTV's as well as analytical approaches for the applications of risk assessments and additional changes to fixed support costs.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

## Research: Chemical Safety for Sustainability

Program Area: Research: Chemical Safety for Sustainability  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management         | \$153                            | \$0                                  | \$0                                       | \$0  |
| Science & Technology                        | \$96,828                         | \$92,550                             | \$106,217                                 | \$13,667   |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$5,476</i></b>            | <b><i>\$8,060</i></b>                | <b><i>\$8,060</i></b>                     | <b><i>\$0</i></b>  |
| Total Budget Authority                      | \$102,457                        | \$100,610                            | \$114,277                                 | \$13,667   |
| Total Workyears                             | 268.8                            | 276.7                                | 315.4                                     | 38.7   |

### Program Project Description:

EPA's Chemical Safety for Sustainability (CSS) Research Program provides scientific and technical approaches, information, tools, and methods to support the Agency and others in making better-informed and more timely decisions about chemicals and their potential risks to human health and the environment.<sup>68</sup> CSS products strengthen the Agency's ability to use the best available science to evaluate and predict human health and ecological impacts from the use, reuse, recycling, and disposal of manufactured and naturally occurring chemicals and their by-products.

The CSS Research Program informs Agency decisions about chemicals, accelerates the pace of chemical assessment and decision-making, and helps to replace, reduce, and refine the use of mammals used to evaluate chemical risks to ecological and human health. CSS products under the Superfund appropriation conduct mitigation activities at Superfund sites under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Research activities under CSS are coordinated with the activities of other national research programs to inform high-priority research topics, such as research focused on per- and polyfluoroalkyl substances (PFAS). Coordination with the Health and Environmental Risk Assessment (HERA) Program ensures that the approaches, tools, and information produced under the CSS Research Program can be used to improve chemical risk assessments, reduce uncertainties associated with those assessments, and increase the speed of delivering chemical information to the Agency.

The CSS program's PFAS research provides great value to EPA's overall PFAS research efforts, with significant contributions to the development of the EPA National PFAS Testing Strategy,<sup>69</sup> the issuance of Toxic Substances Control Act (TSCA) Section 4 Test Orders for PFAS,<sup>70</sup> and the issuance of Drinking Water Health Advisories for PFAS.<sup>71</sup>

<sup>68</sup> For the CSS StRAP, please see: [Strategic Research Action Plans Fiscal Years 2023-2026 | US EPA](#).

<sup>69</sup> National PFAS Testing Strategy: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/national-pfas-testing-strategy>.

<sup>70</sup> TSCA Section 4 Test Orders: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-4-test-orders>.

<sup>71</sup> PFAS Drinking Water Health Advisories: <https://www.epa.gov/sdwa/drinking-water-health-advisories-has>.

## Recent Accomplishments of the CSS Research Program include:

- **Inclusion of PFAS Chemicals in Comptox Dashboard:** Assembly and curation of PFAS chemical lists<sup>72</sup> and relevant PFAS data were included in the most recent CompTox Chemicals Dashboard<sup>73</sup> release and will continue to be added in future releases. Specifically, Dashboard users can now access a variety of PFAS data on chemical properties, chemical structure categories, and chemical hazards.
- **Inclusion of PFAS Chemical Data in *invitroDB*:** Additional data on hundreds of perfluorinated chemicals also can be accessed through *invitroDB*,<sup>74</sup> a database of data generated from testing of chemicals in high-throughput screening assays.

These efforts to assemble and curate PFAS chemical data for inclusion in the Dashboard and *invitroDB* will continue in FY 2025.

## FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, the CSS Research Program will continue to provide the information needed to inform Agency decisions about PFAS. PFAS are a large class of fluorinated substances of concern. PFAS chemicals will be acquired to expand and maintain the existing PFAS physical library of compounds to include those PFAS of interest to the Agency and external partners. EPA is committed to supporting tribes, states, and local communities to understand and manage risks associated with these chemicals.<sup>75</sup> EPA research on PFAS represents a major integrative effort that will provide systematic information on a broad range of topics. EPA scientists will continue to identify, curate, evaluate, and extract available physicochemical, structural, exposure, and toxicological data from the published and gray literature to inform study design, categorization approaches, and interpretation of emerging studies.

In FY 2025, PFAS fate, transport, occurrence, and persistence in the environment and in consumer products will be evaluated to help understand exposure scenarios. CSS will execute a tiered toxicity testing strategy, which utilizes new approach methods (NAMs) to evaluate single PFAS chemicals and mixtures in a high throughput manner, followed by targeted *in vivo* testing for chemicals identified as priorities. This testing approach will include several systems-specific toxicity tests, including developmental neurotoxicity, thyroid toxicity, immunotoxicity, and developmental and reproductive toxicity. Various types of modeling will be used to translate *in vitro* results into *in vivo* outcomes and will include the use of adverse outcome pathway (AOP) models that link *in vitro* results to outcomes relevant to regulatory objectives and *in silico*

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<sup>72</sup> For more information, please see: <https://www.frontiersin.org/articles/10.3389/fenvs.2022.850019/full>.

<sup>73</sup> For more information, please see: <https://comptox.epa.gov/dashboard>.

<sup>74</sup> For more information, please see: <https://www.epa.gov/chemical-research/exploring-toxcast-data>.

<sup>75</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024#engagement>.

predictive toxicity models. NAMS can be used to group and prioritize chemicals, *e.g.*, as illustrated in the recent PFAS categorization paper.<sup>76</sup>

In the ecological domain, EPA is developing multispecies approaches to evaluate species sensitivity differences across taxa to inform aquatic risk benchmarks. Furthermore, work continues to determine the bioaccumulation of PFAS in aquatic species, because fish consumption is relevant to human health and exposure. Resources requested in FY 2025 will build upon the research foundation formed from completed work outlined in the *PFAS Strategic Roadmap*.<sup>77</sup>

### **Research Planning:**

EPA's research is built around six integrated and transdisciplinary research programs. Each of the six integrated and transdisciplinary research programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of Agency program and regional offices, states, and tribes, and is implemented with their active collaboration and involvement. Each research program has developed and published the fourth generation of the StRAPs,<sup>78</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>79</sup> is designed to inform states about their role within EPA and EPA's research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and agency representatives of mutual benefit and responsibility to work collaboratively on environmental science issues.

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<sup>76</sup> For more information, please see <https://www.sciencedirect.com/science/article/pii/S246811132200038X>.

<sup>77</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

<sup>78</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>79</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**Performance Measure Targets:**

Work under this program supports performance results in the Research: Chemical Safety for Sustainability Program under the S&T appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Clean Air Act §§ 103, 104; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Children’s Health Act; 21st Century Nanotechnology Research and Development Act; Clean Water Act; Federal Food, Drug, and Cosmetic Act (FFDCA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Pollution Prevention Act (PPA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); Toxic Substances Control Act (TSCA).

## **Research: Sustainable Communities**

## Research: Sustainable and Healthy Communities

Program Area: Research: Sustainable Communities  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| Science & Technology                        | \$147,279                | \$137,857                   | \$149,498                        | \$11,641   |
| Leaking Underground Storage Tanks           | \$292                    | \$341                       | \$356                            | \$15   |
| Inland Oil Spill Programs                   | \$785                    | \$675                       | \$683                            | \$8  |
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$18,525</i></b>   | <b><i>\$16,937</i></b>      | <b><i>\$17,517</i></b>           | <b><i>\$580</i></b>  |
| Total Budget Authority                      | \$166,880                | \$155,810                   | \$168,054                        | \$12,244   |
| Total Workyears                             | 427.2                    | 421.8                       | 451.3                            | 29.5   |

### Program Project Description:

This area of EPA’s Sustainable and Healthy Communities (SHC) Research Program within the Superfund appropriation responds directly to the Superfund law requirements for a comprehensive and coordinated federal “program of research, evaluation, testing, development, and demonstration of alternative or innovative treatment technologies...which may be utilized in response actions to achieve more permanent protection of human health and welfare and the environment.”<sup>80</sup>

SHC has made a commitment to foster environmental, public health, and economic benefits for overburdened communities. Superfund remedial technologies will directly support communities with environmental justice concerns and accelerate solutions to ameliorate the negative impacts Superfund sites and per- and polyfluoroalkyl substances (PFAS) pose for underserved communities. The research will emphasize remediation technologies that improve long-term site resilience including the current and potential future impacts of climate change (*e.g.*, flooding, fire, sea level rise). SHC will apply an integrated systems approach to incorporate diverse data streams to increase understanding of linkages between the total environment (built, natural, and social) and public health to support communities and will highlight climate change and Environmental Justice related research throughout the program.

SHC’s research under the Superfund appropriation provides federal, regional, and community decision-makers with: 1) engineering tools, methods, and information to assess current conditions at Superfund sites; 2) decision support tools to evaluate the implications of alternative remediation approaches and technologies, and reuse of sites; 3) the latest science to support policy development and implementation; and 4) rapid access to technical support through EPA’s Superfund Technical Support Centers.

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<sup>80</sup> 42 U.S.C. § 9660(b).

Recent Accomplishments of the SHC Research Program include:

**PFAS Research to Support EPA’s Destruction and Disposal Guidance for PFAS and PFAS-Containing Materials (June 2021 - July 2023)<sup>81,82</sup>**

This research addresses PFAS transport and fate in environmental systems, as it relates to municipal solid waste landfills (leachate and gases) and thermal treatment (oxidizers, combustors, and incinerators). Major findings include: 1) PFAS (terminal acids and precursors) were detected in landfill leachates and gas condensates at high but variable concentrations, and concentrations varied across landfills; 2) Leachate treatment technologies ranged in efficacy from no treatment to 99%; 3) Encouraging results for thermal treatment studies indicate that Aqueous film-forming foams burned at >1000C resulting in high PFAS destruction efficiencies and mostly non-detectable products of incomplete combustion (PIC). As injection temperatures fall, fluorinated PICs increase; 4) Bench scale studies are providing evidence that reactive sorbents and catalysts reduce the energy necessary to destroy PFAS; with nearly complete PFAS destruction and minimal PIC formation at temperatures below 600C for calcium oxide (CaO) and 500C for aluminum oxide (Al<sub>2</sub>O<sub>3</sub>) and; 5) Models are now available to predict destruction behavior of the short-chain fluorocarbons and work continues to develop new kinetics for larger (C4-C8) PFAS. This research directly supports EPA’s development of updated Destruction and Disposal Guidance required by the 2020 National Defense Authorization Act.

**ORD Technical Support for Superfund Site Remediation Report (published September 2023)<sup>83</sup>**

Produced annually, this report provides regions, program offices, and states a summary of the previous year’s technical support and assistance activities. The document describes ORD’s site-specific technical support to programs and regions to help with risk management decisions at contaminated sites, including for remediating soil, surface waters, groundwaters, sediment, subsurface contaminant transport and fate, cross-media contaminant influence and mine-related contamination issues. In FY 2022, ORD coordinated 131 technical support activities, most of which were related to Superfund sites. The support allows authorities and regulators to work more quickly, efficiently, and cost effectively and increases the technical knowledge of the EPA remediation team.

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<sup>81</sup> For more information on landfill leachate and gas condensate, please see:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10463282/>; <https://pubmed.ncbi.nlm.nih.gov/36764258/>.

<sup>82</sup> For more information on thermal treatment, please see: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8525658/>;

[https://cfpub.epa.gov/si/si\\_public\\_record\\_report.cfm?Lab=CEMM&dirEntryId=354179](https://cfpub.epa.gov/si/si_public_record_report.cfm?Lab=CEMM&dirEntryId=354179;);

<https://pubmed.ncbi.nlm.nih.gov/37158498/>.

<sup>83</sup> Source: ArcGIS website (<https://storymaps.arcgis.com/collections/484b9e0079db49b5a952f3e2e38d74f5>).



## **Practical Considerations for Transitioning to Passive Sampling for Remedial Monitoring at Superfund Sites and Guidance for Using Passive Sampling in Remedial Cap Performance Monitoring (December 2022, June 2023)<sup>84,85</sup>**

Biomonitoring is commonly performed at Superfund sites, to assess remediation effectiveness. In recent years, passive sampling has been proposed as a cost-effective, scientifically robust, and data-comparable alternative to biomonitoring. The first part of this research aims to help remedial project managers interpret field deployment data when transitioning from biomonitoring to passive sampling. The research evaluated over a three-year period the bioaccumulation of selected polychlorinated biphenyls (PCBs) by mussels in water column deployments compared to co-developed passive samplers. It showed that, in general, mussel bioaccumulation and passive sampler accumulation of PCBs were significantly correlated. Notably, agreement on the magnitude of accumulation was optimal when bioaccumulation and passive sampler uptake were not corrected for non-equilibrium conditions. The second part of this research was a literature review to: 1) identify sites where passive samplers have been used to support clean-up efforts; 2) assess how passive sampling-derived remedial endpoints compare to conventional metrics; and 3) perform broad semi-quantitative and selective quantitative concurrence analyses, evaluating the magnitude of agreement between passive sampling and conventional metrics. Considering the agreement between bioaccumulation and passive sampler uptake, researchers propose further study to enhance utilization of passive sampling devices.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, SHC will conduct research, and provide technical assistance and support, to inform analyses and decisions by the Office of Land and Emergency Management (OLEM), regional offices, tribes, and states regarding characterization, remediation, and management of contaminated soil, sediment, and groundwater—issues which are especially concerning to vulnerable, overburdened communities. The tools developed under the SHC Research Program will help the Agency address complex contamination problems, which may be made more complex by the impacts of climate change at Superfund, Resource Conservation Recovery Act (RCRA), and Brownfields sites in the United States. EPA research personnel and associated support staff also will identify, monitor, and develop options to control vapor intrusion to reduce exposures, reduce contaminant sources, and define sampling strategies that address when, where, and how to sample. SHC researchers will evaluate source control technologies at mine waste sites and investigate remediation and recovery for reuse of critical minerals from contaminated sites. Scientific journal articles, datasets, models, and tools will be published and used to support communities.

PFAS will continue to be a priority research topic for SHC. SHC will develop methods to evaluate PFAS presence and characteristics in wastes, soils, and sediments, and investigate PFAS fate and transport in the environment to support the need of EPA partners, states, tribes, and local

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<sup>84</sup> For more information, please see: <https://setac.onlinelibrary.wiley.com/doi/full/10.1002/etc.5536>.

<sup>85</sup> For more information, please see: <https://pubs.acs.org/doi/full/10.1021/acs.est.3c00232>.

communities to identify and characterize PFAS concentrations and distributions at contaminated sites and solid waste sites. Additionally, SHC will identify locations and source contributors to high potential human exposure for children and other populations by evaluating multimedia PFAS sources and pathways. SHC also will investigate approaches, methodologies, and technologies to treat, remove, destroy, and dispose of PFAS in environmental matrices.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published its fourth generation of the StRAPs,<sup>86</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>87</sup> is designed to inform states about their role within EPA and EPA's research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and Agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

### **Performance Measure Targets:**

Work under this program supports performance results in the Research: Sustainable and Healthy Communities Program under the S&T appropriation.

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<sup>86</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>87</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$30.0) This change to fixed and other costs is an increase due to the recalculation of laboratory fixed costs.
- (+\$550.0) This program change reflects an increase to the Sustainable and Healthy Communities Research Program. This increase will build capacity to help respond directly to the Superfund law requirements and additional changes to fixed support costs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5 App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

## **Superfund Cleanup**

## Superfund: Emergency Response and Removal

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$256,354</i></b>          | <b><i>\$195,000</i></b>              | <b><i>\$0</i></b>                         | <b><i>-\$195,000</i></b>   |
| Total Budget Authority                      | \$256,354                        | \$195,000                            | \$0                                       | -\$195,000   |
| Total Workyears                             | 278.7                            | 247.7                                | 250.7                                     | 3.0  |

In FY 2025, the Budget proposes to transition the Superfund Removal FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE. These FTE are built into the Agency's FTE ceiling.

### **Program Project Description:**

The Emergency Response and Removal Program (Superfund Removal) is the cornerstone and principal institution of federal emergency response to releases of hazardous substances, pollutants, or contaminants. The program is paramount to managing threats and dangers that occur. During a national emergency, EPA takes action to prevent, limit, mitigate, or contain chemical, oil, radiological, biological, or hazardous materials releases. Circumstances requiring emergency response and removal actions vary considerably in size, nature, and location, and include chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances. EPA's 24-hour-a-day response capability is a critical component of the National Contingency Plan.<sup>88</sup> Further, this program is responsible for the Agency's only Primary Mission Essential Function. Superfund Removal cleanups vary in complexity and contain a wide variety of contaminants including lead, mercury, and asbestos.<sup>89</sup>

Since 2013, EPA has completed or managed more than 2,420 Superfund removal actions across the country. Responses are a multilayered activity that can fluctuate due to requirements for supplies and customized instruments, specialized training and instruction, and the intricate measures taken to ensure ongoing assessments and responses are appropriate to meet the demands of site conditions. Superfund Removal sites are found in remote rural areas as well as large urban settings. Nearly 43 million people, or about 13 percent of the U.S. population, live within 3 miles of a Superfund Removal site where EPA addressed a removal action between FY 2018 and FY 2022.<sup>90</sup> In addition, over 41 percent of removal completions in FY 2019 and FY 2020, and 36 percent in FY 2021 were in communities with populations surpassing the 80<sup>th</sup> percentile for being people of color, low income, or having less than a high school education.<sup>91</sup> These benefits occurred in due course of the Program's operation, and were not created from specific targeting efforts.

<sup>88</sup> For more information, please refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-nep-overview>.

<sup>89</sup> Data from US EPA Superfund Enterprise Management System.

<sup>90</sup> U.S. EPA, Office of Land and Emergency Management 2023. Data collected includes: 1) Superfund removal site information from SEMS from FY2018-FY2022; and 2) population data from the 2017-2021 American Community Survey.

<sup>91</sup> Data from US EPA Superfund Enterprise Management System and US EPA EJ Screen.

The Superfund Removal Program provides technical assistance and outreach to industry, states, tribes, and local communities as part of the Agency's responsibility to ensure national safety and security for chemical and oil responses. EPA trains, equips, and deploys resources to manage, contain, and remove contaminants. Until contained or removed, these substances have the potential to significantly damage property, endanger public health, and have critical environmental impact on communities.

EPA Federal On-Scene Coordinators (OSCs) make up the core of the Superfund Removal Program. These trained and equipped EPA personnel respond to, assess, mitigate, and clean up hazardous substance releases and oil discharges. States, local, and tribal communities rely upon the OSC's experience and assistance to address environmental emergencies that are beyond their capabilities and resources.

Climate change, emerging contaminants, and new scientific developments are adding to the demands of the Superfund Removal Program. The greater frequency of intense weather events that lead to releases of hazardous substances, pollutants, or contaminants increases the workload on the Program. In addition, emerging contaminants such as per- and polyfluoroalkyl substances (PFAS) are expected to significantly expand demands on the Program as the understanding of the toxicity levels of these compounds continues to drive down cleanup levels. Changing lead screening values and actions surrounding this effort could limit Program coverage essential to meeting the demand where resources needed are not fully supported. This work will include coordinating with EPA counterparts to apply EPA's January 2024 "Updated Soil Lead Guidance for CERCLA Sites and RCRA Corrective Action Facilities," which lowered lead screening levels for residential properties to reflect the best available science. EPA expects a significant number of properties to undergo evaluation based on this change, which could trigger additional work where cleanup efforts are required.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the President's Budget proposes to transition the Superfund Removal Program from the annual Superfund appropriation to the Superfund tax receipts. The Program will continue to:

Respond to and provide technical assistance for emergency responses and removal assessments and time critical response actions (non-emergency responses). The removal program conducts its work with an emphasis on advancing environmental justice and equitable outcomes by working through possible candidate time critical actions that exist in the regions.

Address abandoned uranium mines (AUM) impacts on the Navajo Nation (NN) in concert with other EPA programs. EPA officially opened the Flagstaff, Arizona field office in July 2023, where dedicated EPA Region 9 staff work with the Navajo Nation staff and communities to advance cleanup through removal actions at NN AUM sites. This field office assists EPA and NN in

accelerating actions articulated in the 2020 Ten Year Plan: Federal Actions to Address Impacts of Uranium Contamination on the Navajo Nation.

Conduct and participate in selected multi-media training and exercises for emergency responders. These events ensure readiness by focusing on necessary coordination and consistency across the Agency, enhance specialized technical skills and expertise, and strengthen partnerships with state, local, tribal, and other federal responders.

Support the environmental response team (ERT), which provides nationwide assistance and consultation for emergency response actions, including unusual or complex incidents. In such cases, the ERT supplies subject matter experts, with special equipment and technical or logistical assistance.

**Performance Measure Targets:**

**(PM 137) Number of Superfund removals completed.**

|               | <b>FY 2018</b> | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b> | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> | <b>FY 2025</b> | <b>Units</b> |
|---------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--------------|
| <b>Target</b> | 175            | 175            | 141            | 141            | 183            | 183            | 183            | 183            | Removals     |
| <b>Actual</b> | 242            | 233            | 197            | 150            | 195            | 194            |                |                |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$195,000.0 / -247.7 FTE) In FY 2025, the Superfund Emergency Response and Removal Program is proposed to be transitioned from the annual Superfund appropriated resources to the Superfund tax receipts. This includes an estimated \$48.9 million for payroll. In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund taxes which will be available for use in FY 2025 across EPA Superfund programs. However, as the Superfund Taxes were recently reauthorized, there is much uncertainty regarding the tax collections. The Agency anticipates maintaining the pace of work with the Superfund tax receipts.
- (+250.7 FTE) In FY 2025, the Agency proposes to transition 250.7 Superfund Removal FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) §§ 104, 105, 106; Clean Water Act (CWA); and Oil Pollution Act (OPA).

## Superfund: EPA Emergency Preparedness

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|                                      | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|--------------------------------------|--------------------------|-----------------------------|----------------------------------|--|
| <i>Hazardous Substance Superfund</i> | \$7,696                  | \$8,056                     | \$8,541                          | \$485  |
| Total Budget Authority               | \$7,696                  | \$8,056                     | \$8,541                          | \$485  |
| Total Workyears                      | 33.6                     | 37.4                        | 37.4                             | 0.0  |

### Program Project Description:

The Superfund Emergency Preparedness Program provides for EPA’s engagement on the National Response Team (NRT), Regional Response Teams (RRTs), and Inland Area Committees where it ensures federal, state, and tribal agencies are prepared to respond to national incidents, threats, and major environmental emergencies. EPA implements the Emergency Preparedness Program in coordination with the Department of Homeland Security and other federal agencies to deliver federal hazard assistance to state, local, and tribal governments.

The Agency carries out its responsibility under multiple statutory authorities as well as the National Response Framework (NRF), which provides the comprehensive federal structure for managing national emergencies. EPA is the designated lead for the NRF’s Oil and Hazardous Materials Response Annex - Emergency Support Function #10, which covers responsibilities for responding to releases of hazardous materials, oil, and other contaminants that are a threat to human health and the environment. As such, the Agency participates and leads applicable interagency committees and workgroups to develop national planning and implementation policies at the operational level.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

The Superfund Emergency Preparedness Program participates in national and local exercises and drills, coordinates with stakeholders to develop Area and Regional Contingency Plans, and provides technical assistance to industry, states, tribes, and local communities. Specific activities include:

- Chair the NRT<sup>92</sup> and co-chair the 13 RRTs. The NRT and RRTs are the only active environmentally focused interagency executive committees addressing oil and hazardous

<sup>92</sup> For more information, please refer to: <https://www.nrt.org/>.



substance emergencies. They serve as multi-agency coordination groups supporting emergency responders when convened as incident specific teams.

- Lead Inland Area Committees to ensure policies, procedures and tools are in place to assist federal, state, tribal, local, and industry responders in effectively addressing spills.
- Participate in the development of limited, scenario-specific exercises and regional drills designed to assess national emergency response management capabilities. These activities will involve the RRTs, NRT, and/or principal level participants.

**Performance Measure Targets:**

**(PM ER01) Number of emergency response and removal exercises that EPA conducts or participates in.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|
| Target |         |         |         |         | 120     | 120     | 120     | 120     | Exercises |
| Actual |         |         |         | 120     | 164     | 185     |         |         |           |

**(PM ER02) Percentage of emergency response and removal exercises that EPA conducts or participates in that incorporate environmental justice.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|
| Target      |         |         |         |         | 14      | 30      | 40      | 40      | Percent   |
| Actual      |         |         |         |         | 49      | 53      |         |         |           |
| Numerator   |         |         |         |         | 80      | 98      |         |         | Exercises |
| Denominator |         |         |         |         | 164     | 185     |         |         |           |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$391.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This increase includes critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$94.0) This program change increases essential support for Superfund Emergency Preparedness Program core activities, such as national and local exercises and drills.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), §§ 104, 105, 106; Robert T. Stafford Disaster Relief and Emergency Assistance Act.

**Superfund: Remedial**

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$612,890</i></b>          | <b><i>\$618,740</i></b>              | <b><i>\$300,000</i></b>                   | <b><i>-\$318,740</i></b>   |
| Total Budget Authority                      | \$612,890                        | \$618,740                            | \$300,000                                 | -\$318,740   |
| Total Workyears                             | 889.8                            | 890.8                                | 874.8                                     | -16.0  |

In FY 2025, the Budget proposes to transition the Superfund Remedial FTE from the annual Superfund appropriated resources to the Superfund tax receipts as reimbursable FTE. These FTE are built into the Agency’s FTE ceiling.

**Program Project Description:**

The Superfund Remedial Program addresses many of the worst contaminated areas in the United States by investigating contamination and implementing long-term cleanup remedies at sites on the National Priorities List (NPL). The Program also oversees response work conducted by potentially responsible parties (PRPs) at NPL and Superfund Alternative Approach (SAA) sites.

By cleaning up and returning land to productive use, the Superfund Remedial Program improves the health and livelihood of all Americans and supports the Administration’s goal to reduce exposure to Superfund site contamination, especially in disadvantaged communities. Approximately 23 percent of the U.S. population lives within three miles of a Superfund site, and this population is more minority, low income, linguistically isolated, and less likely to have a high school education than the U.S. population as a whole.<sup>93</sup>

In FY 2023, more than 75 percent of Superfund Remedial annual appropriations and Infrastructure Investment and Jobs Act (IIJA) site-specific funds were obligated to Superfund NPL sites where there is potential for addressing environmental justice concerns. In the same period, more than 60 percent of the Superfund sites that achieved Human Exposure Under Control and more than 50 percent of sites that achieved Sitewide Ready for Anticipated Reuse had potential for environmental justice concerns.

While conducting cleanup at NPL and SAA sites, remedial construction projects can enhance national infrastructure while addressing harmful exposures. For example, recent research indicates that Superfund cleanup actions lowered the risk of elevated blood lead levels by roughly 13 to 26 percent for children living within two kilometers of a Superfund NPL site where lead is a contaminant of concern.<sup>94</sup> For Superfund sites contaminated with lead within one mile, 17 percent

<sup>93</sup> U.S. EPA, Office of Land and Emergency Management 2023. Data collected includes: 1) Superfund site information from SEMS as of the end of FY 2022 and site boundary data updated in 2023 by Shared Enterprise Geodata and Services (SEGS) ; and 2) population data from the 2017-2021 American Community Survey.

<sup>94</sup> Heather Klemick, Henry Mason, and Karen Sullivan. 2020. “Superfund Cleanups and Children’s Lead Exposure,” Journal of Environmental Management, 100. doi: [10.1016/j.jeem.2019.102289](https://doi.org/10.1016/j.jeem.2019.102289).

of the surrounding population is below poverty level, 14 percent is without a high school diploma, and 40 percent of the population is minority.

By addressing the human health and environmental risks posed by releases at NPL and SAA sites, the Superfund Remedial Program strengthens the economy and spurs economic growth for all Americans by returning Superfund sites to productive use. Reuse and restoration of Superfund NPL sites directly support the Administration's Justice40 initiative<sup>95</sup>, as articulated in President Biden's Executive Order (EO) 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021)<sup>96</sup>, as this EO acknowledges the urgent need to restore lands and natural assets.<sup>97</sup> The Superfund Remedial Program is one of EPA's Justice40 pilot programs. The Superfund Remedial Program considers environmental burdens and other socio-economic challenges when developing community involvement and cleanup plans. Assessing environmental justice concerns in the communities EPA serves provides important information which influences how the Agency communicates, makes cleanup decisions, and plans for future reuse of Superfund sites. The Program works to maximize cleanup benefits as well as state and tribal benefits, enforcement opportunities, enhancements to community involvement, and the Superfund Redevelopment Program.

In FY 2023, an additional 14 sites were made sitewide ready for anticipated use and three sites were retracted. The retractions in FY 2023 were the result of a review which identified sites which no longer met protectiveness requirements due to detection of per- and polyfluoroalkyl substances (PFAS) and other emerging contaminants, aging remedies, and new exposure pathways requiring new institutional controls. The continued remediation of NPL sites produces clear environmental and economic benefit. As of FY 2022, EPA data show that approximately 1,000 Superfund sites are in reuse - more than half the total number of sites placed on the NPL over the Program's existence. EPA has data on more than 10,253 businesses at 671 of these sites. These businesses' ongoing operations generate annual sales of \$74.1 billion. These businesses provided more than 236 thousand jobs which earned a combined income of \$18.6 billion. Over the last twelve years, these businesses generated at least \$590 billion in sales. A similar economic analysis is planned for FY 2025.

Additionally, cleanup work under the Superfund Remedial Program improves property values. A study conducted by researchers at Duke University and the University of Pittsburgh found that residential property values within three miles (4.8 kilometers) of Superfund sites increased between 18.7 and 24.4 percent when sites were cleaned up and deleted from the NPL.<sup>98</sup>

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<sup>95</sup> For more information, please refer to: <https://www.whitehouse.gov/environmentaljustice/justice40/>.

<sup>96</sup> For more information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>97</sup> For more information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>98</sup> Shanti Gamper-Rabindran and Christopher Timmons. 2013. "Does cleanup of hazardous waste sites raise housing values? Evidence of spatially localized benefits," *Journal of Environmental Economics and Management* 65(3): 345-360, <http://dx.doi.org/10.1016/j.jeem.2012.12.001>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the President's Budget proposes to fund the Superfund Remedial Program with a combination of annual Superfund appropriated resources and Superfund tax receipts. EPA will continue to execute its non-delegable, federal responsibility to remediate sites and protect human health, welfare, and the environment. EPA endeavors to maximize the use of special account resources collected from PRPs for site-specific response actions as stipulated in settlement agreements so that available EPA Superfund resources are prioritized for sites without other sources of funding. More than half of non-federal sites on the final NPL do not have an associated open special account and available Superfund resources are critical to the Superfund Remedial Program to clean up sites.

The IJA invested \$3.5 billion in environmental remediation at Superfund NPL sites and reinstated the Superfund chemical taxes, and the Inflation Reduction Act reinstated the Superfund petroleum taxes.<sup>99</sup> These laws provide one of the largest investments in American history to address the legacy pollution that harms public health in communities and neighborhoods, creating good-paying jobs, and advancing economic and environmental justice in the process.

In FY 2025, EPA will continue to initiate new work on remedial construction projects, as well as continue ongoing cleanups at NPL sites across the country. As IJA funds available for site work are anticipated to be fully allocated in FY 2024 based on current site information, the FY 2025 President's Budget proposes using a combination of Superfund tax receipts and annual appropriations to continue funding construction work.

In FY 2025, the Superfund Remedial Program will continue to start and complete critical pre-construction projects such as site characterization and construction design. The Program will continue to support Superfund community involvement and outreach activities at sites. These activities play a pivotal role in ensuring communities have the resources they need to meaningfully participate in the decision-making process, including an increased involvement of communities to develop their visions for revitalization by identifying economic drivers and connecting community needs to federal investments. The Program will continue to support capacity building technical assistance and the Superfund Job Training Initiative.

In FY 2025, EPA will reduce exposure to lead and associated health impacts including the risk of elevated blood lead levels for children by completing 45 Superfund lead cleanup projects. This work will include applying EPA's January 2024 "Updated Soil Lead Guidance for CERCLA Sites

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<sup>99</sup> On November 15, 2021, the Infrastructure Investment and Jobs Act [(IIJA), P.L. 117-58] reinstated and modified the excise taxes on certain listed chemicals and imported substances that are used as materials in their manufacture or production one or more of those listed chemicals ("Superfund chemical taxes"). The Superfund chemical taxes went into effect beginning July 1, 2022, and expire on December 31, 2031. On August 16, 2022, the Inflation Reduction Act [(IRA), P.L. 117-169] reinstated and modified the taxes on oil and petroleum products ("Superfund petroleum taxes"). The Superfund petroleum taxes went into effect on January 1, 2023, and do not have an expiration date. On December 29, 2022, the Consolidated Appropriations Act 2023 (P.L. 117-328) allowed all tax receipts collected in the Superfund Trust Fund from the prior fiscal year to be available to carry out the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, without further appropriation by Congress and designated as emergency funding.

and RCRA Corrective Action Facilities,” which lowered lead screening levels for residential properties to reflect the best available science. EPA expects a significant number of properties to undergo evaluation based on this change, which could trigger additional work across the pipeline. EPA also will continue to: support the cleanup of PFAS and will collaborate on agencywide crosscutting strategies and a multi-pronged implementation plan for the CERCLA PFAS rule; advance new science and assess the nature and extent of PFAS contamination and other contaminants of concern at sites; develop coordinated policies, regulations, and communications; and engage with affected states, tribes, communities, and stakeholders. Completing these cleanup projects, which include legacy sites that expose Americans to contaminants shown to pose increased cancer risks, advances work in cancer prevention as part of President Biden’s Cancer Moonshot Initiative.

EPA’s regional laboratories will continue to provide cutting-edge science to inform immediate and near-term, multi-media decisions on environmental conditions, emergency response, and enforcement. Regional laboratory science also helps inform communities about the risks the site may pose in terms of chemical exposures and cumulative environmental impacts. This work will support the ambitious environmental and clean up goals of the Program.

The Program also will continue to support the Environmental Response Team (ERT), which provides nationwide assistance, direct field expertise, and consultation for Superfund cleanup including emergency response actions, unusual or complex incidents, and other site support. In such cases, the ERT supplies subject matter experts, with special equipment and technical or logistical assistance.

**Performance Measure Targets:**

**(PM 151) Number of Superfund sites with human exposures brought under control.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> | 8       | 12      | 10      | 10      | 12      | 12      | 12      | 12      | Sites |
| <b>Actual</b> | 32      | 17      | 20      | 13      | -14     | -3      |         |         |       |

**(PM 155) Number of Superfund cleanup projects completed that address lead as a contaminant.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b> |         |         |         |         | 45      | 45      | 45      | 45      | Projects |
| <b>Actual</b> |         |         |         | 56      | 45      | 49      |         |         |          |

**(PM 170) Number of remedial action projects completed at Superfund sites.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|
| <b>Target</b> | 95      | 95      | 80      | 80      | 80      | 75      | 75      | 75      | Projects |
| <b>Actual</b> | 87      | 89      | 91      | 75      | 74      | 69      |         |         |          |

**(PM S10) Number of Superfund sites made ready for anticipated use site-wide.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> | 51      | 51      | 51      | 51      | 25      | 15      | 10      | 7       | Sites |
| <b>Actual</b> | 51      | 48      | 34      | 26      | -48     | 11      |         |         |       |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$318,740.0 / -890.8 FTE) In FY 2025, the Superfund Remedial Program is proposing a partial transition from annual appropriated resources to Superfund Tax receipts. This includes the transition of approximately \$168.4 million for payroll. In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund taxes which will be available for use in FY 2025 across EPA Superfund programs. However, as the Superfund taxes were recently reauthorized, there is much uncertainty regarding the tax collections. The Agency will continue its efforts to sustain cleanup work to prevent developing a backlog.
- (+874.8 FTE) In FY 2025, the Agency proposes to fund 874.8 Superfund Remedial FTE from the Superfund tax receipts as reimbursable FTE rather than annual Superfund appropriated resources.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

## Superfund: Federal Facilities

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Hazardous Substance Superfund</i></b> | <b><i>\$26,167</i></b>   | <b><i>\$26,189</i></b>      | <b><i>\$37,680</i></b>           | <b><i>\$11,491</i></b>                                       |
| Total Budget Authority                      | \$26,167                 | \$26,189                    | \$37,680                         | \$11,491   |
| Total Workyears                             | 103.6                    | 113.2                       | 112.7                            | -0.5   |

Total work years in FY 2025 include 6.5 Superfund Reimbursable FTE.

### Program Project Description:

The Superfund Federal Facilities Program oversees and provides technical assistance for the protective and efficient cleanup and reuse of Federal Facility National Priorities List (NPL) sites. Program responsibilities include: 1) inventory and assess potentially contaminated sites; 2) select and implement protective remedies; 3) facilitate early transfer of property; and 4) ensure ongoing protectiveness of completed cleanups.

The Federal Facility NPL sites, where the other federal agencies (OFAs) are the lead agency and EPA is the lead oversight agency, are among the largest in the Superfund Program and can encompass specialized environmental contaminants such as munitions and radiological waste, and contaminants of emerging concern such as per- and polyfluoroalkyl substances (PFAS). EPA jointly selects site remedies with OFAs and uses its oversight authority to provide an independent assessment of federal cleanups to ensure work conducted is in accordance with site cleanup plans and yields protective remedies. To ensure efficiencies and consistent approaches to cleanup, the Program collaborates with OFAs and state, local, and Tribal governments. There are 175 Federal Facility sites on the NPL, which are part of the approximately 2,400 sites on the Federal Agency Hazardous Waste Compliance Docket (Docket) maintained by EPA. The sites result in nearly \$9 billion per year expended by OFAs under EPA oversight. The resulting cleanup, restoration, and reuse of Federal Facility NPL sites contributes significantly to Superfund program accomplishments. In FY 2023, the Program completed response action decisions at 36 federal facility sites to address environmental contamination. The Program also achieved 24 Remedial Action Project Completions and reviewed 36 Five-Year Reviews to confirm protective remedies remain in place.

The Superfund Federal Facilities Program supports President Biden's Executive Order (EO) 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*<sup>100</sup> by recognizing and working to repair inequities that serve as barriers to equal opportunity in the Federal Facility Superfund Program. This is accomplished by working to

<sup>100</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

improve the health and livelihood of communities through cleaning up and returning land to productive use. Nearly 80 percent of Federal Facility NPL sites are in communities disproportionately affected by environmental burdens. Cleaning up contaminated sites at federal facilities also can serve as a catalyst for economic growth and community revitalization.

The Superfund Federal Facilities Program has successfully worked with EPA's partners to facilitate the redevelopment of Federal Facility NPL sites across the country. Since Federal Facility NPL sites often encompass thousands of acres with buildings, roads, and other infrastructure, their effective and efficient cleanup and reuse can play a pivotal role in a community's economic growth and environmental vitality. Reuse and restoration of Federal Facility NPL sites directly support President Biden's EO 14008: *Tackling the Climate Crisis at Home and Abroad*.<sup>101</sup> Redevelopment projects have included ecological preserves, recreational areas, cultural/historical resources, public transit infrastructure, and alternative energy sources. A 2022 economic analysis of 70 Federal Facility Superfund Sites identified over 2,400 businesses that generated \$28 billion in annual sales, provided over 450,000 jobs, and \$44 billion in estimated annual employment income.<sup>102</sup> A similar analysis is planned for FY 2025. Future climate actions by the Program include piloting Climate Vulnerability Assessments at several federal facility NPL sites, and continuing collaboration with OFAs to include climate impact considerations in remedial actions.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Superfund Federal Facilities Program, as part of its statutorily mandated oversight responsibilities, will support EPA's PFAS Strategic Roadmap by overseeing the growing number of PFAS cleanups at Department of Defense (DoD), the Department of Energy (DOE), and OFA sites. The Program will benefit from a significant investment to keep pace with the surge of PFAS cleanups under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and adjust core program capacity. Currently, the Program provides oversight at over 110 Federal Facility NPL sites with PFAS detections.

In FY 2025, EPA proposes an investment of \$11.5 million in the Superfund Federal Facilities Program. This investment will allow EPA to minimize disruptions and delays to its oversight responsibilities, enable DoD to meet their Congressional cleanup obligations for PFAS under the 2022 National Defense Authorization Act and subsequent CERCLA response actions, and adjust EPA core capacity in its cleanup oversight for legacy contamination such as radioactive waste and unexploded ordnance. EPA plans to utilize the additional resources to leverage knowledge and best practices developed from Federal Facilities PFAS investigations to aid PFAS cleanups across the country.

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<sup>101</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>102</sup> For additional information, please refer to: <https://www.epa.gov/fedfac/redevelopment-economics-federal-facilities>.



In addition to the growing workload related to PFAS, the Program will prioritize and continue to partner with OFAs; state, local, and Tribal governments; and communities to limit human exposure to potentially harmful levels of lead in the environment. EPA will continue to oversee complex cleanups at Federal Facility NPL sites, such as contamination in groundwater, munitions and explosives of concern, contaminants of emerging concern, and contamination from legacy nuclear weapons development and energy research. For example, while the DOE has completed cleanup work at many of its sites, DOE estimates that the remaining legacy Cold War sites will take decades to complete due to groundwater, soil, and waste processing. Similarly, the DoD inventory includes sites that contain chemical and explosive compounds which require special handling, storage, and disposal practices, as well as cleanup. EPA will continue to provide oversight and technical assistance at DoD's military munitions response sites and support DoD's development of new technologies to streamline cleanups.

To ensure the long-term protectiveness of the remedies, the Agency will continue monitoring, overseeing progress, and improving the quality and consistency of Five-Year Reviews conducted at federal sites where waste has been left in place and land use is restricted. Five-Year Reviews are required under Section 121(c) of CERCLA and EPA's role is to concur or make its own independent protectiveness determination. EPA has been working collaboratively with DoD, DOE, and Department of the Interior (DOI) to improve the technical quality, timeliness, and cost of the five-year review reports and to ensure engagement with pollution-burdened and underserved communities. In FY 2025, the Superfund Federal Facilities Program will review approximately 32 five-year review reports to fulfill statutory requirements and to inform the public about the protectiveness of remedies.

In FY 2025, the Superfund Federal Facilities Program will target the highest risk sites and focus on activities that bring human exposure and groundwater migration under control. In addition, EPA manages the Docket which contains information reported by federal facilities that manage hazardous waste or from which hazardous substances, pollutants, or contaminants have been or may be released. The Docket: 1) identifies all federal facilities that must be evaluated through the site assessment process; 2) determines whether they pose a risk to human health and the environment sufficient to warrant inclusion on the NPL; and 3) provides a mechanism to make the information available to the public. The Docket is updated semi-annually and has approximately 2,400 facilities listed. EPA anticipates additional engagement on non-NPL federal facilities on the Docket to address new information and ensure appropriate assessment and referral of these sites to appropriate cleanup programs.

### **Performance Measure Targets:**

Work under this program supports performance results in the Superfund Remedial Program under the Superfund appropriation.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$353.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

- (+\$11,138.0 / -0.5 FTE) This net program change will help address critical gaps in EPA's ability to oversee DoD PFAS cleanup under CERCLA and to adjust core program capacity, including keeping pace with the Agency's oversight role at Federal Facility NPL sites.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 120.

## **Superfund Special Accounts**

## Superfund Special Accounts

### Background

EPA has the authority to collect funds from parties to support Superfund investigations and cleanups. Section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorizes EPA to retain and use funds received pursuant to a settlement agreement with a party to carry out the purpose of that agreement. Funds are deposited in Superfund special accounts for cleanup at the sites designated in individually negotiated settlement agreements. Through use of special accounts, EPA ensures responsible parties pay for cleanup so that annually appropriated resources from the Superfund Trust Fund, resources made available through the Infrastructure Investment and Jobs Act of 2021, and available Superfund tax receipts are generally conserved for sites where no viable or liable potentially responsible parties (PRPs) can be identified. Each account is set up separately and distinctly and may only be used for the sites and uses outlined in the settlement(s) with the party or parties.

Special accounts are sub-accounts in the Superfund Trust Fund. Pursuant to the specific agreements, which typically take the form of an Administrative Order on Consent or a Consent Decree, EPA uses special account funds to finance site-specific CERCLA response actions at the site for which the account was established. Of the current 1,336 Superfund sites listed as final on the National Priorities List, more than half do not have special account funds available for use. As special account funds may only be used for sites and uses specified in the settlement agreement, special account resources, Superfund tax receipts, and annually appropriated resources are critical to the Superfund Program to clean up Superfund sites.

Special account funds are used to conduct many different site-specific CERCLA response actions, including, but not limited to, investigations to determine the nature and extent of contamination and the appropriate remedy, design, construction and implementation of the remedy, enforcement activities, and post-construction activities. EPA also may provide special account funds as an incentive to another PRP(s) who agrees to perform additional work beyond the PRP's allocated share at the site, which EPA might otherwise have to conduct. Because response actions may take many years, the full use of special account funds also may take many years. Once all site-specific response work pursuant to the settlement agreement is complete and site risks are addressed, special account funds may be used to reimburse EPA for site-specific costs incurred using appropriated resources (*i.e.*, reclassification), allowing the latter resources to be allocated to other sites. Any remaining special account funds are transferred to the Superfund Trust Fund, where they are available for future appropriation by Congress to further support response work.

### FY 2023 Special Account Activity

Since the inception of special accounts through the end of FY 2023, EPA has collected approximately \$8.3 billion from parties and earned approximately \$895.9 million in interest. Approximately 61 percent of the funds have been disbursed or obligated for response actions at sites and plans have been developed to guide the future use of the remaining 39 percent of available special account funds. In addition, at sites with no additional work planned or costs to be incurred by EPA, EPA has transferred approximately \$65.8 million to the Superfund Trust Fund. As of the

end of FY 2023, approximately \$5.0 billion has been disbursed for site response actions and approximately \$596.3 million has been obligated but not yet disbursed.

The Agency continues to receive site-specific settlement funds that are placed in special accounts each year, so progress on actual obligation and disbursement of funds may not be apparent upon review solely of the cumulative available balance. In FY 2023, EPA deposited approximately \$185.3 million into special accounts and disbursed over \$186.4 million from special accounts (including reclassifications). At the end of FY 2023, the cumulative amount available in special accounts was over \$3.5 billion.

Special accounts vary in size. A limited set of accounts represent the majority of the funds available. At the end of FY 2023, 5 percent of open accounts had greater than \$10 million available and held approximately 70 percent of all available funds in open accounts. There are many accounts with lower available balances. 71 percent of all open accounts with up to \$1 million available represent approximately 5 percent of available funds in all open accounts.

The balance of over \$3.5 billion is not equivalent to an annual appropriation. Unlike annually appropriated, IJJA, and Superfund tax funds, the funds collected under settlements and deposited in special accounts are intended to finance future response work at particular sites for the length of the project(s). EPA is carefully managing those funds that remain available for site response work and develops plans to utilize the available balance. EPA will continue to plan the use of funds received to conduct site-specific response activities or reclassify and/or transfer excess funds to the Superfund Trust Fund to make annually appropriated funds available for use at other Superfund sites.

For some Superfund sites, although funds are readily available in a special account, remedial action(s) selected for a site may take time to initiate and complete. The timeframe required to implement selected remedial actions for a site is driven largely by site-specific conditions, such as the specific requirements for special account use set forth in the settlement agreement, the stage of site cleanup, the viability of other responsible parties to conduct site cleanup, and the nature of the site contamination. EPA has plans to spend approximately \$981.2 million of currently available special account funds over the next five years, but funds also are planned much further into the future to continue activities, such as conducting five-year reviews or remedy optimization, at sites where waste has been left in place.

Over the past five fiscal years, EPA has obligated or disbursed approximately \$1.3 billion from special accounts (excluding reclassifications), resulting in the Superfund Program performing a significant amount of work in addition to work the Agency performed using annually appropriated and IJJA funds. In FY 2023, EPA disbursed and obligated approximately \$365.0 million from special accounts (excluding reclassifications) for response work at more than 700 Superfund sites. Site-specific examples of this work include \$37.6 million to support work at the Old American Zinc Plant site in Illinois; \$35.5 million for the Cornell Dubilier Electronics Inc. site in New Jersey, \$26.5 million for the Bonita Peak Mining District site in Colorado, and \$25.1 million for the Tronox Navajo Area Uranium Mines (NAUM) Cove Station on the Navajo Nation. In the absence of special account funds, annually appropriated and/or IJJA funds would have been necessary for these response actions to be funded. In other words, EPA was able to fund approximately \$365.0

million in response work at sites in addition to the work funded through appropriated and IJA funds obligated or disbursed in FY 2023.

The summary charts below provide additional information on the status of special accounts. Exhibit 1 illustrates the cumulative status of open and closed accounts, FY 2023 program activity, and planned multi-year uses of the available balance. Exhibit 2 provides the prior year (FY 2023), current year (FY 2024), and estimated future budget year (FY 2025) activity for special accounts. Exhibit 3 provides prior year data (FY 2023) by EPA regional offices to exhibit the geographic use of the funds.

**Exhibit 1: Summary of FY 2023 Special Account Transactions  
and Cumulative Multi-Year Plans for Using Available Special Account Funds**

| <b>Account Status<sup>1</sup></b>                                   |   | <b>Number of Accounts</b> |
|---|---|---------------------------|
| Cumulative Open   |   | 1,105                     |
| Cumulative Closed   |   | 518                       |
| <b>FY 2022 Special Account Activity</b>                             |   | <b>\$ in Thousands</b>    |
|   | Beginning Available Balance   | \$3,600,504.1             |
|   | FY 2023 Activities  |                           |
|   | + Receipts  | \$185,340.5               |
|   | - Transfers to Superfund Trust Fund (Receipt Adjustment)  | (\$6,825.3)               |
|   | + Net Interest Earned   | \$98,298.6                |
|   | - Net Change in Unliquidated Obligations  | (\$179,769.1)             |
|   | - Disbursements - For EPA Incurred Costs  | (\$172,768.9)             |
|   | - Disbursements - For Work Party Reimbursements under Final Settlements                             | (\$1,615.7)               |
|   | - Reclassifications   | (\$12,017.4)              |
|   | End of Fiscal Year (EOFY) Available Balance <sup>2</sup>  | \$3,511,146.8             |
| <b>Multi-Year Plans for EOFY 2023 Available Balance<sup>3</sup></b> |   | <b>\$ in Thousands</b>    |
|   | 2023 EOFY Available Balance   | \$3,511,146.8             |
|   | - Estimates for Future EPA Site Activities based on Current Site Plans <sup>4</sup>                 | \$3,352,146.4             |
|   | - Estimates for Potential Disbursement to Work Parties Identified in Final Settlements <sup>5</sup> | \$86,164.5                |
|   | - Estimates for Reclassifications for FYs 2024-2026 <sup>6</sup>                                    | \$32,206.5                |
|   | - Estimates for Transfers to Trust Fund for FYs 2024-2026 <sup>6</sup>                              | \$22,390.8                |
|   | - Available Balance to be Planned for Site-Specific Response <sup>7</sup>                           | \$18,238.5                |

<sup>1</sup> FY 2023 data is as of 10/01/2023. The Beginning Available Balance is as of 10/02/2022.

<sup>2</sup> Numbers may not add due to rounding.

<sup>3</sup> Planning data were recorded in the Superfund Enterprise Management System (SEMS) as of 10/30/2023 in reference to special account available balances as of 10/01/2023.

<sup>4</sup> "Estimates for EPA Future Site Activities" includes all response actions that EPA may conduct or oversee in the future, such as removal, remedial, enforcement, post-construction activities as well as allocation of funds to facilitate a settlement to encourage PRPs to perform the cleanup. Planning data are multi-year and cannot be used for annual comparisons.

<sup>5</sup> "Estimates for Potential Disbursements to Work Parties Identified in Finalized Settlements" includes those funds that have already been designated in a settlement document, such as a Consent Decree or Administrative Order on Consent, to be available to a PRP for reimbursements but that have not yet been obligated.

<sup>6</sup> "Reclassifications" and "Transfers to the Trust Fund" are estimated for three FYs only. These amounts are only estimates and may change as EPA determines what funds are needed to complete site-specific response activities.

<sup>7</sup> These include resources received by the EPA at the end of the fiscal year and will be assigned for site-specific response activities.

**Exhibit 2: Actual and Estimated Special Account Transactions FY 2023 – FY 2025<sup>1</sup>**

|   | FY 2023                | FY 2024<br>estimate | FY 2025<br>estimate |
|---|------------------------|---------------------|---------------------|
|   | <b>\$ in Thousands</b> |                     |                     |
| Beginning Available Balance                               | \$3,600,504.1          | \$3,511,146.8       | \$3,669,719.1       |
| Receipts <sup>1</sup>                                     | \$185,340.5            | \$350,000.0         | \$350,000.0         |
| Transfers to Trust Fund (Receipt Adjustment) <sup>2</sup> | (\$6,825.3)            | (\$7,429.0)         | (\$7,429.0)         |
| Net Interest Earned <sup>3</sup>                          | \$98,298.6             | \$100,000.0         | \$100,000.0         |
| Net Obligations <sup>2,4</sup>                            | (\$354,153.7)          | (\$269,624.7)       | (\$269,624.7)       |
| Reclassifications <sup>2</sup>                            | (\$12,017.4)           | (\$14,374.0)        | (\$14,374.0)        |
| End of Year Available Balance <sup>5</sup>                | \$3,511,146.8          | \$3,669,719.1       | \$3,828,291.4       |

<sup>1</sup> The estimates for Receipts are in line with more typical years.

<sup>2</sup> The estimates for Transfers to Trust Fund, Net Obligations, and Reclassifications are based on a three-year historical average.

<sup>3</sup> Net interest earned in FY 2024 and FY 2025 are estimated utilizing economic assumptions for the FY 2025 President's Budget.

<sup>4</sup> Net Obligations reflect special account funds no longer available for obligation, excluding reclassifications and receipts transferred to the Trust Fund.

<sup>5</sup> Numbers may not add due to rounding.

**Exhibit 3: FY 2023 Special Account Transactions by EPA Regional Offices**  
*\$ in Thousands*

|              | Beginning<br>Available<br>Balance | Receipts    | Transfers to<br>Trust Fund<br>(Receipt<br>Adjustment) | Net Interest<br>Earned | Net<br>Obligations | Reclassifications | End of Year<br>Available<br>Balance <sup>1,2</sup> |
|--------------|-----------------------------------|-------------|---|------------------------|--------------------|-------------------|--|
| Region 1     | \$166,708.8                       | \$6,546.2   | (\$5,864.0)   | \$4,712.6              | (\$3,678.7)        | (\$3,031.8)       | \$165,393.1  |
| Region 2     | \$519,118.1                       | \$18,492.7  | \$0.0   | \$15,699.5             | (\$108,995.0)      | (\$2,679.9)       | \$441,635.3  |
| Region 3     | \$155,853.5                       | \$5,604.1   | (\$4.1)   | \$4,471.8              | (\$18,552.0)       | (\$416.1)         | \$146,957.2  |
| Region 4     | \$60,208.1                        | \$6,034.0   | (\$0.9)   | \$1,615.5              | (\$7,323.0)        | (\$805.5)         | \$59,728.1   |
| Region 5     | \$496,886.9                       | \$44,895.4  | (\$18.9)  | \$12,009.3             | (\$57,443.4)       | (\$360.5)         | \$495,968.8  |
| Region 6     | \$417,809.1                       | \$6,206.4   | (\$289.8)   | \$10,460.2             | (\$8,196.6)        | (\$861.2)         | \$425,128.1  |
| Region 7     | \$130,741.5                       | \$5,672.0   | (\$145.2)   | \$3,573.8              | (\$9,098.2)        | (\$1,006.3)       | \$129,737.6  |
| Region 8     | \$352,082.6                       | \$62,980.0  | (\$26.1)  | \$10,986.5             | (\$54,579.5)       | (\$1,732.7)       | \$369,710.9  |
| Region 9     | \$1,134,267.1                     | \$14,906.3  | (\$61.8)  | \$29,436.9             | (\$64,332.3)       | (\$634.6)         | \$1,113,581.7                                      |
| Region 10    | \$166,828.4                       | \$14,003.4  | (\$414.6)   | \$5,332.5              | (\$21,955.0)       | (\$488.8)         | \$163,305.9  |
| <b>Total</b> | \$3,600,504.1                     | \$185,340.5 | (\$6,825.3)   | \$98,298.6             | (\$354,153.7)      | (\$12,017.4)      | \$3,511,146.8                                      |

<sup>1</sup> FY 2023 data is as of 10/01/2023. The Beginning Available Balance is as of 10/02/2022.

<sup>2</sup> Numbers may not add due to rounding.



## **Superfund Tax Receipts**

## Superfund Tax Receipts

(Dollars in Thousands)

|   | FY 2023          | FY 2024<br>Estimated<br>Collections<br>Available <sup>103</sup> | FY 2025<br>Estimates of<br>Collections to Be<br>Available <sup>104</sup> |
|---|------------------|---|--|
| Superfund Chemical Taxes                                | \$159,777        | \$472,793   | \$1,152,000  |
| Superfund Taxes on Oil and Petroleum Products           | \$0              | \$732,075   | \$1,022,000  |
| <b>Hazardous Substance Superfund Tax Total Receipts</b> | <b>\$159,777</b> | <b>\$1,204,868</b>  | <b>\$2,174,000</b>   |

### Background

On November 15, 2021, the Infrastructure Investment and Jobs Act (IIJA), P.L. 117-58, reinstated and modified the excise taxes on certain listed chemicals and imported substances that use as materials in their manufacture or production one or more of those listed chemicals (“Superfund chemical taxes”).<sup>105</sup> The Superfund chemical taxes went into effect beginning July 1, 2022, and will expire on December 31, 2031. On August 16, 2022, the Inflation Reduction Act (IRA), (P.L. 117-169), reinstated and modified the taxes on oil and petroleum products. The oil and petroleum taxes went into effect on January 1, 2023. On December 29, 2022, the Consolidated Appropriations Act, 2023 (P.L. 117-328) included legislative language that allows all tax receipts collected in the Superfund Trust Fund from the prior fiscal year to be available to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) without further congressional appropriation and to be designated as emergency funding.

### FY 2023 Superfund Tax Receipts Activity

In August 2023, EPA issued approximately \$159.8 million in realized collections from the prior year to advance priority work across the Agency’s Superfund programs. Of these resources, \$104 million went to the Superfund Emergency Response and Removal Program, the Superfund Remedial Program, and the Superfund Federal Facilities Program. Some of the major program investments included: \$30 million for emergency work in East Palestine to meet commitments to the community for EPA oversight; \$42.7 million to focus on additional lead soil removal and ensure protection at established levels; more than \$20.6 million to expand capacity to complete additional Superfund removals arising from State referrals and lead; \$4.8 million to keep pace with the growing cleanup oversight workload at Superfund Federal Facility sites; and \$3 million to support work on abandoned uranium mines. In addition, more than \$26.1 million has been invested in the Superfund Enforcement and Superfund Federal Facilities Enforcement programs to continue the Agency’s “enforcement first” approach at private sites before turning to a Fund-lead cleanup, and to address current needs and emerging challenges regarding Superfund enforcement work at

<sup>103</sup> Estimate provided by the U.S. Treasury Bureau of the Fiscal Service as of September 30, 2023: <https://treasurydirect.gov/fip/dfi/tfmb/dfihs0923.pdf>. The final amount collected in FY 2023 will be determined by the U.S. Treasury in the 2nd quarter FY 2024.

<sup>104</sup> Estimates are developed by the U.S. Treasury and based on their economic assumptions.

<sup>105</sup> The original Superfund taxes expired on December 31, 1995, and applied to crude oil and imported petroleum products, chemicals used in the production of hazardous substances listed in Title 26 section 4661 and imported substances that use hazardous chemicals as a feedstock, and corporate modified alternative minimum taxable income more than \$2 million a year.

federal facilities, such as addressing per- and polyfluorinated substances (PFAS) contamination at and near many federal facility National Priorities List (NPL) sites. EPA will continue to prioritize the Superfund tax receipts to support site-specific response activities. Superfund tax receipts, special accounts, and annually appropriated resources are critical to the Superfund Program to clean up Superfund sites.

### **FY 2024 and FY 2025 Superfund Tax Receipt Activity**

As the Superfund Taxes were only recently passed, there is much uncertainty concerning the projected collections each year. As of September 30, 2023, there is an estimated \$1.205 billion of tax receipts in the Superfund Trust Fund which are available to utilize in FY 2024.<sup>106</sup> EPA is in the process of developing its budget priorities for the Superfund tax receipts available in FY 2024. EPA will utilize the Superfund tax receipts to implement CERCLA and continue to plan for the use of available tax receipts in FY 2025.

In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund tax receipts which will be available for use in FY 2025. The FY 2025 President's Budget proposes to transition the Superfund Emergency Response and Removal and the Superfund Enforcement programs solely to the Superfund tax receipts, while Superfund Remedial will be partially transitioned to the tax receipts. EPA anticipates sufficiently funding these programs from the tax receipts to support mission critical functions. EPA will then evaluate available budgets and resources across the Agency's Superfund programs to determine the most appropriate use of the tax receipts. EPA will prioritize the Superfund tax receipts to leverage all funding available to continue to clean up NPL sites at their optimal pace. The Agency will continue its "enforcement first" policy to pursue and compel responsible parties to conduct response work or finance cleanups. By doing so, annually appropriated and Superfund tax receipt resources will be conserved for cleanups at sites and activities where potentially responsible party (PRP) resources are not available. This will allow the Agency to maximize progress in returning sites to community use, as well as allow the Agency to implement agency initiatives (e.g., Environmental Justice (EJ), PFAS, and lead). EPA also will continue to start new construction projects to avoid the creation of another backlog of new construction projects awaiting funding to start; more efficiently fund ongoing construction projects; promptly address emergency and short-term CERCLA response actions; and implement Administration and Agency priorities (e.g., EJ, per- and polyfluorinated substances, lead, etc.).

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<sup>106</sup> Please see: <https://treasurydirect.gov/ftp/dfi/tfmb/dfihs0923.pdf>. The final amount collected in FY 2023 will be determined by the U.S Treasury in the 2nd quarter FY 2024.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Leaking Underground Storage Tanks  
Resource Summary Table  
(Dollars in Thousands)**

|  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|--|--------------------------------------|--------------------------------------|---|--|
| <b>Leaking Underground Storage Tanks</b> |                                      |                                      |   |  |
| Budget Authority                         | \$96,317                             | \$93,205                             | \$108,870                                 | \$15,665   |
| Total Workyears                          | 41.5                                 | 49.4                                 | 54.6                                      | 5.2  |

**Bill Language: Leaking Underground Storage Tank Trust Fund Program**

*For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, \$108,870,000, to remain available until expended, of which \$82,201,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; \$26,669,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.*

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

| <b>Program Project</b>                        | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Enforcement                                   |                                  |                                      |   |  |
| Civil Enforcement                             | \$594                            | \$661                                | \$690                                     | \$29   |
| Operations and Administration                 |                                  |                                      |   |  |
| Acquisition Management                        | \$173                            | \$181                                | \$136                                     | -\$45  |
| Central Planning, Budgeting, and Finance      | \$373                            | \$457                                | \$474                                     | \$17   |
| Facilities Infrastructure and Operations      | \$803                            | \$754                                | \$729                                     | -\$25  |
| Subtotal, Operations and Administration       | \$1,350                          | \$1,392                              | \$1,339                                   | -\$53  |
| Research: Sustainable Communities             |                                  |                                      |   |  |
| Research: Sustainable and Healthy Communities | \$292                            | \$341                                | \$356                                     | \$15   |

|  |                 |                 |                  |                 |
|--|-----------------|-----------------|------------------|-----------------|
| Underground Storage Tanks (LUST / UST)           |                 |                 |                  |                 |
| LUST / UST                                       | \$8,426         | \$9,991         | \$14,776         | \$4,785         |
| LUST Cooperative Agreements                      | \$59,328        | \$55,040        | \$65,040         | \$10,000        |
| LUST Prevention                                  | \$26,326        | \$25,780        | \$26,669         | \$889           |
| Subtotal, Underground Storage Tanks (LUST / UST) | \$94,081        | \$90,811        | \$106,485        | \$15,674        |
| <b>TOTAL LUST</b>                                | <b>\$96,317</b> | <b>\$93,205</b> | <b>\$108,870</b> | <b>\$15,665</b> |

## **Enforcement**

## **Civil Enforcement**

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management             | \$177,860                        | \$205,942                            | \$256,252                                 | \$50,310   |
| <b><i>Leaking Underground Storage Tanks</i></b> | <b><i>\$594</i></b>              | <b><i>\$661</i></b>                  | <b><i>\$690</i></b>                       | <b><i>\$29</i></b>   |
| Inland Oil Spill Programs                       | \$2,580                          | \$2,565                              | \$2,699                                   | \$134  |
| Hazardous Substance Superfund                   | \$15                             | \$0                                  | \$0                                       | \$0  |
| Total Budget Authority                          | \$181,048                        | \$209,168                            | \$259,641                                 | \$50,473   |
| Total Workyears                                 | 904.4                            | 998.1                                | 1,096.7                                   | 98.6   |

### **Program Project Description:**

The Civil Enforcement Program's goal is to ensure compliance with the Nation's environmental laws to protect human health and the environment. The Program collaborates with the Department of Justice, and state, local, and tribal governments to ensure consistent and fair enforcement of environmental laws and regulations. The Civil Enforcement Program develops, litigates, and settles administrative and civil judicial cases against violators of environmental laws.

To protect the Nation's groundwater and drinking water from petroleum and hazardous substance releases from Underground Storage Tanks (UST), the Civil Enforcement Program provides guidance, technical assistance, and training to promote and enforce cleanups at sites with UST systems.<sup>1</sup> The Enforcement and Compliance Assurance Program uses its Leaking Underground Storage Tanks (LUST) resources to oversee cleanups by responsible parties.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to work with states and tribes on a case-by-case basis to prioritize LUST enforcement goals for cleanup. The Program also will provide guidance, technical assistance, oversight, and training to enforce cleanups at LUST sites by responsible parties.

### **Performance Measure Targets:**

Work under this program supports performance results in the Civil Enforcement Program under the EPM appropriation.

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<sup>1</sup> For more information, please refer to: <https://www.epa.gov/ust>.



**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$29.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This includes an increase for critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0. It also supports enforcement under the Leaking Underground Storage Tanks Program by prioritizing LUST cleanup sites by responsible parties.

**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 authority); Subtitle I of the Solid Waste Disposal Act.

## **Operations and Administration**

**Acquisition Management**

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management             | \$33,034                         | \$37,251                             | \$42,085                                  | \$4,834  |
| <b><i>Leaking Underground Storage Tanks</i></b> | <b><i>\$173</i></b>              | <b><i>\$181</i></b>                  | <b><i>\$136</i></b>                       | <b><i>-\$45</i></b>  |
| Hazardous Substance Superfund                   | \$22,835                         | \$27,247                             | \$34,172                                  | \$6,925  |
| Total Budget Authority                          | \$56,042                         | \$64,679                             | \$76,393                                  | \$11,714   |
| Total Workyears                                 | 268.9                            | 307.7                                | 355.7                                     | 48.0   |

**Program Project Description:**

Leaking Underground Storage Tank (LUST) resources in the Acquisition Management Program support the Agency’s contract activities.

**FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency will continue to strengthen EPA’s capacity to process new, increased, and existing contract award actions in a timely manner; advance EPA utilization of small and disadvantaged businesses; support "Made in America" initiatives; and address supply chain risk management activities for information and communication technology. EPA processes and awards contract actions in line with Federal Acquisition Regulation (FAR) and guidance from the Office of Management and Budget’s (OMB) Office of Federal Procurement Policy (OFPP).

The Agency will continue to strengthen EPA’s capacity to process new, increased, and existing contract award actions in a timely manner; advance EPA utilization of small and disadvantaged businesses; support "Made in America" initiatives; and address supply chain risk management activities for information and communication technology. This investment will enable national programs to target their critical resources on environmental and programmatic priorities in partnership with the states, tribes, and local governments. The Agency will work with agency partners and stakeholders to include environmental justice considerations into grants policies and requirements and provide underserved communities better awareness and access to the Agency’s financial assistance opportunities.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$45.0) This program change reallocates system operations and development resources to Environmental Program Management and Superfund to better align funding 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); Subtitle I of the Solid Waste Disposal Act.

## Central Planning, Budgeting, and Finance

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management             | \$85,840                         | \$87,099                             | \$100,595                                 | \$13,496   |
| <b><i>Leaking Underground Storage Tanks</i></b> | <b><i>\$373</i></b>              | <b><i>\$457</i></b>                  | <b><i>\$474</i></b>                       | <b><i>\$17</i></b>   |
| Hazardous Substance Superfund                   | \$32,914                         | \$31,338                             | \$30,512                                  | -\$826   |
| Total Budget Authority                          | \$119,128                        | \$118,894                            | \$131,581                                 | \$12,687   |
| Total Workyears                                 | 441.2                            | 472.0                                | 486.7                                     | 14.7   |

Total workyears in FY 2025 include 2.0 FTE funded by TSCA fees.

Total workyears in FY 2025 include 45.7 FTE to support Central Planning, Budgeting, and Finance working capital fund (WCF) services.

### **Program Project Description:**

EPA's financial management community maintains a strong partnership with the Leaking Underground Storage Tanks (LUST) Program. Activities under the Central Planning, Budgeting, and Finance Program support the management of integrated planning, budgeting, financial management, performance and accountability processes, and systems to ensure effective stewardship of LUST resources. This includes providing financial payment and support services for specialized fiscal and accounting services for the LUST Programs.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Program will ensure secure, efficient, and sound financial and budgetary management of the LUST Program using routine and ad hoc analysis, statistical sampling, and other evidence-based decision-making tools. EPA will continue to monitor and strengthen internal controls with a focus on sensitive payments and property. In addition, the Agency is reviewing its financial systems for efficiencies and effectiveness, identifying gaps, and targeting legacy systems for replacement.

### **Performance Measure Targets:**

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$17.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5, App.) (EPA's organic statute); Subtitle I of the Solid Waste Disposal Act.

## **Facilities Infrastructure and Operations**

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management      | \$275,614                        | \$283,330                            | \$308,134                                 | \$24,804   |
| Science & Technology                     | \$65,328                         | \$67,500                             | \$72,906                                  | \$5,406  |
| Building and Facilities                  | \$17,502                         | \$42,076                             | \$98,893                                  | \$56,817   |
| <b>Leaking Underground Storage Tanks</b> | <b>\$803</b>                     | <b>\$754</b>                         | <b>\$729</b>                              | <b>-\$25</b>   |
| Inland Oil Spill Programs                | \$692                            | \$682                                | \$643                                     | -\$39  |
| Hazardous Substance Superfund            | \$74,115                         | \$65,634                             | \$72,349                                  | \$6,715  |
| Total Budget Authority                   | \$434,054                        | \$459,976                            | \$553,654                                 | \$93,678   |
| Total Workyears                          | 304.7                            | 321.8                                | 331.1                                     | 9.3  |

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### **Program Project Description:**

Leaking Underground Storage Tank (LUST) resources in the Facilities Infrastructure and Operations Program fund the Agency's rent, utilities, and security. The 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, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will continue reconfiguring EPA's workplaces with the goals of facilitating meaningful in-person work, reducing long-term rent costs, increasing EPA facility sustainability to combat the effects of climate change, and ensuring a space footprint that accommodates a growing workforce. Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce.<sup>2</sup> EPA will consider all opportunities for supporting organizational

<sup>2</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) and EO 14057: *Catalyzing Clean*

health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*.<sup>3</sup> Even if modifications are kept to a minimum, each move requires initial funding to achieve long-term cost avoidance and sustainability goals. These investments support sustainable federal infrastructure and the clean energy goal of net-zero emissions by 2050. For FY 2025, EPA is requesting \$511 thousand for rent in the LUST appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level. EPA also will continue working to increase sustainability and reduce carbon emissions through cost-effective solutions.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$25.0) This net program change reduces support for agency facilities management and operations support. The reduction is offset by increases in rent and transit subsidy costs.

**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).

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*Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>).

<sup>3</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.



## **Research: Sustainable Communities**

## Research: Sustainable and Healthy Communities

Program Area: Research: Sustainable Communities  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| Science & Technology                            | \$147,279                | \$137,857                   | \$149,498                        | \$11,641   |
| <b><i>Leaking Underground Storage Tanks</i></b> | <b><i>\$292</i></b>      | <b><i>\$341</i></b>         | <b><i>\$356</i></b>              | <b><i>\$15</i></b>   |
| Inland Oil Spill Programs                       | \$785                    | \$675                       | \$683                            | \$8  |
| Hazardous Substance Superfund                   | \$18,525                 | \$16,937                    | \$17,517                         | \$580  |
| Total Budget Authority                          | \$166,880                | \$155,810                   | \$168,054                        | \$12,244   |
| Total Workyears                                 | 427.2                    | 421.8                       | 451.3                            | 29.5   |

### Program Project Description:

EPA's Sustainable and Healthy Communities (SHC) Research Program under the Leaking Underground Storage Tanks (LUST) appropriation assists EPA's Office of Underground Storage Tanks, regions, tribes, and states to assess the degradation of Underground Storage Tanks (USTs). This assessment identifies vulnerable tanks before leaks occur and helps develop the tools to track and monitor the status of existing and abandoned USTs and their impact on the community in a changing climate. Specifically, this research provides information and tools designed to enable decision-makers to protect America's land, groundwater resources, and drinking water supplies that could be impacted by the Nation's more than 550 thousand underground fuel storage tanks.<sup>4</sup>

SHC will assess the impacts of climate change on USTs and understand the impacts on communities, including disadvantaged populations and those most vulnerable (*e.g.*, tribes). SHC will develop tools and data to address issues related to USTs to protect public health and the environment based on the best available science.

### Recent Accomplishments of the SHC Research Program include:

#### National Database on Underground Storage Tank Infrastructure (April 2022 and January 2023)<sup>5</sup>

In FY 2023, EPA's Office of Research and Development (ORD) advanced partnerships with state, territorial, and tribal partners related to the National Database on Underground Storage Tank Infrastructure (UST Finder). Specific accomplishments include continued training on the UST Finder capabilities and functions with federal and state partners (and their identified communities).

<sup>4</sup> For more information, please see: <https://www.epa.gov/ust>.

<sup>5</sup> For more information, please see: <https://www.epa.gov/emergency-response-research/underground-storage-tanks-preparing-and-responding-extreme-events>, [https://mediaspace.nau.edu/media/t/1\\_qxjzc7vy](https://mediaspace.nau.edu/media/t/1_qxjzc7vy), <https://www.epa.gov/ust/ust-finder>, and <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=c220c67462e14763a8e0c4df75550278>.

This training provides geospatial data on facilities and tanks in association with drinking water sources, critical data on the aging infrastructure, and facilities that may be impacted by flooding and wildfires. The training also helps EPA partners assess facility risk and triage sites for cleanup and protection of drinking water sources. ORD continues to develop approaches to protect vulnerable populations from UST releases after extreme weather events. Notably, ORD leveraged the partnerships with state, territorial, and tribal partners to scope and develop the UST Finder 2.0, released in FY 2023. UST Finder 2.0 provides partners with both spatial and attribute information of USTs. This information is critical to identifying vulnerabilities and mitigating risks related to USTs and supports decision-making on-site cleanups and program management.

### **FY 2025 Activities and Performance Plan:**

Work in this Program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

Work in this Program will aim to characterize sites and contaminants released from LUSTs identified under the LUST Trust Fund with an emphasis on assisting the Agency, tribes, and states in addressing the backlog of sites for remediation. SHC research will help communities remediate contaminated sites at an accelerated pace and lower costs, while reducing human health and ecological impacts. Resulting methodologies and tools will help localities, tribes, and states return properties to productive use, supporting the Agency's work to safeguard and revitalize communities.

In FY 2025, EPA research will continue to develop models, metrics, and spatial tools for EPA regions, tribes, and states to evaluate the vulnerability of groundwater to LUSTs, the impacts of climate change, and the subsequent human health risks that follow contamination, while considering environmental justice concerns. SHC will continue to focus on developing national datasets to better understand the potential vulnerabilities to LUSTs, such as flooding and drought, and vulnerabilities from LUSTs (*e.g.*, on groundwater) to inform decisions to manage tanks. SHC will assist EPA's Underground Storage Tanks Program, tribes, and states by updating technical guidance manuals and evaluations of risk to underground storage tank systems.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of Agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published its fourth generation of the StRAPs,<sup>6</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

ORD works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

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<sup>6</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA’s state engagement<sup>7</sup> is designed to inform states about their role within EPA and EPA’s research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

**Performance Measure Targets:**

Work under this program supports performance results in the Research: Sustainable and Healthy Communities Program under the S&T appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$35.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (-\$20.0) This program change reflects a decrease to the Sustainable and Healthy Communities LUST research program.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5 App.) (EPA’s organic statute); Subtitle I of the Solid Waste Disposal Act.

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<sup>7</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

## **Underground Storage Tanks (LUST/UST)**

## LUST / UST

Program Area: Underground Storage Tanks (LUST / UST)

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management             | \$11,034                         | \$12,021                             | \$14,604                                  | \$2,583  |
| <b><i>Leaking Underground Storage Tanks</i></b> | <b><i>\$8,426</i></b>            | <b><i>\$9,991</i></b>                | <b><i>\$14,776</i></b>                    | <b><i>\$4,785</i></b>  |
| Total Budget Authority                          | \$19,460                         | \$22,012                             | \$29,380                                  | \$7,368  |
| Total Workyears                                 | 84.5                             | 97.9                                 | 108.6                                     | 10.7   |

### **Program Project Description:**

The Leaking Underground Storage Tank (LUST) resources in the LUST/Underground Storage Tank (UST) Program ensure that petroleum contamination is properly assessed and cleaned up. Potential adverse effects from chemicals such as benzene, methyl tertiary-butyl ether, alcohols, or lead scavengers in gasoline and the cost to clean up these contaminants underscore the importance of preventing UST releases and complying with UST requirements. Even a small amount of petroleum released from an UST can contaminate groundwater, the drinking water source for many Americans.

This program supports the Administration's priority of mitigating the negative environmental impacts to communities that are historically underserved, marginalized, and adversely affected by persistent poverty and inequality, as articulated in Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. This program also supports the Administration's Justice40 initiative, which seeks to ensure that 40 percent of the overall benefits of certain federal investments flows to communities that are marginalized, underserved, and overburdened by pollution.<sup>8</sup> As of 2021, there were approximately 71 million people living within a quarter mile of an active UST facility, representing 21 percent of the total U.S. population. These communities tend to be more minority, low income, linguistically isolated, and less likely to have a high school education than the U.S. population as a whole.<sup>9</sup>

Under this program, EPA supports the oversight and implementation of LUST cleanup programs in the states,<sup>10</sup> and directly implements assessments and cleanups of petroleum contamination from USTs in Indian Country. EPA also provides technical assistance and training to states and tribes

<sup>8</sup> For more information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>9</sup> U.S. EPA, Office of Land and Emergency Management 2021. Data collected includes: 1) UST information from states as of 2018-2019 and from Tribal lands and Puerto Rico as of 2020-2021- from ORD & OUST, UST Map, <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=b03763d3f2754461adf86f121345d7bc>; and 2) population data from the 2017-2021 American Community Survey.

<sup>10</sup> States as referenced here also include the District of Columbia and five territories as described in the definition of state in the Solid Waste Disposal Act.

on how to conduct cleanups and improve the efficiency of state programs. As of September 2023, 57,437 LUST sites had not achieved cleanup completion.<sup>11</sup> In FY 2023, 6,597 LUST cleanups were completed nationally, including seven in Indian Country. EPA will continue to collect and analyze information about the initiation and cleanup of UST releases.

As the direct implementer of the Program in Indian Country, EPA oversees cleanups by responsible parties, conducts site assessments, remediates contaminated water and soil, and provides alternative sources of drinking water when needed. EPA's funding for Indian Country is the primary source of money for these activities. With few exceptions, tribes do not have independent program resources to pay for assessing and cleaning up UST releases, and in many cases there are no responsible parties available to pay for the cleanups at sites in Indian Country.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA requests an additional \$4.5 million and 5.2 FTE to expand the protection of fenceline communities. Requested resources will be used to complete an estimated 11 Trust Fund-led cleanups and five potentially responsible party (PRP)-led cleanups in Indian Country.

EPA will continue to engage in the following core activities:

- Work with states and tribes to implement strategies to reduce the number of sites that have not reached cleanup completion and to address new releases as they continue to be confirmed.
- Provide targeted training to states and tribes, such as remediation process optimization and rapid site assessment techniques.
- Continue developmental updates to the Tribal Underground Storage Tank Database (TrUSTD). This database provides a central repository for Tribal UST/LUST data that will both improve data analysis on the tribal UST/LUST universe, as well as create a platform that will make it easier for EPA to obtain and share tribal UST/LUST data with the public.
- Monitor the soundness of financial mechanisms, particularly insurance and state cleanup funds that serve as financial assurance for LUST releases and ensure that money is available to pay for cleanups. In addition, EPA will continue to provide analysis and technical assistance to states to help them improve the environmental and financial performance of their cleanup funds.
- Provide support in Indian Country for site assessments, investigations, and remediation of high priority sites; enforcement against responsible parties; cleanup of soil and groundwater; alternate water supplies; cost recovery against UST owners and operators;

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<sup>11</sup> For more information, please refer to: <https://www.epa.gov/system/files/documents/2023-11/fy-23-eoy-final-report-11-21-2023.pdf>.

oversight of responsible party lead cleanups; and technical expertise and assistance to tribal governments.

- Provide resources and support to states and tribes to quickly address emergency responses from releases to the environment. Releases from USTs can result in imminent threats to public safety when petroleum or petroleum vapors reach explosive levels in sewers, utility corridors, underground parking structures, and basements near a LUST site. Emergency response incidents across the country show that reporting, initial abatement measures, and free product removal activities may need to be implemented immediately upon discovery of a release to protect human health and the environment.<sup>12</sup>

**Performance Measure Targets:**

Work under this program supports performance results in the LUST Cooperative Agreements Program under the LUST appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$267.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$4,518.0 / +5.2 FTE) This program change is requested to support an additional 11 Trust Fund-led cleanups and five PRP-led cleanups in Indian Country. This investment includes \$916.0 thousand for payroll.

**Statutory Authority:**

Resource Conservation and Recovery Act §§ 8001, 9001-9014.

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<sup>12</sup> For more information, please refer to: <http://astswmo.org/compendium-of-emergency-response-actions-at-underground-storage-tank-sites-version-2/>.



## **LUST Prevention**

Program Area: Underground Storage Tanks (LUST / UST)

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <i>Leaking Underground Storage Tanks</i> | <i>\$26,326</i>                  | <i>\$25,780</i>                      | <i>\$26,669</i>                           | <i>\$889</i>   |
| Total Budget Authority                   | \$26,326                         | \$25,780                             | \$26,669                                  | \$889  |

### **Program Project Description:**

The goal of the Leaking Underground Storage Tank (LUST) Prevention Program is to ensure that groundwater sources are protected from petroleum and associated chemicals leaking from underground storage tanks (USTs). This work supports the Administration’s priority of mitigating the negative environmental impacts to communities that are historically underserved, marginalized, and adversely affected by persistent poverty and inequality, as articulated in Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.<sup>13</sup> As of 2021, approximately 71 million people lived within a quarter mile of an active UST facility, representing 21 percent of the total U.S. population. These communities tend to be more minority, low income, linguistically isolated, and less likely to have a high school education than the U.S. population as a whole.<sup>14</sup>

The LUST Prevention Program provides funding to states<sup>15</sup> and tribes to prevent releases from the 536,503 active USTs by ensuring compliance with federal and state laws through inspections and other activities.<sup>16</sup> Preventing UST releases is more efficient and less costly than cleaning up releases after they occur. The Energy Policy Act (EPA) of 2005 requires EPA or states to conduct inspections at each regulated UST once every three years. Funding for LUST Prevention grants is subject to an annual, formula-based allocation process.

<sup>13</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>14</sup> U.S. EPA, Office of Land and Emergency Management 2023. Data collected includes: Underground Storage Tank/Leaking Underground Storage Tank information from states as of 2018-2019 and from Tribal lands and U.S. territories as of 2020-2021 from Office of Research Development & Office of Underground Storage Tanks, UST Finder, <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=b03763d3f2754461adf86f121345d7bc>; and 2) population data from the 2017-2021 American Community Survey.

<sup>15</sup> States as referenced here also include the District of Columbia and five territories as described in the definition of state in the Solid Waste Disposal Act.

<sup>16</sup> For more information, please refer to: <https://www.epa.gov/system/files/documents/2023-11/fy-23-eoy-final-report-11-21-2023.pdf>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 - 2026 EPA Strategic Plan*.

Due to the increased emphasis on inspections and release prevention requirements, the number of annual confirmed releases has decreased by 41 percent from FY 2008 to FY 2023 (from 7,364 to 4,354).<sup>17</sup>

As of FY 2023, 51 states and territories have reported compliance with the UST Technical Compliance Rate (TCR) measure, which came about after the UST rule was revised in 2015.<sup>18</sup> The TCR includes new compliance measures for spill prevention and overflow requirements as well as additional leak detection requirements. The states that reported TCR in FY 2023 produced a TCR rate of 58 percent, which is consistent with the 58 percent rate from FY 2021 but incorporates several states reporting for the first time.

In FY 2025, EPA requests an additional \$889 thousand to continue supporting fenceline communities by conducting approximately 275 additional state inspections. These inspections will help ensure UST systems are compatible with E15 storage requirements and to triage sites that need more attention. This investment is one part of a collective plan to support the use of E15, while protecting the surrounding communities and compliments investments being proposed in LUST Prevention and Research: Sustainable and Healthy Communities.

FY 2025 activities also will include core program priorities, such as inspecting UST facilities to meet the three-year inspection requirement and assisting states in adopting prevention measures (for example: delivery prohibition, secondary containment, and operator training). These activities emphasize bringing UST systems into compliance with release detection and release prevention requirements and minimizing future releases.

A lack of proper operation and maintenance for UST systems is one of the main causes of petroleum releases and was the main impetus for EPA to propose changes to the federal UST rule that was finalized in October 2015. By the end of FY 2025, EPA anticipates that all states that originally had state program approval (SPA) based on the 1998 UST regulation will be granted SPA renewal based on the 2015 UST regulation.

EPA is responsible for implementing the UST regulations in Indian Country, in partnership with the tribes. Resources will be used to provide support with all aspects of the tribal prevention programs, including the development of inspection capacity. This includes providing money to support training for tribal staff and educating owners and operators in Indian Country about UST compliance requirements and, in some cases, assisting tribal staff to receive federal inspector credentials to perform inspections on behalf of EPA.

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<sup>17</sup> For more information, please refer to <https://www.epa.gov/system/files/documents/2023-11/fy-23-coy-final-report-11-21-2023.pdf>.

<sup>18</sup> Beginning in FY 2023, TCR will be the measure reported from the remainder of the states.

**Performance Measure Targets:**

**(PM UST01) Number of confirmed releases at UST facilities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021               | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    |
|---------------|---------|---------|---------|-----------------------|---------|---------|---------|---------|----------|
| <b>Target</b> |         |         |         | No Target Established | 5,150   | 5,075   | 4,700   | 4,625   | Releases |
| <b>Actual</b> | 5,654   | 5,375   | 4,944   | 4,991                 | 4,568   | 4,354   |         |         |          |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$889.0) This program change requests grant funding to support fenceline communities by increasing state inspections that will focus on ensuring UST systems are compatible with E15.

**Statutory Authority:**

Solid Waste Disposal Act of 1976, as amended by the Superfund Amendments and Reauthorization Act of 1986, § 2007(f); Energy Policy Act, § 9011.

## LUST Cooperative Agreements

Program Area: Underground Storage Tanks (LUST / UST)

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|  | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|--|--------------------------|-----------------------------|----------------------------------|--|
| <i>Leaking Underground Storage Tanks</i> | <i>\$59,328</i>          | <i>\$55,040</i>             | <i>\$65,040</i>                  | <i>\$10,000</i>  |
| Total Budget Authority                   | \$59,328                 | \$55,040                    | \$65,040                         | \$10,000   |

### Program Project Description:

This funding is used to award cooperative agreements to states<sup>19</sup> to implement the Leaking Underground Storage Tank (LUST) Program. The LUST Program ensures that petroleum contamination is properly assessed and cleaned up by providing states with funding to address releases, including in groundwater, the primary drinking water source for many Americans.<sup>20</sup>

This program supports the Administration’s priority of mitigating the negative environmental impacts to communities that are historically underserved, marginalized, and adversely affected by persistent poverty and inequality as articulated in Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.<sup>21</sup> This program also supports the Administration’s Justice40 initiative, which seeks to ensure that 40 percent of the overall benefits of certain federal investments flows to communities that are marginalized, underserved, and overburdened by pollution. As of 2021, there were approximately 71 million people living within a quarter mile of an active UST facility, representing 21 percent of the total U.S. population. These communities tend to be more minority, low income, linguistically isolated, and less likely to have a high school education than the U.S. population as a whole.<sup>22</sup>

LUST funding supports states in managing, overseeing, and enforcing cleanups at LUST sites. As of September 2023, there were 57,437 LUST sites nationally that had not reached cleanup completion. States are focusing on increasing the efficiency of LUST cleanups, leveraging private and state resources, and enabling community redevelopment. Cleaning up LUST sites protects people from exposure to contaminants and makes land available for reuse.

<sup>19</sup> States as referenced here also include the District of Columbia and five territories as described in the definition of state in the Solid Waste Disposal Act.

<sup>20</sup> Almost half of the Nation’s overall population and 99 percent of the population in rural areas rely on groundwater for drinking water. (See *EPA 2000 Water Quality Inventory Report*, [https://archive.epa.gov/water/archive/web/html/2000report\\_index.html](https://archive.epa.gov/water/archive/web/html/2000report_index.html)).

<sup>21</sup> For more information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

<sup>22</sup> U.S. EPA, Office of Land and Emergency Management 2023. Data collected includes: 1) Underground Storage Tank/Leaking Underground Storage Tank information from states as of 2018-2019 and from Tribal lands and U.S. territories as of 2020-2021 from Office of Research Development & Office of Underground Storage Tanks, UST Finder <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=b03763d3f2754461adf86f121345d7bc>; and 2) population data from the 2017-2021 American Community Survey.

EPA's backlog study characterized the national inventory of sites that have not reached cleanup completion. The study found that almost half of the releases were 15 years old or older, and that groundwater was contaminated at 78 percent of these sites. Remediating groundwater contamination is often more technically complex, takes longer, and is more expensive than remediating soil contamination.<sup>23</sup> Potential adverse health effects from chemicals in gasoline such as benzene, methyl tertiary-butyl ether (MTBE), alcohols, or lead scavengers contribute to the importance of cleaning up these contaminants and increase the cost of cleaning up these sites.<sup>24</sup>

An EPA study published in 2018 determined the impact of high-profile UST releases on housing prices. The study found that high profile UST releases decrease nearby property values by two to six percent. Once a cleanup is completed, nearby property values rebound by a similar margin.<sup>25</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA requests an additional \$10 million in extramural funding to reduce the size of the national backlog. Additional resources will be used to clean up an additional 570 sites this year in communities across the country.

The table below shows the progress made on the UST national backlog. EPA will continue to collect and analyze information about the initiation and cleanup of UST releases.<sup>26</sup>

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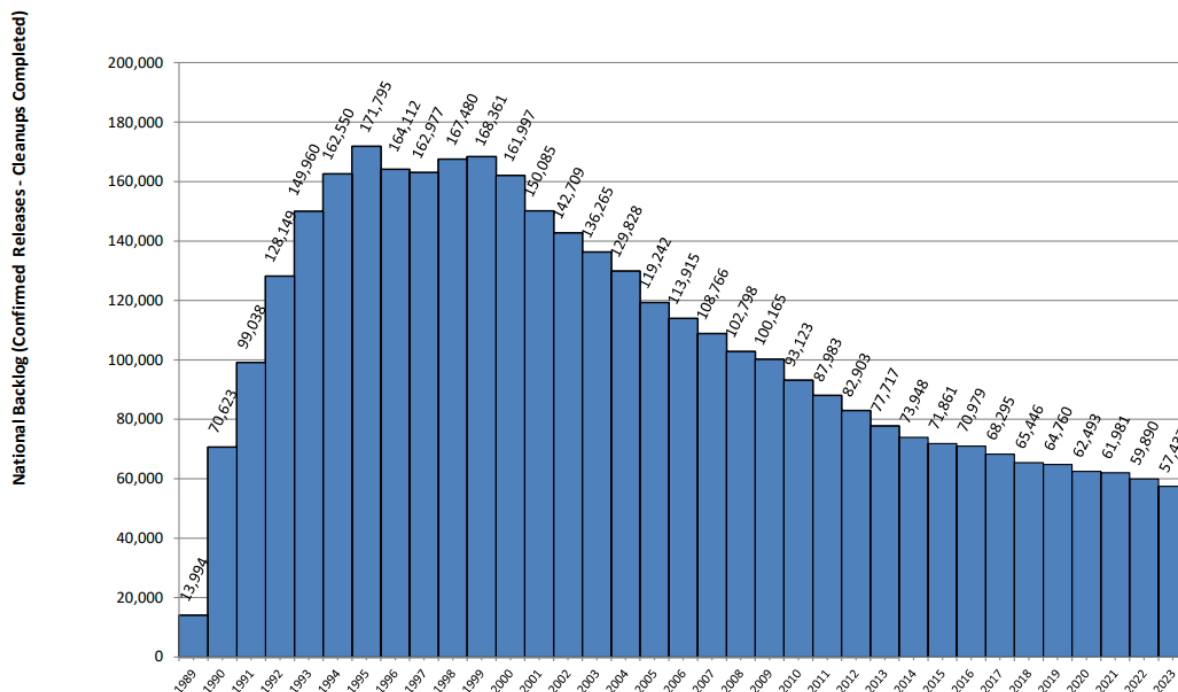
<sup>23</sup> Please refer to *The National LUST Cleanup Backlog: A Study Of Opportunities*, September 2011, <http://www.epa.gov/ust/national-lust-cleanup-backlog-study-opportunities>.

<sup>24</sup> Please see *Technologies for Treating MTBE and Other Fuel Oxygenates*, May 2004, pages 2-6 and 2-7, <https://nepis.epa.gov/Exec/zyPDF.cgi/10004E5P.PDF?Dockey=10004E5P.PDF>.

<sup>25</sup> Guignet, D., Jenkins, R., Ranson, M., & Walsh, P. J. (2018). Contamination and incomplete information: Bounding implicit prices using high-profile leaks. *Journal of environmental economics and management*, 88, 259-282. <https://doi.org/10.1016/j.jeem.2017.12.003>.

<sup>26</sup> Data from Annual Report of UST Measures End of Fiscal Year 2023, <https://www.epa.gov/system/files/documents/2023-11/fy-23-eoy-final-report-11-21-2023.pdf>.

**UST National Backlog:  
FY 1989 Through End-of-Year FY 2023**



In FY 2025, EPA will continue to engage in the following activities with base resources:

- Collaborate with states to develop and implement flexible, state-driven strategies to reduce the number of remaining LUST sites that have not reached cleanup completion and address new releases that are confirmed each year. Through the cooperative efforts between EPA and states, the backlog was reduced by approximately 44 percent between fiscal years 2008 and 2023 (from 102,798 to 57,437).<sup>27</sup> This also includes providing resources to states to perform core cleanup work.
- Leverage funding by developing best practices and supporting management, guidance, and enforcement activities through LUST Cleanup Cooperative Agreements. LUST Cleanup Cooperative Agreements help achieve approximately seven thousand cleanups annually, whereas, if EPA were to apply the funding directly, only about 366 cleanups would occur annually (assuming an average cleanup cost of \$150 thousand per site).<sup>28</sup>
- Provide resources and support to states to quickly address emergency responses from releases to the environment. Emergency response incidents across the country show that

<sup>27</sup> For more information, please refer to: <http://www.epa.gov/ust/ust-performance-measures>.

<sup>28</sup> Average cleanup cost per site based on ASTSWMO's 2019 Annual State Fund Survey Results at: <http://astswmo.org/2019-annual-state-fund-survey/>.

reporting, initial abatement measures, and free product removal activities need to be implemented immediately upon discovery of a release to protect human health and the environment.<sup>29</sup>

The Energy Policy Act (EPAct) of 2005 requires that states receiving LUST Cooperative Agreements funding meet certain release prevention requirements, such as inspecting every facility at least once every three years. In FY 2025, EPA will continue to factor state compliance with EPAct requirements into LUST Cleanup Cooperative Agreement decisions.

**Performance Measure Targets:**

**(PM 112) Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration.**

|               | <b>FY 2018</b> | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b> | <b>FY 2022</b> | <b>FY 2023</b> | <b>FY 2024</b> | <b>FY 2025</b> | <b>Units</b> |
|---------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--------------|
| <b>Target</b> | 11,200         | 11,200         | 11,200         | 11,200         | 7,439          | 7,125          | 6,970          | 6,815          | Cleanups     |
| <b>Actual</b> | 8,128          | 8,358          | 7,211          | 7,271          | 6,536          | 6,597          |                |                |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$10,000.0) This program change is requested to increase EPA’s progress in addressing the national backlog. Additional extramural resources are estimated to result in cleanups at an additional 570 sites across the country.

**Statutory Authority:**

Resource Conservation and Recovery Act § 9003(h)(7).

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<sup>29</sup> For more information, please refer to: <http://astswmo.org/compendium-of-emergency-response-actions-at-underground-storage-tank-sites-version-2/>.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Inland Oil Spill Programs  
Resource Summary Table  
(Dollars in Thousands)**

|                                  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|----------------------------------|--------------------------------------|--------------------------------------|---|--|
| <b>Inland Oil Spill Programs</b> |                                      |                                      |   |  |
| Budget Authority                 | \$21,164                             | \$22,072                             | \$27,803                                  | \$5,731  |
| Total Workyears                  | 75.9                                 | 85.8                                 | 99.8                                      | 14.0   |

**Bill Language: Inland Oil Spill Program**

*For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, including hire, maintenance, and operation of aircraft, \$27,803,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.*

**Program Projects in Inland Oil Spill Programs  
(Dollars in Thousands)**

| <b>Program Project</b>                           | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| Compliance                                       |                                  |                                      |   |  |
| Compliance Monitoring                            | -\$5                             | \$649                                | \$2,154                                   | \$1,505  |
| Enforcement                                      |                                  |                                      |   |  |
| Civil Enforcement                                | \$2,580                          | \$2,565                              | \$2,699                                   | \$134  |
| Oil  |                                  |                                      |   |  |
| Oil Spill: Prevention, Preparedness and Response | \$17,111                         | \$17,501                             | \$21,624                                  | \$4,123  |
| Operations and Administration                    |                                  |                                      |   |  |
| Facilities Infrastructure and Operations         | \$692                            | \$682                                | \$643                                     | -\$39  |
| Research: Sustainable Communities                |                                  |                                      |   |  |
| Research: Sustainable and Healthy Communities    | \$785                            | \$675                                | \$683                                     | \$8  |
| Superfund Cleanup                                |                                  |                                      |   |  |
| Superfund: Emergency Response and Removal        | \$0                              | \$0                                  | \$0                                       | \$0  |
| <b>TOTAL Inland Oil Spill Programs</b>           | <b>\$21,164</b>                  | <b>\$22,072</b>                      | <b>\$27,803</b>                           | <b>\$5,731</b>   |

## **Compliance**

## **Compliance Monitoring**

Program Area: Compliance

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management     | \$104,593                        | \$112,730                            | \$168,474                                 | \$55,744   |
| <b><i>Inland Oil Spill Programs</i></b> | <b>-\$5</b>                      | <b>\$649</b>                         | <b>\$2,154</b>                            | <b>\$1,505</b>   |
| Hazardous Substance Superfund           | \$1,377                          | \$1,017                              | \$1,036                                   | \$19   |
| Total Budget Authority                  | \$105,966                        | \$114,396                            | \$171,664                                 | \$57,268   |
| Total Workyears                         | 441.1                            | 478.9                                | 544.6                                     | 65.7   |

### **Program Project Description:**

The Compliance Monitoring Program is a component of EPA's Office of Enforcement and Compliance Assurance Program (OECA) that allows the Agency to detect noncompliance and to promote compliance with the Nation's environmental laws. Under this program, EPA integrates facility, compliance, and enforcement data from the Facility Response Plans (FRP) and Spill Prevention, Control, and Countermeasure (SPCC) data system into EPA's Integrated Compliance Information System (ICIS). Data related to compliance with FRP and SPCC requirements are made available to the public through EPA's Enforcement and Compliance History Online (ECHO) website.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an additional \$1.5 million to implement its comprehensive action plan for integrating Environmental Justice (EJ) and climate change considerations throughout all aspects of the Compliance Monitoring Program. EPA will track this work through its performance measure focused on the percentage of inspections affecting communities with potential EJ concerns. This effort answers the President's call to "strengthen enforcement of environmental violations with disproportionate impact on overburdened or vulnerable communities" [*EO 14008, sec. 222(b)(i)*]<sup>1</sup>. The additional resources also will be used to improve the availability of FRP and SPCC compliance data to EPA, states, and the public.

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<sup>1</sup> For more information, please visit: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this Program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$29.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,534.0) This program change increase will support implementation of its comprehensive action plan for integrating EJ and climate change considerations throughout all aspects of the Program, including a performance measure tracking the percentage of inspections affecting communities with potential EJ concerns.

**Statutory Authority:**

Oil Pollution 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).

## **Enforcement**

## Civil Enforcement

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management     | \$177,860                        | \$205,942                            | \$256,252                                 | \$50,310   |
| Leaking Underground Storage Tanks       | \$594                            | \$661                                | \$690                                     | \$29   |
| <b><i>Inland Oil Spill Programs</i></b> | <b><i>\$2,580</i></b>            | <b><i>\$2,565</i></b>                | <b><i>\$2,699</i></b>                     | <b><i>\$134</i></b>  |
| Hazardous Substance Superfund           | \$15                             | \$0                                  | \$0                                       | \$0  |
| Total Budget Authority                  | \$181,048                        | \$209,168                            | \$259,641                                 | \$50,473   |
| Total Workyears                         | 904.4                            | 998.1                                | 1,096.7                                   | 98.6   |

### **Program Project Description:**

The Civil Enforcement Program’s goal is to protect human health and the environment by ensuring compliance with the Nation’s environmental laws. The Civil Enforcement Program collaborates with the Department of Justice (DOJ), and state, local, and tribal governments to ensure consistent and fair enforcement of environmental laws and regulations. The Civil Enforcement Program develops, litigates, and settles administrative and civil judicial cases against violators of environmental laws.

The Civil Enforcement Program’s enforcement of Section 311 of the Clean Water Act, as amended by the Oil Pollution Act of 1990, is designed to ensure compliance with the prohibition against oil and hazardous substance spills that violate the statute, as well as oil spill prevention, response planning, and other regulatory requirements. The Civil Enforcement Program develops policies, issues administrative compliance and penalty orders, and refers civil judicial actions to the DOJ to address spills, violations of spill prevention and response planning regulations, and other violations (e.g., improper dispersant use or noncompliance with orders). The Program also assists in the recovery of cleanup costs expended by the government and provides support for field investigations of spills; Facility Response Plans; Spill Prevention, Control, and Countermeasures; and other requirements.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to streamline the Civil Enforcement Program, prioritize resources to achieve regulatory compliance, address oil or hazardous substance spills, and deter future spills. The Program will focus on facilities where enforcement will promote deterrence, tackle the climate crisis, integrate Environmental Justice (EJ) considerations in EPA’s work to protect overburdened

and vulnerable communities that have borne a disproportionate burden of pollution, and to ensure that spills are prevented, cleaned up, and, where appropriate, mitigated. The Civil Enforcement Program continues to coordinate with the Criminal Enforcement Program, as appropriate.

**Performance Measure Targets:**

Work under this program supports performance results in the Civil Enforcement Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$165.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (-\$31.0) This program change reduces civil enforcement efforts under the Oil Pollution Act.

**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); Clean Water Act; Oil Pollution Act.

**Oil**



## Oil Spill: Prevention, Preparedness and Response

Program Area: Oil

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>Inland Oil Spill Programs</i></b> | <b><i>\$17,111</i></b>   | <b><i>\$17,501</i></b>      | <b><i>\$21,624</i></b>           | <b><i>\$4,123</i></b>  |
| Total Budget Authority                  | \$17,111                 | \$17,501                    | \$21,624                         | \$4,123  |
| Total Workyears                         | 64.5                     | 71.6                        | 85.6                             | 14.0   |

### Program Project Description:

The Oil Spill Prevention, Preparedness and Response Program protects the American people by preventing, preparing for, responding to, and monitoring inland oil spills. EPA is the driving force and primary federal responder for inland oil spills, which include but are not limited to transportation-related spills from pipelines, trucks, railcars, and other transportation systems. The Program also provides technical assistance, assets, and outreach to industry, states, and local communities as part of the Agency’s effort to prevent, prepare for, and respond to oil incidents.<sup>2</sup>

There are approximately 550,400 Spill Prevention, Control, and Countermeasure (SPCC) facilities, including a subset of approximately 3,800 Facility Response Plan (FRP) facilities identified as high risk due to their size and location. The Oil Pollution Act requires certain facilities that store and use oil to develop response plans that are reviewed by EPA, ensuring access and availability of response resources in the event a discharge to navigable waters or adjoining shorelines occurs.

To minimize the potential impact to human health and the environment, the Agency targets inspections at facilities that pose the highest risk. Inspections are essential to ensuring that facility staff are knowledgeable on prevention and response plans and can quickly put these plans into action. The Agency currently inspects approximately 0.07 percent of SPCC facilities per year. In FY 2022, EPA found 92.8 percent of SPCC facilities inspected to be out of compliance at the time of inspection.<sup>3</sup> The Agency currently inspects approximately 11.7 percent of FRP facilities per year.

EPA receives spill notifications through the National Response Center. The Agency is responsible for ensuring all inland oil spills are promptly responded to by working closely with state, tribal, and local first responders on smaller spills and leading the response on larger spills. EPA accesses the Oil Spill Liability Trust Fund, administered by the U.S. Coast Guard, to obtain reimbursement funds for site-specific oil spill response activities.

<sup>2</sup> For more information, please refer to: <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations>.

<sup>3</sup> Information from the EPA Oil database.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$4.1 million and 14.0 FTE for the Oil Spill Prevention, Preparedness and Response Program. The Program will:

- Inspect oil facilities to ensure compliance with prevention and preparedness requirements. Inspections involve examining and evaluating the facility's prevention, preparedness, and response plans and discussing critical components of them with facility staff. EPA also will conduct unannounced exercises at FRP facilities to test the facility owner/operator's ability to execute preparedness and response plans. Finally, EPA will conduct off-site compliance monitoring activities for oil facilities to allow inspectors to determine compliance from remote locations as another tool to promote regulatory compliance.
- Focus inspections at high-risk facilities. High-risk facilities are identified using a number of factors including oil spill history; proximity to environmentally sensitive receptors or drinking water intakes; citizen complaints or federal, state, tribal or local agency referrals based on significant non-compliance; or the potential to cause substantial harm to the environment by discharging oil to navigable waters. The Program will increase inspections and compliance assistance at SPCC and FRP-regulated facilities, focusing on high-risk facilities located in communities with environmental justice concerns and communities with increased climate-related risks (*e.g.*, extreme weather, flooding, wildfires, etc.). These inspection activities are critical to ensuring regulatory compliance at facilities with aging oil storage infrastructure that could pose a higher risk of an oil spill, thereby substantially impacting downstream disadvantaged communities. The Program will develop additional compliance assistance materials, such as factsheets and facility guidance, reflecting the potential impacts of climate change and environmental justice.
- Maintain the National Contingency Plan's Subpart J product schedule, which highlights a list of products that may be used to mitigate oil spills.
- Target exercises to improve preparedness for communities with environmental justice concerns and increase incorporation of environmental justice into preparedness activities overall.
- Support the Environmental Response Team (ERT), which provides nationwide assistance and consultation for emergency response actions, including unusual or complex incidents. In such cases, the ERT supplies subject matter experts with special equipment and technical or logistical assistance.
- Maintain the National Oil Database, which compiles data for the Program. The database assists in managing SPCC and FRP information obtained during inspections, as well as serving as a historical repository. The Oil Database provides more efficient access to regulated facility information, streamlining inspection activities and identifying regulatory

applicability. In FY 2025, EPA will continue to upgrade the National Oil Database to allow easier data entry, retrieval, and analysis to improve program implementation.

- Deliver required annual oil spill inspector training to federal inspectors and oil spill response training to On-Scene Coordinators and provide outreach to federal/state partners and industry stakeholders to improve compliance with regulatory requirements. EPA will continue developing inspector training materials and methods for inspectors to best assess SPCC and FRP facilities' incorporation of risks from natural hazards and climate change into their oil spill prevention and response plans.
- Under the Clean Water Act (CWA) authority, Subpart J of the National Contingency Plan (NCP) sets forth regulatory requirements for the use of chemical agents as an oil spill mitigation technology. In FY 2023, the Agency finalized amendments to Subpart J of the NCP that include revisions to the existing product listing, testing protocols, and authorization of use procedures to complement the new provisions for dispersant monitoring that were finalized in 2021. In FY 2025, the Agency will develop guidance for implementation of the new regulatory provisions.

#### **Performance Measure Targets:**

Work under this program directly supports performance results in the Superfund: EPA Emergency Preparedness program under the Superfund appropriation.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$414.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This increase includes critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$3,709.0 / +14.0 FTE) This program change is an increase to support Oil Spill Prevention, Preparedness, and Response activities in fenceline communities at risk from nearby oil facilities, including providing increased outreach/compliance assistance, improved inspector training, Oil Database improvements, guidance for regulatory updates, and inspections at regulated facilities to ensure facilities have measures in place to prevent oil accidents. In addition, resources will be used to develop inspector training materials and methods. This investment includes approximately \$2.6 million for payroll.

#### **Statutory Authority:**

The Clean Water Act Section 311 as amended by the Oil Pollution Act.

## **Operations and Administration**

## Facilities Infrastructure and Operations

Program Area: Operations and Administration  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management     | \$275,614                        | \$283,330                            | \$308,134                                 | \$24,804   |
| Science & Technology                    | \$65,328                         | \$67,500                             | \$72,906                                  | \$5,406  |
| Building and Facilities                 | \$17,502                         | \$42,076                             | \$98,893                                  | \$56,817   |
| Leaking Underground Storage Tanks       | \$803                            | \$754                                | \$729                                     | -\$25  |
| <b><i>Inland Oil Spill Programs</i></b> | <b><i>\$692</i></b>              | <b><i>\$682</i></b>                  | <b><i>\$643</i></b>                       | <b><i>-\$39</i></b>  |
| Hazardous Substance Superfund           | \$74,115                         | \$65,634                             | \$72,349                                  | \$6,715  |
| Total Budget Authority                  | \$434,054                        | \$459,976                            | \$553,654                                 | \$93,678   |
| Total Workyears                         | 304.7                            | 321.8                                | 331.1                                     | 9.3  |

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### **Program Project Description:**

EPA's Facilities Infrastructure and Operations Program in the Inland Oil Spill Programs appropriation supports the Agency's rent, transit subsidy, and facility operations. Funding is allocated for such services among the major appropriations for the Agency.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will continue reconfiguring EPA's workplaces with the goals of facilitating meaningful in-person work, reducing long-term rent costs, increasing EPA facility sustainability to combat the effects of climate change, and ensuring a space footprint that accommodates a growing workforce. Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce.<sup>4</sup> EPA will consider all opportunities for supporting organizational health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work*

<sup>4</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) and EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>).

*Environments.*<sup>5</sup> Even if modifications are kept to a minimum, each move requires initial funding to achieve long-term cost avoidance and sustainability goals. These investments support sustainable federal infrastructure and the clean energy goal of net-zero emissions by 2050. For FY 2025, EPA is requesting \$485 thousand for rent in the Inland Oil Spill Programs appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level. EPA also will continue working to increase sustainability and reduce carbon emissions through cost-effective solutions.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$39.0) This net program change reduces agency facilities management and operations support. The reduction is offset by an increase in rent and transit subsidy costs.

**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).

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<sup>5</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

## **Research: Sustainable Communities**

## Research: Sustainable and Healthy Communities

Program Area: Research: Sustainable Communities  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| Science & Technology                    | \$147,279                | \$137,857                   | \$149,498                        | \$11,641   |
| Leaking Underground Storage Tanks       | \$292                    | \$341                       | \$356                            | \$15   |
| <b><i>Inland Oil Spill Programs</i></b> | <b><i>\$785</i></b>      | <b><i>\$675</i></b>         | <b><i>\$683</i></b>              | <b><i>\$8</i></b>  |
| Hazardous Substance Superfund           | \$18,525                 | \$16,937                    | \$17,517                         | \$580  |
| Total Budget Authority                  | \$166,880                | \$155,810                   | \$168,054                        | \$12,244   |
| Total Workyears                         | 427.2                    | 421.8                       | 451.3                            | 29.5   |

### Program Project Description:

EPA is the lead federal on-scene coordinator for inland oil spills and provides technical assistance, when needed, for coastal spills.<sup>6</sup> EPA is responsible for oil spill preparedness, response, and associated research; as well as having the lead role to develop protocols for testing spill response products and agents, which is planned with the assistance of partner agencies including the United States Coast Guard, United States Department of the Interior, United States Department of Transportation, and United States Department of Commerce.

EPA's Sustainable and Healthy Communities (SHC) Research Program for inland oil spills, funded through the Oil Spill Liability Trust Fund,<sup>7</sup> provides federal, tribal, state, and community decision-makers with analysis and tools to protect human and ecosystem health from the negative impacts of oil spills. EPA assists communities, including economically, socially, and environmentally disadvantaged or impacted communities, by supporting local officials in their response to a spill. As a result of EPA's research, responders can make more informed decisions on approaches and methods to reduce the spread and impact of coastal and inland oil spills, including pipeline and railway spills. Additionally, EPA provides essential remediation expertise that assists communities in addressing potential impacts on their environmental resources associated with pipeline and railway oil spills.

The research performed also supports the Agency's National Contingency Plan (NCP) Product Schedule.<sup>8</sup> The NCP is used nationwide by emergency responders and federal agencies when responding to oil spills. EPA's role is to develop and evaluate response approaches that involve the use of bioremediation, dispersants, and other additives. EPA also assesses impacts to surface water and groundwater, especially if they affect drinking water supplies. The Agency relies on

<sup>6</sup> For more information, please see: <https://www.epa.gov/emergency-response/epas-scene-coordinators-oscs>.

<sup>7</sup> For more information, please see: [https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/About\\_NPFC/OSLTF/](https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/About_NPFC/OSLTF/).

<sup>8</sup> For more information, please see: <http://www.epa.gov/emergency-response/national-contingency-plan-subpart-j>.



this research to provide testing procedures that inform cleanup decisions during an emergency spill response.

### **Recent Accomplishments of the SHC Research Program include:<sup>9</sup>**

**Improving Preparedness for Oil Spill Response:** Researchers advanced EPA's and the Nation's capabilities to respond to oil spills. EPA conducted research to understand the impacts of oil dispersants on microbial communities and ecological systems,<sup>10</sup> assess the toxicity and biodegradation of treated petroleum oils,<sup>11</sup> and probe potential use of commercial PlanetScope satellites in oil response monitoring.<sup>12</sup> These research outcomes will help responders select effective cleanup approaches.

### **FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022-2026 EPA Strategic Plan*.

In FY 2025, the oil spill program will conduct research to support regulatory activities and protocol development for EPA's programs and to support state-delegated programs. This Program will provide on-demand technical support at federal, tribal, or state-managed cleanup sites, as well as assistance during emergencies. The Program will continue to conduct health, environmental engineering, and ecological research, and prepare planning and analysis tools for localities nationwide that will facilitate regulatory compliance and improve environmental and health outcomes.

Specific activities in FY 2025 include:

- Characterize the chemical properties and their toxicity from *in situ* burn residue in collaboration with federal partners. This research will improve oil spill response technologies and strategies with valuable information on fate & transport processes of burn residues.
- Improve an air plume model with sensor data collected from a series of oil burns. The improved air plume model will serve as an essential operational asset for spill response.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published its fourth generation of the StRAPs<sup>13</sup> which continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

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<sup>9</sup> For a more complete view of accomplishments, please see: <https://www.epa.gov/research/national-research-programs>.

<sup>10</sup> For more information, please see: <https://pubmed.ncbi.nlm.nih.gov/36648524/>.

<sup>11</sup> For more information, please see: [https://cfpub.epa.gov/si/si\\_public\\_record\\_Report.cfm?dirEntryId=357115&Lab=CESER](https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=357115&Lab=CESER)

<sup>12</sup> For more information, please see: <https://pubmed.ncbi.nlm.nih.gov/36084611/>.

<sup>13</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA’s state engagement<sup>14</sup> is designed to inform states about their role within EPA and EPA’s research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

**Performance Measure Targets:**

Work under this program supports performance results in the Research: Sustainable and Healthy Communities Program under the S&T appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8.0) This program change reflects an increase to the Sustainable and Healthy Communities Oil Spills research program and additional changes to fixed support costs.

**Statutory Authority:**

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

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<sup>14</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**Environmental Protection Agency  
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**APPROPRIATION: State and Tribal Assistance Grants  
Resource Summary Table  
(Dollars in Thousands)**

|   | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|---|--------------------------------------|--------------------------------------|---|--|
| <b>State and Tribal Assistance Grants</b> |                                      |                                      |   |  |
| Budget Authority                          | \$2,988,952                          | \$4,493,728                          | \$4,528,039                               | \$34,311   |
| Total Workyears                           | 9.4                                  | 7.5                                  | 9.0                                       | 1.5  |

**Bill Language: State and Tribal Assistance Grants**

*For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$4,528,039,000, to remain available until expended, of which—*

(1) *\$1,239,895,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which \$1,126,105,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That for fiscal year 2025, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 15 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That for fiscal year 2025, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That the Administrator is authorized to use up to \$1,500,000 of funds made available for the Clean Water State Revolving Funds under this heading under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381) to conduct the Clean Watersheds Needs Survey: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2025 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2025, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans,*

*specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2025, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2025, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of \$2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: Provided further, That for fiscal year 2025, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92–203: Provided further, That for fiscal year 2025, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or \$30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or \$20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2025, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2025, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 14 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: Provided further, That in a State*

*in which such an emergency declaration has been issued, the State may use more than 14 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients: Provided further, That notwithstanding section 1452(o) of the Safe Drinking Water Act (42 U.S.C. 300j-12(o)), the Administrator shall reserve \$12,000,000 of the amounts made available for fiscal year 2025 for making capitalization grants for the Drinking Water State Revolving Funds to pay the costs of monitoring for unregulated contaminants under section 1445(a)(2)(C) of such Act: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985;*

*(2) \$36,386,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: Provided, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;*

*(3) \$41,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;*

*(4) \$114,482,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: Provided, that at least 10 percent shall be allocated for assistance in persistent poverty counties;*

*(5) \$100,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;*

*(6) \$69,927,000 shall be for targeted airshed grants in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);*

*(7) \$30,173,000 shall be for grants under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a);*

- (8) \$36,500,000 shall be for grants under section 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j–24(d));
- (9) \$64,479,000 shall be for grants under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j–19b);
- (10) \$25,000,000 shall be for grants under section 1459A(l) of the Safe Drinking Water Act (42 U.S.C. 300j–19a(l));
- (11) \$18,000,000 shall be for grants under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8));
- (12) \$50,000,000 shall be for grants under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301);
- (13) \$6,000,000 shall be for grants under section 4304(b) of the America's Water Infrastructure Act of 2018 (Public Law 115–270);
- (14) \$10,005,000 shall be for carrying out section 302(a) of the Save Our Seas 2.0 Act (33 U.S.C. 4283(a)), of which not more than 5 percent shall be for administrative costs to carry out such section: Provided, That notwithstanding section 302(a) of such Act, the Administrator may also provide grants pursuant to such authority to intertribal consortia consistent with the requirements in 40 CFR 35.504(a), to former Indian reservations in Oklahoma (as determined by the Secretary of the Interior), and Alaska Native Villages as defined in Public Law 92–203;
- (15) \$1,465,087,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement, and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, and under section 2301 of the Water and Waste Act of 2016 to assist States in developing and implementing programs for control of coal combustion residuals, of which: \$53,954,000 shall be for carrying out section 128 of CERCLA; \$15,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; \$1,505,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; \$28,915,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; and \$10,200,000 shall be for multipurpose grants, including interagency agreements, in accordance with the terms and conditions described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);



(16) \$2,000,000 shall be for grants under section 1442(b) of the Safe Drinking Water Act (42 U.S.C. 300j-1(b));

(17) \$5,000,000 shall be for grants under section 1459F of the Safe Drinking Water Act (42 U.S.C. 300j-19g);

(18) \$5,000,000 shall be for carrying out section 2001 of the America's Water Infrastructure Act of 2018 (Public Law 115-270, 42 U.S.C. 300j-3c note): Provided, That the Administrator may award grants and enter into contracts with tribes, intertribal consortia, public or private agencies, institutions, organizations, and individuals, without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41, United States Code, and enter into interagency agreements as appropriate;

(19) \$25,000,000 shall be for grants under section 223 of the Federal Water Pollution Control Act (33 U.S.C. 1302a);

(20) \$5,000,000 shall be for grants under section 224 of the Federal Water Pollution Control Act (33 U.S.C. 1302b);

(21) \$5,000,000 shall be for grants under section 226 of the Federal Water Pollution Control Act (33 U.S.C. 1302d);

(22) \$3,000,000 shall be for grants under section 227 of the Federal Water Pollution Control Act (33 U.S.C. 1302e);

(23) \$5,000,000 shall be for grants under section 50217(b) of the Infrastructure Investment and Jobs Act (33 U.S.C. 1302f(b); Public Law 117-58);

(24) \$3,000,000 shall be for grants under section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300);

(25) \$5,000,000 shall be for grants under section 124 of the Federal Water Pollution Control Act (33 U.S.C. 1276);

(26) \$25,000,000, in addition to amounts otherwise available, shall be for competitive grants to meet cybersecurity infrastructure needs within the water sector; and

(27) \$7,000,000 shall be for grants under section 103(b)(3) of the Clean Air Act for wildfire smoke preparedness grants in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): Provided, That not more than 3 percent shall be for administrative costs to carry out such section.

Provided, That up to 5 percent of the funds appropriated under this heading in each of paragraphs (16) through (25) may be reserved for salaries, expenses, and administration, and may be

transferred to the "Environmental Programs and Management" account or the "Science and Technology" account as needed.

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

| <b>Program Project</b>  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Categorical Grants  |                                  |                                      |   |  |
| Categorical Grant: Beaches Protection                                     | \$9,583                          | \$10,619                             | \$9,811                                   | -\$808   |
| Categorical Grant: Brownfields  | \$44,730                         | \$47,195                             | \$53,954                                  | \$6,759  |
| Categorical Grant: Environmental Information                              | \$7,400                          | \$10,836                             | \$15,000                                  | \$4,164  |
| Categorical Grant: Lead   | \$15,501                         | \$16,326                             | \$24,639                                  | \$8,313  |
| Categorical Grant: Multipurpose Grants                                    | \$195                            | \$0                                  | \$10,200                                  | \$10,200   |
| Categorical Grant: Nonpoint Source (Sec. 319)                             | \$176,686                        | \$182,000                            | \$188,999                                 | \$6,999  |
| Categorical Grant: Pesticides Enforcement                                 | \$24,703                         | \$25,580                             | \$25,580                                  | \$0  |
| Categorical Grant: Pesticides Program Implementation                      | \$13,958                         | \$14,027                             | \$14,027                                  | \$0  |
| Categorical Grant: Pollution Control (Sec. 106)                           |                                  |                                      |   |  |
| <i>Monitoring Grants</i>  | \$20,842                         | \$18,512                             | \$28,915                                  | \$10,403   |
| <i>Categorical Grant: Pollution Control (Sec. 106) (other activities)</i> | \$221,431                        | \$218,488                            | \$259,805                                 | \$41,317   |
| Subtotal, Categorical Grant: Pollution Control (Sec. 106)                 | \$242,272                        | \$237,000                            | \$288,720                                 | \$51,720   |
| Categorical Grant: Pollution Prevention                                   | \$6,804                          | \$4,973                              | \$5,755                                   | \$782  |
| Categorical Grant: Public Water System Supervision (PWSS)                 | \$123,137                        | \$121,500                            | \$132,566                                 | \$11,066   |
| Categorical Grant: Radon  | \$8,958                          | \$10,995                             | \$12,487                                  | \$1,492  |
| Categorical Grant: Toxics Substances Compliance                           | \$5,005                          | \$5,010                              | \$6,877                                   | \$1,867  |
| Categorical Grant: Tribal Air Quality Management                          | \$16,620                         | \$16,415                             | \$23,126                                  | \$6,711  |
| Categorical Grant: Tribal General Assistance Program                      | \$82,649                         | \$74,750                             | \$85,009                                  | \$10,259   |
| Categorical Grant: Underground Injection Control (UIC)                    | \$12,661                         | \$13,164                             | \$11,387                                  | -\$1,777   |
| Categorical Grant: Underground Storage Tanks                              | \$1,503                          | \$1,505                              | \$1,505                                   | \$0  |
| Categorical Grant: Wetlands Program Development                           | \$6,122                          | \$14,692                             | \$22,000                                  | \$7,308  |
| Categorical Grant: State and Local Air Quality Management                 | \$246,130                        | \$249,038                            | \$400,198                                 | \$151,160  |
| Categorical Grants: Direct Implementation Tribal Cooperative Agreements   | \$0                              | \$0                                  | \$25,000                                  | \$25,000   |
| Resource Recovery and Hazardous Waste Grants                              | \$105,369                        | \$105,000                            | \$108,247                                 | \$3,247  |
| Subtotal, Categorical Grants  | \$1,149,986                      | \$1,160,625                          | \$1,465,087                               | \$304,462  |

| <b>Program Project</b>   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| State and Tribal Assistance Grants (STAG)  |                                  |                                      |   |  |
| Alternative Water Sources Grants Pilot Program                                       | \$0                              | \$0                                  | \$3,000                                   | \$3,000  |
| Brownfields Projects   | \$87,833                         | \$100,000                            | \$114,482                                 | \$14,482   |
| Clean Water Infrastructure Resiliency and Sustainability Program                     | \$0                              | \$0                                  | \$25,000                                  | \$25,000   |
| Connection to Publicly Owned Treatment Works   | \$0                              | \$0                                  | \$3,000                                   | \$3,000  |
| Diesel Emissions Reduction Grant Program   | \$7,239                          | \$100,000                            | \$100,000                                 | \$0  |
| Drinking Water Infrastructure Resilience and Sustainability                          | \$0                              | \$7,000                              | \$25,000                                  | \$18,000   |
| Enhanced Aquifer Use and Recharge  | \$0                              | \$4,000                              | \$5,000                                   | \$1,000  |
| Grants for Low and Moderate Income Household Decentralized Wastewater Systems        | \$0                              | \$0                                  | \$5,000                                   | \$5,000  |
| Indian Reservation Drinking Water Program  | \$0                              | \$4,000                              | \$5,000                                   | \$1,000  |
| Infrastructure Assistance: Alaska Native Villages                                    | \$41,810                         | \$39,686                             | \$41,000                                  | \$1,314  |
| Infrastructure Assistance: Clean Water SRF   | \$735,951                        | \$775,752                            | \$1,239,895                               | -\$464,143   |
| Infrastructure Assistance: Clean Water Congressionally Directed Spending             | \$80,622                         | \$863,109                            | \$0                                       | -\$863,109   |
| Infrastructure Assistance: Drinking Water SRF  | \$504,719                        | \$516,845                            | \$1,126,105                               | \$609,260  |
| Infrastructure Assistance: Drinking Water Congressionally Directed Spending          | \$142,276                        | \$609,256                            | \$0                                       | -\$609,256   |
| Infrastructure Assistance: Mexico Border   | \$33,698                         | \$36,386                             | \$36,386                                  | \$0  |
| Lead Testing in Schools  | \$5,417                          | \$30,500                             | \$36,500                                  | \$6,000  |
| Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability | \$0                              | \$5,000                              | \$5,000                                   | \$0  |
| Recycling Infrastructure   | \$2,136                          | \$6,500                              | \$10,005                                  | \$3,505  |
| Reducing Lead in Drinking Water  | \$32,301                         | \$25,011                             | \$64,479                                  | \$39,468   |
| Safe Water for Small & Disadvantaged Communities                                     | \$22,887                         | \$30,158                             | \$30,173                                  | \$15   |
| San Juan Watershed Monitoring  | \$585                            | \$0                                  | \$0                                       | \$0  |
| Sewer Overflow and Stormwater Reuse Grants   | \$48,486                         | \$50,000                             | \$50,000                                  | \$0  |
| Small and Medium Publicly Owned Treatment Works Circuit Rider Program                | \$0                              | \$0                                  | \$5,000                                   | \$5,000  |
| Stormwater Infrastructure Technology   | \$0                              | \$3,000                              | \$5,000                                   | \$2,000  |
| Targeted Airshed Grants  | \$34,669                         | \$69,927                             | \$69,927                                  | \$0  |
| Technical Assistance and Grants for Emergencies (SDWA)                               | \$0                              | \$0                                  | \$2,000                                   | \$2,000  |
| Technical Assistance for Wastewater Treatment Works                                  | \$40,617                         | \$27,000                             | \$18,000                                  | -\$9,000   |
| Water Infrastructure Workforce Investment  | \$0                              | \$6,000                              | \$6,000                                   | \$0  |
| Water Sector Cybersecurity   | \$0                              | \$0                                  | \$25,000                                  | \$25,000   |
| Wildfire Smoke Preparedness  | \$330                            | \$7,000                              | \$7,000                                   | \$0  |

| <b>Program Project</b>                              | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Subtotal, State and Tribal Assistance Grants (STAG) | \$1,821,656                      | \$3,316,130                          | \$3,062,952                               | -\$253,178   |
| <b>TOTAL STAG</b>                                   | <b>\$2,988,952</b>               | <b>\$4,493,728</b>                   | <b>\$4,528,039</b>                        | <b>\$34,311</b>  |

## **Categorical Grants**

**Categorical Grant: Beaches Protection**

Program Area: Categorical Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$9,583</i>                   | <i>\$10,619</i>                      | <i>\$9,811</i>                            | <i>-\$808</i>  |
| Total Budget Authority                    | \$9,583                          | \$10,619                             | \$9,811                                   | -\$808   |

**Program Project Description:**

EPA’s Beaches Protection Grant Program awards grants to eligible coastal and Great Lakes states, territories, and tribes to improve water quality monitoring at beaches and to notify the public of beach advisories and closings. The Beaches Grant Program is a collaborative effort between EPA, states, territories, local governments, and tribes to help ensure that coastal and Great Lakes recreational waters are safe for swimming. Congress created the Program with the passage of the Beaches Environmental Assessment and Coastal Health Act (BEACH Act) with the goal of reducing risk to the public of waterborne disease related to the use of recreational water.

EPA awards grants to eligible states, territories, and tribes using an allocation formula developed in consultation with states and other organizations. The allocation takes into consideration beach season length, beach miles, and beach use.<sup>1</sup>

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

Eligible states, territories, tribes, and localities will receive grant funding to continue to:

- Administer the grant program;
- Implement monitoring and notification programs consistent with EPA guidance; and
- Submit monitoring and advisory data to EPA for production of an annual report in a timely manner.<sup>2</sup>

The Beaches Protection Grant Program is a covered program in the Justice40 Initiative and has two goals: (1) at least 40 percent of beaches serving disadvantaged communities have their water quality monitored for bacteria and (2) at least 40 percent of beaches serving disadvantaged

<sup>1</sup> For more information, please see: [www.epa.gov/beach-tech/beach-grants](http://www.epa.gov/beach-tech/beach-grants). See EPA’s Beach Advisory and Closing On-line Notification (BEACON) system (<https://watersgeo.epa.gov/beacon2/Beacon.html>) for water quality and notification data that grant recipients provide to EPA.

<sup>2</sup> For more information, please see: <https://www.epa.gov/beach-tech/annual-beach-swimming-season-reports>.

communities have programs to notify the public if it is safe to swim.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$808.0) This program change redirects funding to other administration priorities.

**Statutory Authority:**

Clean Water Act, BEACH Act of 2000.

## Categorical Grant: Brownfields

Program Area: Categorical Grants

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$44,730                 | \$47,195                    | \$53,954                         | \$6,759  |
| Total Budget Authority                    | \$44,730                 | \$47,195                    | \$53,954                         | \$6,759  |

### Program Project Description:

EPA's Brownfields Program is a successful model of the Agency working cooperatively with states, tribes, local governments, and other agencies to help communities oversee, plan, assess, and cleanup brownfields properties. State and Tribal Response Programs address contaminated sites that do not require federal action but need assessment and/or cleanup before they can be considered ready for reuse. The Program allocates funding to states and tribes to establish core capabilities, enhance their response programs, and conduct site assessments and cleanups.

Approximately 160 million people (roughly 48 percent of the U.S. population) live within three miles of a brownfields site that received EPA funding.<sup>3</sup> Since its inception, the Brownfields Program has fostered a community-driven approach to the reuse of contaminated sites. As of August 2023, the State and Tribal Response Programs have leveraged more than 20,423 jobs and \$3.0 billion in IJJA funding. State and Tribal funding spent on site-specific brownfields work has contributed to 4,136 sites assessed, 559 sites cleaned up, and 1,743 sites made ready for anticipated reuse (RAU). Sites receiving these funds are 1.5 times more likely to become RAU than sites receiving brownfields competitive grant funding alone. In 2023, EPA provided funding to 169 states, tribes, territories, and the District of Columbia.<sup>4</sup>

This funding is a critical source for state and tribal partners to establish and grow their brownfields programs. Over 100 tribes have received brownfields funding to build their programs, and cumulatively these programs have cleaned up over 4,900 properties and made over 168 thousand acres ready for reuse. Addressing brownfields sites on tribal lands also has leveraged over 1,396 jobs and \$217 million.<sup>5</sup>

In addition, the Infrastructure Investment and Jobs Act (IIJA) invests \$300 million to support State and Tribal Response programs from FY 2022 through FY 2026. IIJA can provide necessary funds to states and territories and over 100 tribes to grow their brownfields programs.

<sup>3</sup> U.S. EPA, Office of Land and Emergency Management, 2023. Data collected includes: 1) Brownfields site information from ACRES as of the end of FY 2022; 2) Population data from the 2017-2021 American Community Survey.

<sup>4</sup> Data from U.S. EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES).

<sup>5</sup> Data from U.S. EPA ACRES.



### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an investment of approximately \$6.8 million to assist state and tribal brownfields programs to assess, clean up, and reuse sites. EPA's national brownfields program is built upon and fully reliant on strong state, territorial, and tribal brownfields programs. These additional funds especially benefit rural and small communities and tribal nations that do not have the capacity to apply for and manage a direct U.S. EPA 104(k) brownfields grant on their own.

States and tribes may use categorical grant funding provided under this program in the following ways:

- Conducting site-specific activities, such as assessments and cleanups at brownfields sites;<sup>6</sup>
- Developing mechanisms and resources to provide meaningful opportunities for public participation;
- Developing mechanisms for approval of cleanup plans and verification and certification that cleanup efforts are complete;
- Creating an inventory of brownfields sites;
- Capitalizing a Revolving Loan Fund for brownfields-related work;
- Developing a public record;
- Developing oversight and enforcement authorities, or other mechanisms and resources;
- Purchasing environmental insurance;
- Developing state and tribal tracking and management systems for land use and institutional and engineering controls; and
- Conducting public education and outreach efforts to ensure that tribal communities are informed and able to participate in environmental decision-making.

### **Performance Measure Targets:**

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

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$6,759.0) This program change increases financial and technical assistance resources to state and tribal response programs.

### **Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 128(a).

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<sup>6</sup> For more information, please refer to: <https://www.epa.gov/brownfields/state-and-tribal-response-program-grants>.

## Categorical Grant: Environmental Information

Program Area: Categorical Grants  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$7,400                  | \$10,836                    | \$15,000                         | \$4,164  |
| Total Budget Authority                    | \$7,400                  | \$10,836                    | \$15,000                         | \$4,164  |

### Program Project Description:

The funds provided under this categorical grant support the Environmental Information Exchange Network (EN), which is a critical component of the Agency’s Data Strategy and supports Executive Order (EO) 13985: *Advancing Racial Equality and Support for Underserved Communities through the Federal Government*.<sup>7</sup> The EN is a standards-based, secure approach for EPA and its tribal, state, and territorial partners to exchange and share environmental data over the internet. The EN offers its partners tremendous potential for managing, accessing, and analyzing environmental data more effectively and efficiently.

The Exchange Network Grant Program provides funding to federally recognized tribes and tribal consortia, states, and territories. These assistance agreements support participation in the EN through integration and development of tools leveraging EN technology, data standards, open-source software, shared services, and reusable components. EN partners acquire and develop the hardware, software, and data infrastructure needed to collect, report, and access environmental data with greater efficiency and integrate information across programs. The EN is the standard approach to share data across tribes, states, territories, and EPA. The EN Grant Program also plays a critical role in evolving the EN technology to support the vision of the Digital Strategy.

### FY 2025 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Environmental Information Programs and activities will continue to focus on environmental justice (EJ) for tribal, state, and territorial partnerships in support of EO 13985: *Advancing Racial Equality and Support for Underserved Communities through the Federal Government*.<sup>7</sup> The EN Program plays a critical role in supporting the Administration’s comprehensive approach to advancing equity for all, including those who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Tribes are often understaffed and under resourced and lack the capacity to take on the development of data and Information Technology (IT) management related environmental media. Outreach, training,

<sup>7</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

and targeted data and IT capacity building funding opportunities within the EN Grant Program Solicitation Notice have resulted in tribes receiving 59 percent of grant resources awarded in FY 2023.

In FY 2025, the EN Grant Program will prioritize increasing the Data and IT management capacity of the tribal and territorial partners to expand their participation in the EN. A key funding area within the FY 2025 EN Grant Solicitation Notice will continue to be capacity building for tribes and territories, with the inclusion of mentoring resources for first time tribal and territorial applicants. EPA annually awards over \$2.3 million of overall grant program resources to tribal recipients. To increase the support for tribal and territorial partners, EPA's request includes an additional \$4.2 million in FY 2025 to establish a minimum funding level within the overall EN Grant program funding exclusively dedicated to tribal and territorial grantees to build capacity with funding assistance and mentoring. EPA will improve the use of grant resources that sustain tribal Data and IT management activities.

Through its Tribal Cooperative Agreement, the EN Grant Program will support multiple Data Academy sessions which emphasize basic data management skills critical for effective environmental program management. The annual Tribal EN Conference, held by the Agency's cooperative agreement partner, will continue to focus on Data and IT management training and include information transfer sessions based on topics identified by over 130 tribes. Topics were identified in a baseline assessment conducted by a Tribal EN Group supported by the cooperative agreement partner as well as input from tribes to the Office of Mission Support Tribal Five-Year Strategic Plan, which was completed in FY 2022. Outreach activities such as webinars and story maps outlining tribal EN Grant Program awards success stories also will continue to be prioritized to expand tribal knowledge about the benefits of applying for EN grants.

Tribal engagement and participation in EN efforts has significantly increased over the past few years. As a result, tribes have requested greater EN program administration support, comparable to what states receive. Given the continuing growth in tribal participation in the EN and the expansion of rural broadband through the American Broadband Initiative,<sup>8</sup> EPA anticipates many more tribes will engage in data management and electronic reporting and, consequently, there will be expanded interest in tribal participation in the EN. In response to this need, EPA will dedicate resources for program administration support to increase tribal engagement in the EN. These resources will support strategic planning and implementation approaches for tribes to participate in the EN, build data management and technical capacity, and enable the EN Grant Program to measure the effectiveness of these approaches to meet this goal. This will support EO 13985 and strengthen EJ to revitalize underserved communities.

In FY 2025, EPA will continue to support the EN through a cooperative agreement with an organization that represents the interests of state environmental programs under the associated program support cost authority.<sup>9</sup> This includes support to governance, which represents a cross-section of EPA, state, and tribal organizations.

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<sup>8</sup> For additional information, please see: <https://www.ntia.doc.gov/blog/2019/american-broadband-initiative-expand-connectivity-all-americans>.

<sup>9</sup> For additional information, please see: <https://www.govinfo.gov/content/pkg/PLAW-113publ76/pdf/PLAW-113publ76.pdf>.

Under this strategy of state, local, and tribal partnerships, the Agency will continue to advance its business processes, data management, and systems to reduce reporting burden on states and regulated facilities, as well as improve the effectiveness and efficiency of environmental protection programs for all partners. Currently, 50 state, 274 tribal, and six territorial partners qualify for EN grants projects. In FY 2025, at the requested resource level, EPA anticipates awarding between 30 and 45 grants with 10 to 20 of these grants being awarded to tribes. The grant awards will assist states, tribes, and territories in implementing activities that align with the three areas outlined in the EN Solicitation Notice. These are:

- **Increased Data Access and Innovative Business Processes:** These activities support the partners' ability to share cross-state, cross-tribal, or state-tribal data. The emphasis is on activities which create services and tools that make data available and sharable on-demand through portals, web services, and application programming interfaces. EN partners are encouraged to implement innovative approaches to collecting, publishing, and sharing data that reduce costs associated with capturing data in the field while making it more accessible to stakeholders.
- **Eliminate paper submittals and expand e-reporting:** Grant projects will support developing and implementing EN air, water, and land data flows that enable automated reporting to EPA systems.
- **Augment the Information Management Capacity of EN Partners:** Some existing and potential tribal and territorial EN partners have limited experience with electronic data collection and management. Tribal and territorial governments can use grants to conduct coordinated efforts and leverage the EN services given their unique regulatory responsibilities and data needs.

The “National Environmental Information Exchange Network Grant Program Solicitation Notice” sets forth the process for awarding grant funding to states, tribes, and territories.<sup>10</sup> It is an annual guidance document that describes eligibility requirements, the process for application preparation and submission, evaluation criteria, award administration information, and post-award monitoring procedures.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$4,164.0) This program change proposes to increase the funding available for tribal & territorial grant applicants to build capacity with funding assistance and mentoring. This investment also supports Executive Order 13985: *Advancing Racial Equality and Support for Underserved Communities through the Federal Government*.

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<sup>10</sup> For additional information, please see: <https://www.epa.gov/exchangenetwork/exchange-network-grant-program>.

**Statutory Authority:**

This program is authorized by the Consolidated Appropriation Act, 2023 (PL 117-328).

## Categorical Grant: Lead

Program Area: Categorical Grants

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$15,501</i></b>           | <b><i>\$16,326</i></b>               | <b><i>\$24,639</i></b>                    | <b><i>\$8,313</i></b>  |
| Total Budget Authority                           | \$15,501                         | \$16,326                             | \$24,639                                  | \$8,313  |

### Program Project Description:

Lead is highly toxic, especially to young children. Exposure to lead is associated with decreased intelligence, stature, and growth, impaired neurobehavioral development, and impaired hearing acuity. According to the Centers for Disease Control and Prevention, no safe blood lead level in children has been identified, and effects of lead exposure cannot be corrected.<sup>11,12</sup> Reducing exposure to lead-based paint (LBP) in old housing continues to offer the potential to significantly decrease blood lead levels in the largest number of children. Housing units constructed before 1950 are most likely to contain LBP. The most recent national survey estimated that 34.6 million homes in the U.S. have LBP, and 29 million homes have significant LBP hazards.<sup>13</sup> Children living at or below the poverty line who live in older housing are at greatest risk. Additionally, children of some racial and ethnic groups and those living in older housing are disproportionately affected.<sup>14</sup> Accordingly, the Lead Categorical Grants Program and related Lead Risk Reduction Program represent strategic opportunities to advance EPA’s environmental justice (EJ) goals.

Because of the historic and persistent disproportional vulnerabilities to LBP of certain racial, ethnic, and low-income communities, EPA’s Lead Program has the potential to create significant EJ gains. EPA’s Lead Program contributes to the goal of reducing lead exposure and works toward addressing historic and persistent disproportional vulnerabilities of certain racial, ethnic, and low-income communities.<sup>15</sup> This program will play an important role in achieving the Administration’s goals to enhance EJ and equity by:

<sup>11</sup> Centers for Disease Control and Prevention, Blood Lead Levels in Children, found at:

<http://www.cdc.gov/nceh/lead/prevention/blood-lead-levels.htm>.

<sup>12</sup> Among children ages 1 to 5 years in families with incomes below poverty level, the 95<sup>th</sup> percentile blood lead was 3.0 µg/dL, and among those in families at or above the poverty level, it was 2.1 µg/dL, a difference that was statistically significant. The 95<sup>th</sup> percentile blood lead level among all children ages 1 to 5 years was 2.5 µg/dL. The 95<sup>th</sup> percentile blood lead level in Black non-Hispanic children ages 1 to 5 years was 3.0 µg/dL, compared with 2.4 µg/dL for White non-Hispanic children, 1.8 µg/dL for Mexican-American children, and 2.7 µg/dL for children of “All Other Races/Ethnicities.”<sup>12</sup> The differences in 95<sup>th</sup> percentile blood lead levels between race/ethnicity groups were all statistically significant, after accounting for differences by age, sex, and income. See, *America’s Children and the Environment* (EPA, 2019), found at:

<https://www.epa.gov/americaschildrenenvironment>.

<sup>13</sup> HUD. (2021), *American Healthy Homes Survey II Lead Findings*,

[https://www.hud.gov/sites/dfiles/HH/documents/AHHS\\_II\\_Lead\\_Findings\\_Report\\_Final\\_29oct21.pdf](https://www.hud.gov/sites/dfiles/HH/documents/AHHS_II_Lead_Findings_Report_Final_29oct21.pdf).

<sup>14</sup> See, *America’s Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>15</sup> Childhood blood lead levels (BLL) have declined substantially since the 1970s, due largely to the phasing out of lead in gasoline and to the reduction in the number of homes with lead-based paint hazards. The median concentration of lead in the

- Implementing standards governing lead hazard identification and abatement practices;
- Identifying and providing access to a national pool of certified firms and individuals trained to carry out lead hazard identification and abatement practices and/or renovation, repair, and painting projects while adhering to the lead-safe work practice standards and minimizing lead dust hazards created in such projects; and
- Providing information and outreach to housing occupants and the public so they can make informed decisions and take actions about lead hazards in their homes.

The Lead Categorical Grant Program contributes to the Lead Risk Reduction Program’s goals by providing support to authorized state and tribal programs that administer training and certification programs for lead professionals and renovation contractors.<sup>16</sup> Ensuring that those who undertake LBP activities are properly trained and certified is a critical aspect of federal efforts to reduce lead exposure and work towards addressing the historic and persistent disproportional vulnerabilities of certain racial groups and low-income communities. Low-income, minority children are disproportionately vulnerable to lead exposure. This program and others that focus on reducing environmental lead levels, therefore, have the potential to create significant EJ gains.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025 the Lead Categorical Grants Program will continue to provide assistance to states, territories, the District of Columbia, and tribes to develop and to implement authorized lead-based paint abatement programs and authorized Renovation, Repair, and Painting (RRP) programs. EPA directly implements these programs in all areas of the country that are not authorized to do so and will continue to operate the Federal Lead-based Paint Program Database (FLPP) of trained and certified lead-based paint professionals.<sup>17</sup> Activities conducted as part of this Program include accrediting training programs, certifying individuals and firms, and providing education and compliance assistance to those subject to the abatement and RRP regulations and the public in support of the Administration’s goals to enhance EJ and advance racial equity.

As of June 2023, 39 states and territories, four tribes, the District of Columbia, and Puerto Rico have been authorized to run the LBP abatement program. In addition, 15 states and one tribe are authorized to administer the RRP program. As of June 2023, there were 280 accredited RRP providers and almost 58,000 certified renovation firms. In FY 2025 EPA will continue providing assistance to existing authorized state and tribal lead programs.

In FY 2025 EPA will continue to update and maintain the FLPP database. The database requires continuous monitoring and updating to keep up with ever-changing system and security requirements. This is extremely important because FLPP is where program data is stored and is

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blood of children aged 1 to 5 years dropped from 15 micrograms per deciliter in 1976–1980 to 0.7 micrograms per deciliter in 2013–2014, a decrease of 95%. See, *America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>16</sup> Please visit <http://www.epa.gov/lead> for additional information.

<sup>17</sup> Please visit <https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearch> for additional information.

used to process, evaluate, and take final action on all applications, updates, and notifications submitted under the LBP training and certification programs.

As part of its implementation activities, EPA conducts outreach to the regulated community and the public to increase the number of RRP-certified firms and demand for their services. EPA will continue to expand its outreach efforts with the goal of increasing the number of renovations being performed by trained and certified individuals and firms that follow lead-safe work practices resulting in reduced exposure to lead. EPA will produce outreach materials and conduct trainings in English and Spanish designed at reaching contractors and the public. The trainings will, emphasize the critical role contractors play in preventing lead exposure during RRP activities and the importance of using certified contractors for renovations. EPA's outreach will include older homeowners, a fast-growing number of whom are renovating their homes for the purposes of aging in place. This messaging will focus on the importance of hiring certified contractors when renovating pre-1978 homes, for the safety of residents and of those who visit their homes, including children.

The Agency will continue outreach efforts working with contractors and the public in underserved communities through the Enhancing Lead-Safe Work Practices through Education and Outreach (ELSWPEO) initiative. To improve outreach efforts in underserved communities, EPA will continue to work directly with local environmental justice and public health organizations that are well-positioned to raise awareness of lead safe work practices in underserved communities.

EPA's Strategic Plan includes a measure that tracks the percentage of expiring lead-based paint firm certifications renewed before the expiration date. Federal law requires all RRP firms working in housing, or facilities where children are routinely present, built before 1978, to be certified to perform renovations or dust sampling. EPA helps the public find certified repair and renovation firms through a directory at. Funding for this program helps ensure that people are able to access firms qualified to mitigate or eliminate the risks posed by residential lead exposure. In FY 2022, 31 percent of firms eligible to renew their recertifications before the expiration date did so. In FY 2023, 31 percent of firms eligible to renew their recertifications before the expiration date.

### **Performance Measure Targets:**

Work under this program supports performance results in the Toxic Substances: Lead Risk Reduction Program under the EPM appropriation.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8,313.0) This program change supports additional assistance to states, territories, the District of Columbia, and tribes to develop and to implement authorized lead-based paint abatement programs and authorized Renovation, Repair, and Painting (RRP) programs and additional changes to fixed support costs.

### **Statutory Authority:**

Toxic Substances Control Act (TSCA), §§ 401-412.



**Categorical Grant: Multipurpose Grants**

Program Area: Categorical Grants  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | \$195                            | \$0                                  | \$10,200                                  | \$10,200   |
| Total Budget Authority                    | \$195                            | \$0                                  | \$10,200                                  | \$10,200   |

**Program Project Description:**

EPA and its partners have made enormous progress in protecting air, water, and land resources. The Multipurpose Grants Program supports states, tribes, and territories in the implementation of environmental programs, which are mandatory statutory duties delegated by EPA under pertinent environmental laws. Recognizing that environmental challenges differ across tribes, states, and territories, including climate change factors and environmental justice considerations, the Program provides EPA’s partners with flexibility to target funds to their highest priority efforts to protect human health and the environment.

**FY 2025 Activities and Performance Plan:**

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, these funds will support the President’s and Administrator’s priorities as well as implementation of environmental programs delegated by EPA under pertinent environmental laws. Tribes, states, and territories have the flexibility to apply the funds toward activities required in a broad array of environmental statutes, depending on local needs and priorities. Results are tracked as required by the Environmental Results Order and support critical work across multiple environmental programs.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$10,200.0) This program increase provides EPA’s states, tribes, and territories with additional resources to target funds to their highest priorities and to address key environmental challenges in their communities.

**Statutory Authority:**

Indian Environmental General Assistance Program Act (GAP); Pollution Prevention Act (PPA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Clean Air Act (CAA); Toxic Substances Control Act (TSCA); National Environmental Policy Act (NEPA); Clean Water Act (CWA); Safe Drinking Water Act (SDWA); Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Marine Protection Research and Sanctuaries Act (MPRSA); and Indoor Radon Abatement Act.

**Categorical Grant: Nonpoint Source (Sec. 319)**

Program Area: Categorical Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$176,686</i>                 | <i>\$182,000</i>                     | <i>\$188,999</i>                          | <i>\$6,999</i>   |
| Total Budget Authority                    | \$176,686                        | \$182,000                            | \$188,999                                 | \$6,999  |

**Program Project Description:**

The Nonpoint Source Section 319 of the Clean Water Act (CWA) broadly authorizes states, territories, and 214 tribes (with approximately 220 tribes expected to be eligible under section 319 in Fiscal Year 2025) to use a range of tools to implement their Nonpoint Source Programs, including: regulatory and non-regulatory programs, technical assistance, financial assistance, education, training, technology transfers, and demonstration projects.<sup>18</sup> Nonpoint source pollution, caused by runoff that carries excess nutrients, pathogens, toxics, and other contaminants to waterbodies, is the greatest threats to surface and groundwater quality impairments in the United States and the primary cause of water quality problems in the nation; as of FY 2023, the number of impaired waters is 150,736.<sup>19</sup> Climate change is increasing this form of pollution by causing more frequent and intense rain and storm events.

Grants under section 319 are a critical source of support to help states, territories, and tribes implement their EPA-approved Nonpoint Source Management Programs. Implementation of watershed-based plans help achieve load reductions contained in Total Maximum Daily Loads to achieve water quality standards. In 2023, section 319 grants eliminated 5.87 million pounds of nitrogen, 1.23 million pounds of phosphorus, and 623 thousand tons of sediment from waters. Since 2006, the section 319 program has supported the restoration or improvement of over 12,500 miles of rivers and streams and over 230,000 acres of lakes and ponds (across over 1,100 waterbodies).<sup>20</sup>

The pervasiveness and widely distributed nature of nonpoint source pollution requires the dedication and leveraging of resources and the use of program tools and authorities from a wide range of stakeholders to address it, including EPA, other federal agencies, states, territories, tribes, local governments, nonprofit organizations, conservation districts, and private landowners and citizens. Section 319 project funds are highly leveraged. For each section 319 project dollar, state,

<sup>18</sup> For more information, please visit: <https://sam.gov/fal/7798fced15e14aa6bf9f67d6d10b95e0/view>.

<sup>19</sup> “Of the waterbodies across the Nation that have been assessed and a possible source of impairment identified, 85 percent of rivers and streams and 80 percent of lakes and reservoirs are polluted by nonpoint sources.” (USEPA, 2016) [https://www.epa.gov/sites/default/files/2016-10/documents/nps\\_program\\_highlights\\_report-508.pdf](https://www.epa.gov/sites/default/files/2016-10/documents/nps_program_highlights_report-508.pdf).

<sup>20</sup> For more information, please visit: <https://www.epa.gov/nps/success>.

local, and federal partners contributed another eight dollars.<sup>21</sup> Using section 319 funds to support watershed scale implementation projects can facilitate leveraging other funding sources for nonpoint source water quality restoration and protection. EPA works closely with and supports the many efforts of states, interstate agencies, tribes, local governments and communities, watershed groups, the U.S. Department of Agriculture (USDA), the Department of Homeland Security's Federal Emergency Management Agency (FEMA), and other federal agencies to develop and implement programs and local watershed projects to restore surface water and groundwater nationwide. Section 319 grants also encourage states to leverage other EPA programs, including the CWA State Revolving Loan Fund to support projects that reduce nonpoint source pollution.

To further accelerate the reduction of nonpoint source pollution, EPA and USDA continue to coordinate to achieve improvements in water quality via the National Water Quality Initiative (NWQI). The Initiative targets resources and helps landowners implement practices to control nutrient, pathogen, and sediment pollution in more than 300 small watersheds nationwide. In FY 2023, USDA announced that the NWQI will be extended for five additional years.

As described in the Surface Water Protection Program Area, the U.S. Environmental Protection Agency uses staff and extramural resources to oversee implementation of the program and provides technical assistance to support state, territory and tribal nonpoint source management programs.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the program will continue to work with and support states, territories, and tribes to strengthen and enhance their NPS programs. Section 319 grants will continue to focus on implementing watershed projects and maintaining current NPS Management Programs to restore impaired waterbodies to meet water quality standards and protect healthy waters. In FY 2023, EPA estimates that about 904 square miles of watersheds that were previously impaired due to excess nutrients now meet water quality standards.

Achieving water quality results requires targeting the primary sources of nonpoint source pollution in a watershed in the right places with the right practices. Watershed-based plans enable this targeting by:

- providing an analysis of sources and relative significance of pollutants of concern;
- identifying cost-effective techniques to address those sources;
- assessing the availability of needed resources, authorities, and community involvement to affect change; and
- enabling monitoring to evaluate NPS pollution and flows.

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<sup>21</sup> This estimate is based on reported information for waterbodies removed from a state's list of impaired waters due in part to implementation of a §319 project in 2005–2016 and reported to EPA as a "success story."

In FY 2025, the section 319 Program will build on efforts to ensure that the benefits of cleaner water provided by the Program reach disadvantaged communities. In FY 2023 EPA set new flexibilities and expectations for state actions to integrate equity within their Nonpoint Source programs and implemented programmatic changes to better support tribal Nonpoint Source programs. Revised section 319 grant guidelines incorporating climate change, equity and new flexibilities and expectations will be finalized in FY 2024 and effective for FY 2025 grants.

**Performance Measure Targets:**

**(PM SWP-01) Annual increase in square miles of watersheds with surface water meeting standards that previously did not meet standards.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> |         |         |         |         | 8,000   | 8,000   | 17,100  | 7,900   | Square Miles |
| <b>Actual</b> |         |         |         |         | 20,511  | 7,121   |         |         |              |

**(PM SWP-02) Annual increase in square miles of watersheds with previously impaired surface waters due to nutrients that now meet standards for nutrients.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> |         |         |         |         | 2,100   | 1,400   | 1,400   | 650     | Square Miles |
| <b>Actual</b> |         |         |         |         | 12,833  | 904     |         |         |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$6,999.0) This increase of resources is for state, territory, and tribe NPS management programs, including implementation of NPS projects and statewide NPS protection activities.

**Statutory Authority:**

Clean Water Act, section 319.

## Categorical Grant: Pesticides Enforcement

Program Area: Categorical Grants

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$24,703                 | \$25,580                    | \$25,580                         | \$0  |
| Total Budget Authority                    | \$24,703                 | \$25,580                    | \$25,580                         | \$0  |

### Program Project Description:

The Pesticides Compliance Monitoring and Enforcement Cooperative Agreement Program supports pesticide product and user compliance with provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) through cooperative agreements with states and tribes.<sup>22</sup> The cooperative agreements: support state and tribal compliance and enforcement activities under FIFRA; provide resources to rebuild programmatic capabilities between EPA and partner agencies; provide vital training programs to EPA, state, territory, and tribal partners; and help address Environmental Justice (EJ) concerns in overburdened and vulnerable communities. Enforcement and pesticides program cooperative agreement guidance is issued to focus regional, state, and tribal efforts on the highest priorities. EPA's support to state and tribal pesticide programs emphasizes reducing chemical risks by ensuring compliance with worker protection standards, pesticide applicator certification and training requirements, pesticide use requirements designed to protect water quality, pesticide product integrity, and border compliance.<sup>23</sup>

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to support state and tribal partners through the Pesticides Compliance Monitoring and Enforcement Cooperative Agreement Grants Program. In addition to maintaining a basic level of pesticide program implementation, compliance assistance, and enforcement to ensure a viable pesticide regulatory and enforcement program, there are five compliance and enforcement focus areas in the *FY 2022 - 2025 Joint OPP/OECA FY2022-2025 FIFRA Cooperative Agreement Guidance* including:<sup>24</sup> 1) monitoring compliance with the Worker Protection Standard; 2) monitoring compliance with pesticide applicator certification requirements; 3) conducting inspections in response to pesticide contamination in water; 4) establishment inspections to ensure product integrity; and 5) inspections of imported products. In

<sup>22</sup> For additional information, please refer to: <https://www.epa.gov/compliance/federal-insecticide-fungicide-and-rodenticide-act-state-and-tribal-assistance-grant>.

<sup>23</sup> For additional information, please refer to: <https://www.epa.gov/pesticide-advisory-committees-and-regulatory-partners/tribal-pesticide-programs>.

<sup>24</sup> For additional information, please refer to: <https://www.epa.gov/sites/default/files/2021-02/documents/22-25guidance.pdf>

FY 2025, EPA will prioritize and award state and tribal pesticides cooperative agreements for implementing the compliance monitoring and enforcement provisions of FIFRA.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) §23(a)(1); Consolidated Appropriations Act, 2023, Pub. L. 117-328.

## Categorical Grant: Pesticides Program Implementation

Program Area: Categorical Grants

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Ensure Chemical and Pesticide Safety

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$13,958                 | \$14,027                    | \$14,027                         | \$0  |
| Total Budget Authority                    | \$13,958                 | \$14,027                    | \$14,027                         | \$0  |

### Program Project Description:

The purpose of EPA’s Pesticide Program Implementation Grants Program is to translate pesticide regulatory decisions made at the national level into results at the local level. Under the pesticide statutes, responsibility for ensuring proper pesticide use is in large part delegated to states, territories, and tribes. Grant resources allow EPA’s co-regulators to be more effective regulatory partners, serving all populations and enabling EPA’s partners to prioritize incorporating environmental justice (EJ) into their pesticide programs.

EPA’s mission, as related to pesticides, is to protect human health and the environment from pesticide risk and to realize the value of pesticide availability by considering the economic, social, and environmental costs and benefits of pesticide use.<sup>25</sup> The Agency provides grants to states, tribes, and other partners, including universities, non-profit organizations, other federal agencies, and environmental groups, to assist in strengthening and implementing EPA pesticide programs. This grant program also focuses on EJ issues such as: worker safety activities, including protection of farmworkers;<sup>26</sup> outreach and education in tribal communities about pesticide risks; pesticide safety education in vulnerable communities with limited English language proficiency; and certification and training of pesticide applicators.<sup>27</sup> The Program also focuses on protecting endangered species,<sup>28</sup> protecting water resources from pesticides, protecting pollinators, and promoting environmental stewardship and Integrated Pest Management (IPM)-related activities in community settings, such as preschools in vulnerable communities and tribal schools, which are traditionally underserved and typically have EJ concerns.

EPA supports implementation of tribal pesticide programs through cooperative agreements that help tribes protect human health by reducing pesticidal risks in tribal communities. Many tribal communities are small and located in remote areas with few resources to address EJ issues. The Program is implemented in a manner that recognizes that tribes have unique needs as an

<sup>25</sup> Federal Insecticide, Fungicide and Rodenticide Act, as amended. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at: <https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act>.

<sup>26</sup> A large portion of these stakeholders may also be members of communities with EJ concerns.

<sup>27</sup> A large portion of these stakeholders may also be members of communities with EJ concerns.

<sup>28</sup> The Endangered Species Act of 1973 sections 7(a)1 and 7(a)2; Federal Agency Actions and Consultations, as amended (16 U.S.C. 1536(a)). Available at the U.S. Fish and Wildlife Service’s Endangered Species Act of 1973 (ESA) internet site: <https://www.fws.gov/service/section-7-consultations>.



underserved population, and that certain aspects of Native American lifestyles, such as subsistence fishing or consumption of plants that were not grown as food and possibly exposed to pesticides, may increase exposure to some chemicals or create unique chemical exposure scenarios.<sup>29</sup> These cooperative agreements with EPA's co-regulators also can provide pesticide safety education to migrant farmworkers and their families and communities.

To further these efforts, EPA funds a multi-year cooperative agreement with Colorado State University called the Pesticide Regulatory Education Program (PREP), which provides targeted training to states, tribes, and territories. This program is specifically requested by EPA's pesticide co-regulators and governed by a PREP Steering Committee, which includes the Association of American Pesticide Control Officials (AAPCO) Board of Directors and EPA. The PREP Steering Committee meets each fall to identify courses for the coming season and ways to be more inclusive of vulnerable communities and address key EJ issues related to pesticide use and exposure.

The Agency also funds a multi-year grant in support of the State Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Issues Research and Evaluation Group (SFIREG). The grant ensures the close coordination of states and EPA on pesticide issues.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7 Objective 7.1, Ensure Chemical and Pesticide Safety in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, EPA will work with states, tribes, and territories to incorporate EJ principles into their programs as much as possible. In FY 2025, EPA will continue to implement the following programs:

##### Agricultural Worker Protection Standard and Certification and Training Program

Through the Certification and Training Program and the Agricultural Worker Protection Standard, EPA protects workers, pesticide applicators and handlers, employers, and the public from the potential risks of pesticides at their work. These efforts protect farmworkers, their families, and their communities, all of which are often located in areas with many EJ concerns. EPA will continue to provide assistance and grants to implement these programs, and to address their respective federal regulatory changes. In FY 2020, states, territories, and tribes (certifying authorities) submitted their revised certification plans to EPA for review to address the 2017 revisions to the Certification of Pesticide Applicators (CPA) rule. Since then, EPA reviewed the proposed changes to the 68 certification plans, working with certifying authorities to refine and modify their proposed plans as needed to comply with the CPA. Sixty-seven plans were finalized and approved between FY 2022 and the first quarter of FY 2024, while one tribal program will transition to the EPA Plan for Indian Country while they finalize their plan for EPA approval. In FY 2025, EPA will focus on supporting and tracking the implementation of the approved plans. Certifying authorities are to implement approved plans according to the timelines outlined in the plans, including regulatory and program changes. In FY 2025, states, territories, and tribes will

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<sup>29</sup> For additional information, please visit: <http://www.epa.gov/pesticide-advisory-committees-and-regulatory-partners/tribal-pesticide-programs>.

continue to train their program and inspection staff on the 2015 final revisions to the Agricultural Worker Protection Standard, as well as the 2024 revisions to the Application Exclusion Zone provisions. They also will conduct outreach and compliance assistance for communities with environmental justice concerns and enforce the rule.<sup>30</sup>

### Endangered Species Protection Program

The Endangered Species Protection Program protects federally threatened and endangered animals and plants impacted by pesticide use.<sup>31</sup> The Endangered Species Act (ESA) mandates that federal actions will not jeopardize the continued existence of ESA-listed species or destroy or adversely modify their designated critical habitat. EPA also will provide grants to states and tribes, as described above, for projects supporting endangered species protection. Program implementation includes outreach, communication, education related to pesticide use limitations, review, and distribution of endangered species protection bulletins, evaluating potential risks to ESA-listed species from pesticides, and initiating ESA consultation with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) (aka “The Services”) when appropriate. In FY 2025, these activities will continue to support the Agency’s mission to protect the environment from pesticide risk and comply with the ESA for FIFRA actions.

### Protection of Water Sources from Pesticide Exposure

Protecting the Nation’s water sources from possible pesticide contamination is an important component of EPA’s environmental protection efforts. In FY 2025, EPA will continue to provide funding, through cooperative agreements, to states, tribes, and other partners to investigate and respond as needed to address pesticide contamination of water resources, particularly in vulnerable communities with EJ concerns. Stakeholders and partners, including states and tribes, are expected to identify pesticides of interest and pesticides of concern that could contaminate, and take steps to prevent or reduce contamination where pesticide concentrations approach or exceed levels of concern. In FY 2025, EPA will work with co-regulators to determine the best methods for identifying and addressing possible pesticide contamination in vulnerable and underserved communities.

### Integrated Pest Management (IPM)

EPA will continue to support risk reduction by promoting the use of safer alternatives to traditional chemical pesticides, including through IPM techniques.<sup>32</sup> EPA supports the development and evaluation of new pest management technologies that contribute to reducing both human health and environmental risks from pesticide use. For FY 2025, the Program’s National Program Guidance will continue to require all regions to implement at least one IPM project with an EJ focus.<sup>33</sup> In addition, the Program will revise the FIFRA Cooperative Agreement Guidance to identify the number of program area activities that include EJ work. Examples of this include pollinator habitat protection on tribal lands and in overburdened and underserved communities, and bed bug education in underserved populations and communities with EJ concerns.

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<sup>30</sup> For additional information, please visit: <https://www.epa.gov/pesticide-worker-safety/how-epa-protects-workers-pesticide-risk>.

<sup>31</sup> For additional information, please visit: <https://www.epa.gov/endangered-species/about-endangered-species-protection-program>.

<sup>32</sup> For additional information, please visit: <http://www.epa.gov/pesp/>.

<sup>33</sup> Most regional programs are already implementing their own EJ efforts, which incorporate pesticide safety.

The Pesticide Environmental Stewardship Program (PESP) is an EPA partnership program that works with the Nation's pesticide-user community to promote IPM practices. PESP is guided by the principle that partnership programs complement the standards and decisions established by regulatory and registration actions. In FY 2025, resources will be focused on funding projects across the country that promote IPM and reduce the impacts of pesticide use in agricultural settings. Selected projects could address pesticide use in rural areas or on tribal lands, promoting IPM practices that reduce risk and that benefit these and other overburdened and disadvantaged communities.

### Pollinator Health

EPA will continue to work with state and tribal agencies to develop and implement local plans to help improve pollinator health. State pollinator protection plans in several states have been an effective communication and collaboration mechanism between stakeholders at the local level that can lead to reduced pesticide exposure and protection of honey bees, while maintaining the flexibility needed by growers to use pesticides. EPA believes that these plans, developed through a robust stakeholder engagement process at the local level, serve as good models for enhanced local communication and can help accomplish the Agency's goal of mitigating exposure of bees to acutely toxic pesticides. In FY 2025, EPA will continue to engage with the Tribal Pesticide Program Council (TPPC) Pollinator Protection Workgroup to better understand specific pollinator protection challenges for tribes, a traditionally underserved population with many EJ concerns.<sup>34</sup> In addition, EPA regions will assist their states, tribes, and territories with their pollinator protection plans and efforts as needed.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$10.0) This change to fixed and other costs is an increase due to the recalculation of Working Capital Fund.
- (-\$10.0) This program change is a reduction to EPA's Pesticide Program Implementation Grants Program that offsets the increase in fixed costs.

### **Statutory Authority:**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) § 23(a)(1); Federal Food, Drug and Cosmetic Act (FFDCA); Food Quality Protection Act (FQPA) of 1996; Endangered Species Act (ESA).

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<sup>34</sup> Tribal concerns include, but are not limited to, potential impacts to pollinator habitat from climate change.

**Categorical Grant: Pollution Control (Sec. 106)**

Program Area: Categorical Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$242,272</i>                 | <i>\$237,000</i>                     | <i>\$288,720</i>                          | <i>\$51,720</i>  |
| Total Budget Authority                    | \$242,272                        | \$237,000                            | \$288,720                                 | \$51,720   |

**Program Project Description:**

Section 106 of the Clean Water Act (CWA) authorizes EPA to provide federal assistance to states, territories, the District of Columbia, tribes, and interstate agencies to establish and maintain adequate programs for the prevention and control of surface and groundwater pollution from point and nonpoint sources.<sup>35</sup> Activities supported through these grants include: conducting ambient water quality monitoring; assessing and listing impaired waters; developing water quality standards and Total Maximum Daily Loads (TMDLs); and issuing and enforcing National Pollutant Discharge Elimination System (NPDES) permits.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA’s Section 106 Program funds will continue to support the base state, interstate, and tribal water pollution control and is a critical funding source to establish, expand, and implement water quality programs to protect and restore water resources, including rivers, streams, lakes, wetlands, and groundwater. In FY 2025, EPA requests an increase of \$9.3 million in grant funding to support tribal programs. An estimated \$6.8 million will support tribes as they continue to build capacity for assuming and implementing CWA authorities including developing water quality standards for submission for EPA approval and developing the requirements needed to assume authority for the Listing and TMDL program. \$2.4 million of the increase will support tribes in implementing an Indian Country-specific National Aquatics Resources Survey.

The FY 2025 President’s Budget also includes an increase of \$42.4 million to support states, interstate agencies, and tribes to advance environmental justice and community work through identifying and taking actions to assess and mitigate PFAS in the environment. States, interstate agencies, and tribes will use the CWA Section 106 funding to conduct monitoring and assessment of PFAS in surface water, develop fish advisories, and revise state and tribal water quality standards to include criteria for PFAS. The increase in funds also will support permitting authorities that provide compliance assistance to Publicly Owned Treatment Works where PFAS

<sup>35</sup> The District of Columbia is eligible for 106 funds. A tribe must be eligible under Section 518(e) in the CWA.

are expected or suspected to be present in wastewater and stormwater discharges. Funding also will support state and tribal efforts to understand and mitigate climate change and environmental justice. States, interstate programs, and tribes will continue to restore lost capacity through hiring and training of water quality staff, expanding program activities such as ambient water quality monitoring and assessment, water quality standards (WQS) and TMDL implementation, permitting and enforcement, and protecting water resources.

This FY 2025 increase includes an \$8.0 million increase in funding for the Monitoring Initiative to provide resources needed to continue and enhance state and tribal participation in the National Aquatic Resource Surveys (NARS), support expanded, long-term PFAS monitoring in fish tissue across the country, and support enhancements to state and tribal monitoring and assessment programs, including investigating cost-effective monitoring protocols for PFAS and other emerging contaminants in fish tissue and other media.

### Monitoring and Assessment

EPA is working with states and tribes to provide monitoring and assessment information to support multiple CWA programs in a cost-efficient and effective manner. The result will be scientifically defensible monitoring data that are needed to address priority problems at state, tribal, national, and local levels.

In FY 2025, EPA will work with tribes to establish and implement an Indian Country-specific NARS. By building on investments in tribal water monitoring programs, an Indian Country-specific NARS will provide training and technical assistance to tribal participants, generate information on status and trends across the broad population of waters in Indian Country, and support investments in water quality protection and restoration. EPA will continue working with states and tribes to support base monitoring activities and enhance their water quality monitoring programs. Monitoring Initiative funds for states (including the District of Columbia and trust territories), eligible interstate agencies, and eligible tribes will support enhancement of monitoring programs and participation in the NARS.<sup>36</sup> NARS are statistical surveys that assess the quality of the Nation's waters. Using sampling sites selected at random and standardized field and lab methods, NARS can compare results from different parts of the country and between years.<sup>37</sup> The Monitoring Initiative will support enhancements in NARS and in monitoring programs consistent with priorities in monitoring strategies, which include expanding monitoring of PFAS in surface waters and fish tissue to support actions to assess and mitigate PFAS in the environment. In FY 2025, the Monitoring Initiative will be funded at approximately \$28.9 million.

Through the Monitoring and Assessment Partnership, EPA will continue working with states and tribes to develop and apply monitoring tools and techniques to provide high-quality data to support priority CWA program needs. EPA will continue working with states and tribes to support their water quality assessment programs, including helping to assure timely and well-supported submission of tribal assessment reports, state Integrated Reports, and 303(d) lists. These lists help inform progress on restoring water quality. EPA will continue to work with states and tribes to

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<sup>36</sup> For more information, please see: <https://www.epa.gov/water-pollution-control-section-106-grants/monitoring-initiative-grants-under-section-106-clean>.

<sup>37</sup> For more information, please see: <https://www.epa.gov/national-aquatic-resource-surveys>.

support electronic reporting, including annual reporting of water quality data through the Water Quality Exchange and submission of Integrated Reports through the ATTAINS.

### Reviewing and Updating Water Quality Standards

EPA will work with states and authorized tribes as they review and update their water quality standards periodically as required by CWA and EPA regulations in 40 CFR Part 131. EPA will work with tribes that want to establish water quality standards. EPA will review and work to formally act upon all state and tribal submissions of new and revised water quality standards in accordance with the Agency's statutory obligations and timeline. The Agency also will continue to track progress by states and authorized tribes as they complete triennial reviews of applicable standards on time as required by the CWA.

### Developing TMDLs

EPA will work with states, territories, and authorized tribes to develop and implement TMDLs for CWA Section 303(d) listed impaired waterbodies. TMDLs identify the sources of water pollutants. EPA and states then use permit requirements, watershed plans, and nonpoint source funds and programs, and other approaches to restore impaired waters. EPA will continue to work with states to facilitate accurate, comprehensive, and geo-referenced water quality assessment decisions made available to the public via ATTAINS. EPA continues to track state progress in completing TMDLs, other restoration approaches, or protection approaches. In FY 2023, over 15,000 square miles of state waters were addressed by a TMDL, other restoration approach, or protection approach. Beginning in FY 2025, EPA will transition this measure to track a new universe consistent with the new 2022-2032 Vision.

### Issuing Permits

The NPDES program is managed by EPA and the states. On average, the program issues over 10 thousand permits a year to address discharges from among the approximately 15 thousand wastewater treatment facilities, more than 60 categories of industries, and almost 300 thousand stormwater facilities. The NPDES program requires point source dischargers of pollutants to waters of the United States to be permitted and pretreatment programs be put in place to control discharges from industrial and other facilities to the Nation's wastewater treatment plants. EPA is working with the states to identify opportunities to enhance the integrity and timely issuance of NPDES permits,<sup>38</sup> while addressing contaminants of emerging concern such as PFAS. In December 2022, EPA published a memorandum titled *Addressing PFAS Discharges in NPDES Permits and Through the Pretreatment Program and Monitoring Programs*,<sup>39</sup> which includes detailed instructions regarding how permitting authorities would address PFAS discharges in NPDES permits. EPA encourages permitting authorities to propose monitoring requirements at facilities where PFAS are expected or suspected to be present in wastewater and stormwater discharges, utilizing EPA's recently published analytical method 1633, which addresses 40 unique PFAS.

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<sup>38</sup> Currently no tribes have authority to implement the NPDES program.

<sup>39</sup> For more information, please see: [https://www.epa.gov/system/files/documents/2022-12/NPDES\\_PFAS\\_State%20Memo\\_December\\_2022.pdf](https://www.epa.gov/system/files/documents/2022-12/NPDES_PFAS_State%20Memo_December_2022.pdf).

EPA also provides training and technical assistance to permit writers, promotes innovative green infrastructure, and suggests integrated planning approaches to affordably address wet weather challenges. In FY 2025, EPA will continue to collaborate with permit writers where appropriate and identify environmental justice and climate change factors that could inform the development of effective approaches within the authority of the NPDES program. After program improvements, between March 2018 and the end of September 2023, the backlog of EPA-issued new and existing NPDES permits decreased from 106 to 12 and 547 to 194, respectively. States are expected to ensure that NPDES permits are reissued on a timely basis and include clear and enforceable requirements to ensure permit quality. Permitting authorities should continue to implement significant actions identified during regional reviews and Permit Quality Reviews to assure effective management of the permit program and to adopt efficiencies to improve environmental results.

### Conducting Compliance Monitoring and Enforcement

EPA will work with NPDES-authorized states to implement the 2014 CWA NPDES Compliance Monitoring Strategy (CMS).<sup>40</sup> The NPDES CMS establishes national standards for allocation of inspection resources across all NPDES regulated entities to best protect water quality.

EPA works with states on advanced technologies, such as remote water monitoring sensors, to collect discharge data and identify problem areas more efficiently. The Smart Mobile Tools for Field Inspectors software suite provides a digital platform to support inspectors and managers through the entire inspection process – from scheduling an inspection to generating a draft inspection report for management review. The Agency expects that these technologies will improve the analytical capabilities of both EPA and the states and enhance the public’s knowledge about the quality of their environment.

Currently, EPA and states are implementing the NPDES Electronic Reporting Rule (eRule). States have the option to build their own electronic reporting tools and data systems, or they can elect to utilize EPA’s tools and systems. EPA and states implemented Phase 1 of the NPDES eRule in for the following two reports: 1) Discharge Monitoring Reports and 2) Federal Biosolids Annual Report, where EPA is the regulatory authority. Over 35 thousand NPDES permittees in 27 states as well as permittees in all tribal and territorial lands use EPA’s electronic reporting tool, NetDMR, to submit their Discharge Monitoring Reports. EPA and states are implementing Phase 2 of the NPDES eRule for general permit reports and all remaining program reports. EPA will continue to work collaboratively with states in FY 2025 to ensure a smooth transition to electronic reporting for the NPDES program. Implementing the NPDES eRule will help improve transparency and ensure permittees submit more accurate, timely, complete, and consistent information.

### Working with Tribal Water Pollution Control Programs

In FY 2025, EPA will work with tribal programs to implement the revised CWA Section 106 Tribal Guidance. Tribes will continue to implement and expand their water pollution control

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<sup>40</sup> For more information, please see: <https://www.epa.gov/compliance/clean-water-act-national-pollutant-discharge-elimination-system-compliance-monitoring>.

programs by conducting activities that address water quality and pollution problems on tribal lands pursuant to CWA Section 518(e). Additional funding in FY 2025 will support tribes with Treatment in a similar manner as a State (TAS) for CWA Section 303(c) in developing water quality standards for submission to EPA for approval. Funds also will support tribes that are interested in assuming CWA authority under 303(d) TMDLs and listing of impaired waters through development of assessment methodologies, providing assessment decisions to ATTAINS, and implement an Indian Country-specific NARS. An Indian Country-specific NARS will provide training and technical assistance to tribal participants, generate information on status and trends across the broad population of waters in Indian Country, and support investments in water quality protection and restoration. The FY 2025 increase in tribal funds will support expanding tribal programs capacity to monitor surface waters and fish tissue, assess and develop criteria for PFAS, and will support capacity to provide PFAS data and assessment decisions to Water Quality Exchange and ATTAINS.

**Performance Measure Targets:**

**(PM SWP-01) Annual increase in square miles of watersheds with surface water meeting standards that previously did not meet standards.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> |         |         |         |         | 8,000   | 8,000   | 17,100  | 7,900   | Square Miles |
| <b>Actual</b> |         |         |         |         | 20,511  | 7,121   |         |         |              |

**(PM SWP-02) Annual increase in square miles of watersheds with previously impaired surface waters due to nutrients that now meet standards for nutrients.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> |         |         |         |         | 2,100   | 1,400   | 1,400   | 650     | Square Miles |
| <b>Actual</b> |         |         |         |         | 12,833  | 904     |         |         |              |

**(PM TMDL-03) Square miles of priority areas covered by TMDLs, other restoration plans, or protection approaches.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|
| <b>Target</b> |         |         |         |         |         | 7,940   | 19,280  | TBD     | Square Miles |
| <b>Actual</b> |         |         |         |         |         | 15,432  |         |         |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$9,280.0) This program change is an increase to provide grant funding to tribes to build capacity and assume and implement CWA authorities, including developing water quality standards for submission for EPA approval and developing the requirements needed to assume authority for the Listing and TMDL program, and to establish and implement an Indian Country-specific NARS.
- (+\$42,440.0) This program change is an increase to provide additional grant funding to states and tribes to support actions to identify, assess, and mitigate PFAS in the environment. This funding also supports the establishment and maintenance of programs



for the prevention and control of surface and groundwater pollution from point and nonpoint sources.

**Statutory Authority:**

CWA § 106.

**Categorical Grant: Pollution Prevention**

Program Area: Categorical Grants

Goal: Ensure Safety of Chemicals for People and the Environment

Objective(s): Promote Pollution Prevention

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | \$6,804                          | \$4,973                              | \$5,755                                   | \$782  |
| Total Budget Authority                    | \$6,804                          | \$4,973                              | \$5,755                                   | \$782  |

**Program Project Description:**

The Pollution Prevention (P2) Categorical Grants Program provides financial support to states, state entities (*i.e.*, colleges and universities), federally recognized tribes and inter-tribal consortia in implementing the Pollution Prevention Act (PPA) of 1990.

The P2 Program is one of EPA’s tools for advancing environmental stewardship and sustainability for federal, state, tribal governments, businesses, communities, and individuals. The P2 Categorical Grants Program seeks to alleviate environmental problems by helping businesses with the development and implementation of source reduction practices before pollution is created. As a result of these preventive approaches, the P2 Program protects the environment by conserving and protecting natural resources while strengthening economic growth through cost reductions and increased market opportunities. P2 approaches include, but are not limited to, reducing or eliminating hazardous releases to air, water, and land; the use of hazardous materials; the generation of greenhouse gases; and the use of water. The P2 Program’s efforts advance the Agency’s priorities to pursue sustainability; to act on climate change; to make a visible difference in communities, including advancing environmental justice (EJ) in vulnerable communities; and to ensure chemical safety.<sup>41</sup>

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 7/Objective 7.2, Promote Pollution Prevention in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, the P2 Categorical Grants<sup>42</sup> Program will continue supporting states, state entities, federally recognized tribes, and inter-tribal consortia to provide technical assistance to businesses, particularly small- and medium-sized firms, to help them identify, develop, and implement cost-effective approaches for reducing or eliminating pollution at the source. Because it is often cheaper to prevent pollution from being created at the source rather than cleaning it up afterwards or to pay

<sup>41</sup> For additional information about EPA’s P2 program, please visit: <http://www.epa.gov/p2/Error! Main Document Only..>

<sup>42</sup> For additional information about the grants themselves, please visit: <https://www.epa.gov/p2/grant-programs-pollution-prevention>. Categorical Grants fund core P2 technical assistance and are complementary to the P2 Source Reduction Assistance Grants. In FY 2021 there are 42 active P2 Categorical Grants and 11 active P2 Source Reduction Assistance Grants, for a total of 53 grants.

for control, treatment, and disposal of waste products, P2 approaches often result in significant long-term savings for businesses. Documenting best practices and developing case studies and training materials are foundational assets for amplifying and replicating environmental stewardship, P2, and sustainability successes resulting from the grant programs. These approaches also may help stakeholders prepare for limitations in the use of Toxic Substance Control Act (TSCA) High Priority Substances subject to risk management efforts by EPA. In addition to regular P2 appropriations, the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58) provides \$20 million for this program in FY 2025.

Through competitive grants to states and tribes, U.S. businesses can access a range of P2-enabling tools, information, and support programs. In the FY 2022-2023 grant cycle, EPA awarded 32 grants funded through regular P2 STAG appropriation and an additional 39 P2 grants funded through the IIJA. Of the P2 grants awarded, six were awarded to federally recognized tribes. In the FY 2023-2024 grant cycle, EPA awarded 24 grants funded through the IIJA for state and tribal programs to provide P2 technical assistance to businesses to improve human health and the environment in disadvantaged communities. The FY 2024-2025 grants will be funded through ongoing P2 grants and IIJA appropriations.

With respect to the funding provided through regular ongoing and IIJA appropriations, the P2 Categorical Grant Program emphasizes the importance of grantees documenting, reporting, and sharing information on P2 best practices. This allows other businesses to replicate the P2 approaches implemented through the grants. Furthermore, the expansion of the P2 grant program provided by IIJA provides an opportunity to significantly increase the results described above and increase the generation of information on P2 approaches that businesses can replicate.

In FY 2025, EPA will issue two new P2 grant opportunities that will initiate grantee work in FY 2026 and will continue to focus on advancing EJ priorities and addressing climate impacts by:

- Focusing P2 technical assistance to businesses to improve human health and the environment in vulnerable communities.
- Providing P2 technical assistance to businesses to improve human health and the environment in vulnerable communities by increasing the supply, demand and/or use of safer and more sustainable products, such as those that are certified by EPA's Safer Choice label or those that conform to EPA's Recommendations for Specifications, Standards and Ecolabels for Federal Purchasing (EPA Recommendations).

The grant opportunities will result in increased capacity to provide P2 technical assistance to businesses, particularly in vulnerable communities, and increased assistance to help businesses develop and adopt source reduction practices in their operations, including conformance with and access to EPA Recommended Standards and Ecolabels and the EPA Safer Choice Standard. Between 2011 and 2022, the EPA's P2 Program issued 549 assistance grants for \$65.1 million, which helped American businesses identify, develop, and adopt approaches resulting in the following benefits: 1 billion pounds of hazardous materials reduced, 52 billion gallons of water saved, 20.8 million metric tons of greenhouse gases reduced, and \$2.7 billion dollars in savings for business.<sup>43</sup>

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<sup>43</sup> Calculated over a 4-year rolling period to account for the reoccurring benefits the P2 actions provide.

One approach EPA takes to pursue program efficiencies and economies of scale is to use sector focused P2 National Emphasis Areas (NEAs). For P2 grants awarded in FY 2024 and commenced in FY 2025, grant applicants will continue to be required to focus on one or more National Emphasis Areas,<sup>44</sup> which will be selected based on an analysis of data to identify industry sectors that had high environmental impact, high economic importance, and high P2 opportunity; pursued opportunities to promote environmental justice; addressed climate change; and were of local concern to potential grantees.

The environmental results of the P2 technical assistance program are numerous and varied. EPA's strategic plan focuses on the impacts on the reduction of million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) released attributed to EPA P2 grants. MMTCO<sub>2e</sub> is calculated by using an online tool to convert standard metrics for electricity, green energy, fuel use, chemical substitutions, water management, and materials management into MMTCO<sub>2e</sub>.<sup>45</sup> Providing needed resources for the P2 technical assistance program is an important part of the Agency's efforts to mitigate the effects of climate change.

The MMTCO<sub>2e</sub> measure tracks carbon dioxide reductions from all Pollution Prevention Grant Program activities. Annual results are the total reported by grantees in a single year plus the contributions from the previous three years. This method accounts for recurring benefits of a pollution prevention action, not just in the year it was implemented, but also in future years. Pollution prevention grants are two-year grants with an optional third year for follow-up reporting and case study development. These grants have annual reporting but with a one-year reporting lag due to the grant reporting cycle. This measure also is used to track progress in implementing the IJA.

### **Performance Measure Targets:**

Work under this program supports performance results in the Pollution Prevention Program under the EPM appropriation.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$782.0) This program change supports technical assistance to businesses to improve human health and the environment in underserved communities by increasing the supply, demand and/or use of safer and more sustainable products.

### **Statutory Authority:**

Pollution Prevention Act of 1990; Toxic Substances Control Act.

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<sup>44</sup> The P2 National Emphasis Areas include automobile manufacturing and maintenance, aerospace manufacturing and maintenance, chemical manufacturing and processing, metal manufacturing and fabrication, food and beverage manufacturing or processing, and/or supporting pollution prevention in Indian Country and for Alaska Native Villages.

<sup>45</sup> For more information, please visit: <https://www.epa.gov/p2/pollution-prevention-tools-and-calculators>.

**Categorical Grant: Public Water System Supervision (PWSS)**

Program Area: Categorical Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$123,137</i>                 | <i>\$121,500</i>                     | <i>\$132,566</i>                          | <i>\$11,066</i>  |
| Total Budget Authority                    | \$123,137                        | \$121,500                            | \$132,566                                 | \$11,066   |

**Program Project Description:**

The Public Water System Supervision (PWSS) Program provides grants to states and tribes with primary enforcement authority (primacy) to implement and enforce the National Primary Drinking Water Regulations (NPDWRs) under the Safe Drinking Water Act (SDWA). The NPDWRs set forth health-based standards, monitoring, reporting, sanitary surveys, and enforcement elements to ensure that the Nation’s drinking water supplies do not pose health risks. Funds allocated to states and tribes without primacy are used to support direct implementation activities by EPA.

PWSS Program grants support the safety of the Nation’s drinking water resources and protect public health and the environment. Rural, small, and disadvantaged communities significantly benefit from support and technical assistance provided by primacy agencies through this vital funding. These systems often struggle to hire and retain qualified operators. Qualified operators are essential to ensure these systems can provide safe water for their customers. PWSS Program grants support the training and certification operators needed to continue to protect public health.

Primacy agencies use these grants to fund drinking water program personnel who:

- Provide training and technical assistance to owners and operators of public water systems;
- Conduct sanitary surveys (*i.e.*, reviews to determine and support a utility’s capacity to deliver safe drinking water) and address significant deficiencies that may compromise the quality of the finished water;
- Train and certify public water system operators;
- Manage public water system data, facilitate electronic reporting of compliance monitoring data, and submit compliance data to the database of record, the Safe Drinking Water Information System;
- Ensure that public water systems conduct the required public notifications to consumers; and
- Respond to violations and issue enforcement actions.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

The Program also will support the Agency's Infrastructure Investment and Jobs Act (IIJA) implementation priorities.

In FY 2025, EPA will provide funds to support state efforts to assist the most vulnerable water systems in:

- Meeting drinking water regulations;
- Accessing federal funding, including funding through IIJA, to support water system compliance and capacity development;
- Implementing the Lead and Copper Rule Revisions and Improvements, including providing guidance and technical assistance for states and systems to conduct lead service line inventories, replace lead service lines, and access IIJA funds;
- Implementing the new PFAS Rule, including providing guidance and technical assistance to states and systems and supporting access to IIJA funds;
- Providing direct implementation support to Tribal water systems and collaborating with the Indian Health Service and other federal partners to assist water systems;
- Building the financial and managerial capacity needed to achieve and maintain long-term sustainability and compliance with national safe drinking water regulations, with a focus on helping disadvantaged communities conduct the analyses and documentation needed to identify solutions and take action; and
- Benefitting from federal investments that address aging or inadequate infrastructure (*e.g.*, pipe replacement to prevent failures in distribution systems, installation of treatment to remove drinking water contaminants).

EPA's efforts under this program will help deliver clean drinking water, improve public health, and support environmental justice for overburdened and underserved communities, including rural and tribal communities.

In FY 2025, funding will help states and tribes with primary enforcement authority implement and enforce NPDWRs under SDWA. Funds allocated to states and tribes without primacy are used to support direct implementation activities by EPA. These funds will assist all communities across the country in the provision of safe drinking water.

EPA's PWSS Program is working with states to reduce the number of systems that have health-based non-compliance events, with a goal of decreasing the number of community water systems out of compliance with health-based standards. As of September 30, 2023, 3,042 of the 3,508 systems with health-based violations on September 30, 2017, have been returned to compliance (*i.e.*, 466 systems are still in violation). The PWSS Program helps to facilitate this effort by supporting state drinking water programs and technical assistance providers in achieving and maintaining compliance at drinking water systems, amplifying best practices, strengthening state capacity, and certifying drinking water operators.

EPA also is strengthening its oversight of the state drinking water programs by continuing to improve the scope and consistency of the annual PWSS Program review for each primacy agency that is required by SDWA. Information from these reviews helps ensure that federal drinking water regulations are implemented consistently across the country and reinforces agency evidence-building activities. The review includes an analysis of the completion of sanitary surveys by the primacy agency, an evaluation of whether the primacy agency is implementing the state program in accordance with SDWA, a review of state use of the funds and associated impacts, and alignment of the program with national enforcement and compliance priorities. The annual program review directly supports the work of the states and EPA to reduce the number of community water systems out of compliance with health-based standards. In addition, EPA conducts periodic file reviews of state programs. These file reviews help EPA ensure states are accurately reporting compliance information to the Agency so issues can be identified and addressed.

**Performance Measure Targets:**

**(PM DW-02) Number of community water systems still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         | 875     | 640     | 450     | 425     | 400     | CWSs  |
| <b>Actual</b> | 1,718   | 1,128   | 1,048   | 654     | 537     | 466     |         |         |       |

**(PM DW-07) Number of drinking water and wastewater systems, tribal and state officials, and water sector partners provided with security, emergency preparedness, and climate resilience training and technical assistance.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|
| <b>Target</b> |         |         |         |         | 2,000   | 3,500   | 4,500   | 4,500   | Systems and Partners |
| <b>Actual</b> |         |         |         |         | 3,939   | 3,895   |         |         |                      |

**(PM DWT-02) Number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         |         | 100     | 55      | 35      | 30      | CWSs  |
| <b>Actual</b> |         |         |         |         | 74      | 54      |         |         |       |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$22.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$11,088.0) This increase of resources supports grant funding to help states and tribes with primary enforcement authority to implement and enforce NPDWRs under the SDWA. In addition, this increase supports states, territories, and tribes in complying with drinking

water regulations, conducting sanitary surveys of public water systems, and providing technical assistance to managers and operators of public water systems.

**Statutory Authority:**

SDWA § 1443.



**Categorical Grant: Radon**

Program Area: Categorical Grants

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b>\$8,958</b>                   | <b>\$10,995</b>                      | <b>\$12,487</b>                           | <b>\$1,492</b>   |
| Total Budget Authority                           | \$8,958                          | \$10,995                             | \$12,487                                  | \$1,492  |

**Program Project Description:**

Title III of the Toxic Substances Control Act (TSCA) authorizes EPA to take a variety of actions to address the public health risks posed by exposures to indoor radon. Under the statute, EPA assists states and tribes through the State Indoor Radon Grants (SIRG) program, which provides categorical grants to develop, implement, and enhance programs that assess and mitigate radon risk. EPA provides guidance to states and tribes to promote and spread effective strategies for reducing indoor radon public health risks. EPA also works with states and tribes to support targeting SIRG funding to reduce risks for low-income populations that lack resources to mitigate radon risk on their own.

Radon is the second leading cause of lung cancer in the United States – and the leading cause of lung cancer mortality among non-smokers – accounting for about 21,000 deaths per year.<sup>46</sup> EPA’s non-regulatory Indoor Air - Radon Program, which includes the SIRG Program, promotes actions to reduce the public’s health risk from indoor radon. EPA and the Surgeon General recommend that all homes be tested for radon and if radon levels above EPA’s guidelines are confirmed, elevated levels should be reduced by home mitigation using proven, straightforward techniques. EPA also recommends that new homes be built using radon-resistant features in areas where there is elevated radon. Nationally, risks from radon have been reduced in millions of homes, but there are millions more still in need of mitigation. Additionally, low-income families and tribal communities lack access to resources to address radon. This voluntary program promotes partnerships between national organizations, the private sector, and more than 50 state, local, tribal, and territory governmental programs to reduce radon risk.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will administer the SIRG Program in collaboration with state and tribal partners. Work in this program directly supports the President’s priority of advancing environmental justice. In implementing the SIRG Program in FY 2025, EPA will work with states and tribes to build

<sup>46</sup> For more information, please see: <https://www.epa.gov/radon>.

capacity and address environmental justice concerns by assisting grant recipients to address radon risk reduction in underserved, low-income communities, for example through building code adoption. These interventions serve to institutionalize and embed risk reduction into standard building practices and thus provide equity for underserved communities.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,492.0) This program change is an increase to support state and tribal partners through the radon grants program.

**Statutory Authority:**

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

## Categorical Grant: State and Local Air Quality Management

Program Area: Categorical Grants

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$246,130                | \$249,038                   | \$400,198                        | \$151,160  |
| Total Budget Authority                    | \$246,130                | \$249,038                   | \$400,198                        | \$151,160  |

### Program Project Description:

This Program provides funding for state air programs, as implemented by state, multi-state, and local air agencies. Section 103 of the Clean Air Act (CAA) provides EPA with the authority to award grants to air pollution control agencies, other public or nonprofit private agencies, institutions, and organizations, to conduct and promote certain types of research, investigations, experiments, demonstrations, surveys, studies, and training related to air pollution. Section 105 of the CAA provides EPA with the authority to award grants to state and local air pollution control agencies to develop and implement continuing environmental and public health programs for the prevention and control of air pollution, implementation of National Ambient Air Quality Standards (NAAQS) and improvement of visibility in our national parks and wilderness areas (Class I areas). The continuing activities funded under Section 105 include: analysis and planning for attainment and maintenance of NAAQS; emissions reduction measures; development and operation of air quality monitoring networks, and other air program activities. Section 106 of the CAA provides EPA with the authority to fund interstate air pollution transport commissions to develop or carry out plans for designated air quality control regions.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

Funding requested for FY 2025 includes an additional \$151 million that will help expand the efforts of air pollution control agencies to implement their programs and help accelerate immediate on-the-ground efforts to reduce greenhouse gases, such as expanding deployment of renewable energy sources and energy efficiency programs; ensuring safe and effective oil and gas well pollution management and prevention; developing policies and programs to facilitate build-out of electric vehicle (EV) charging station infrastructure; increasing air quality monitoring in communities with environmental justice (EJ) concerns; and supporting programs to improve transportation options and reduce disproportionate exposure to traffic emissions in disadvantaged communities. The increase also will enhance the resiliency, capacity, and capability of air monitoring systems for NAAQS and local-scale monitoring.

States are responsible for State Implementation Plans (SIPs), which provide a blueprint for the programs and activities that states carry out to attain and maintain the NAAQS and comply with visibility improvement obligations. In FY 2025, states will be developing infrastructure SIPs for the 2024 particulate matter (PM<sub>2.5</sub>) NAAQS. Infrastructure SIPs for this revised NAAQS will be due three years from promulgation of the NAAQS. In FY 2025, SIP activity will be ongoing regarding attainment SIPs for areas reclassified to “Moderate” for the 2015 ozone NAAQS and those reclassified to “Severe” for the 2008 ozone NAAQS in FY 2023, and for areas reclassified to “Serious” for the 2015 ozone NAAQS in FY 2025. States also will continue implementing the 2008 and 2015 8-hour ozone NAAQS, the 2008 lead NAAQS, the 2010 1-hour nitrogen dioxide (NO<sub>2</sub>) NAAQS, and the 2010 1-hour sulfur dioxide (SO<sub>2</sub>) NAAQS. As applicable, states also will continue implementing the previous PM<sub>2.5</sub> and ozone NAAQS, including the 1997 annual and 24-hour PM<sub>2.5</sub> NAAQS, the 2006 24-hour PM<sub>2.5</sub> NAAQS, the 2012 annual PM<sub>2.5</sub> NAAQS, the revoked 1997 8-hour ozone NAAQS, and the revoked 1-hour ozone NAAQS.

States and EPA also may have ongoing SIP obligations and/or Federal Implementation Plan (FIP) obligations associated with visibility improvement requirements, among other requirements identified in the CAA. In FY 2025, EPA will work with states to prioritize activities needed to meet obligations for SIP development and plan implementation for attaining and maintaining the NAAQS, achieving regional haze goals and identifying streamlining options. EPA will maximize use of its web-based State Planning Electronic Collaboration System (SPeCS) to review draft SIPs from state air agencies, and to track and process state submittals.

To the extent that any ongoing NAAQS reviews result in a change to the standards, activities related to air quality designations for the changed standard(s) would be required, as well as any additional implementation related activities. In addition to other implementation activities triggered from promulgation of a new or revised NAAQS, in FY 2025, EPA will be working on initial area designations for the 2024 PM<sub>2.5</sub> NAAQS, in which EPA will identify those areas of the country that meet the new standard and those that violate or contribute to a violation of the new standard. As part of the designations process for a new/revised PM NAAQS, one year from promulgation of the NAAQS, state Governors and tribes, if they wish, will submit recommendations for area designations to EPA. EPA will evaluate these recommendations, provide notifications of any potential modifications to these recommendations, and then complete the initial designations process within two years of promulgation of the new/revised PM NAAQS. If there are other outstanding designations actions pending, EPA expects to also be taking action on those (*e.g.*, resulting from court decisions resolving litigation on prior area designations).

Additionally, EPA may be engaged in redesignation actions – making determinations that nonattainment areas may now be redesignated to attainment, or that currently designated attainment areas are no longer meeting the NAAQS and taking action to redesignate, as appropriate.

#### Air Monitoring Networks

The Nation’s ambient air quality monitoring network, an essential element of the Agency’s environmental infrastructure, serves as the foundation for the air quality management and control programs. States will continue to operate and maintain their ambient air monitoring networks with technical assistance and program support from EPA. A significant and essential part of a state’s

overall air program includes the collection, analysis, quality assurance, and submittal of ambient air quality data.

In FY 2025, EPA will continue to lead and is requesting additional funding for a nationwide effort to ensure and enhance the resiliency, capacity, and capability of air monitoring systems for NAAQS and local-scale monitoring implemented by state, local, and tribal organizations through system modernization (*e.g.*, infrastructure improvements and enhanced network automation); expanded functionality (*e.g.*, increased use of continuous monitoring equipment); and local-scale monitoring to characterize air toxics and better address air quality burdens in communities with EJ concerns.

Key to the success of these efforts will be close, meaningful collaboration with our state, local and tribal air partners, as well as disadvantaged and overburdened communities. The COVID-19 pandemic exposed the vulnerabilities of our aging monitoring infrastructure and the need for modernization in the Nation's ambient air monitoring network. In addition, the Government Accountability Office identified in a 2020 report the need for EPA to develop an air quality monitoring modernization plan to better meet the additional information needs of air quality managers, researchers, and the public. EPA will continue to work closely with our partners to address the GAO recommendations.

#### Air Permitting Programs

In FY 2025, states with approved or delegated air permitting programs will implement these programs and EPA will provide technical assistance, as needed.

#### Emissions Inventories

The development of a complete quality assured emission inventory is an important step in an air quality management process. These inventories are used to help determine significant sources of air pollutants and establish emission trends over time, target regulatory actions, and estimate air quality through dispersion and photochemical modeling. An emission inventory includes estimates of the emissions from various pollution sources in a specific geographical area. In FY 2025, EPA will complete and release the 2022 emissions data for modeling and prepare the 2023 emissions data for modeling. In FY 2025, states will collect and prepare 2023 emissions data in anticipation of submitting it to EPA for the next release of the National Emissions Inventory (NEI). EPA plans to release the 2023 NEI early in calendar year 2026.

#### Air Quality Forecasts

The Program supports state, local and tribal air agency capabilities to forecast air quality for providing the public with information they can use to make daily lifestyle decisions to protect their health. This information allows people to take precautionary measures to avoid or limit their exposure to unhealthy levels of air quality, including during extreme events like the 2023 Canadian wildfires that created hazardous air quality for millions of people. EPA will work with state, tribal, and local air quality agencies to continue improving the AirNow Forecast Submittal System where air quality forecasts are delivered to the AirNow system, as well as the Fire and Smoke Map at [fire.airnow.gov](http://fire.airnow.gov) that provides important air quality information during wildfire season.

#### State and Local Air Toxics Efforts

The Program also supports state and local efforts to characterize air toxics problems and take

measures to reduce health risks from air toxics. This funding also supports characterization work that includes collection and analysis of emissions data and monitoring of ambient air toxics. In FY 2025, funds will support the National Air Toxics Trends Stations (NATTS), consisting of 26 air toxics monitoring sites, including the associated quality assurance, data analysis, and methods support.

#### Visibility Improvement

In FY 2025, EPA will be engaged in reviewing draft and final state plans intended to meet the requirements of the regional haze program for the second planning period, as well as developing FIPs, if needed and as appropriate. EPA also may be continuing to finalize remaining first planning period obligations. EPA will review regional haze SIPs for the second planning period to ensure that states are making reasonable progress towards their visibility improvement goals, consistent with statutory and regulatory obligations. The first state plans for improving visibility in our national parks and wilderness areas were due in December 2007. Under the Regional Haze Rule, states were required to submit plans for the second planning period on July 31, 2021, to demonstrate how they have and will continue to make progress towards achieving their visibility improvement goals. EPA also has indicated its intent to engage in regulatory updates to the Regional Haze Rule to identify obligations for future planning periods.

#### Air Quality Training

To fulfill statutory obligations under section 103 of the Clean Air Act in FY 2025, states and multi-jurisdictional organizations will advance and maintain training priorities for air quality-related subjects; develop new and update existing air quality-related training materials; and provide classroom and other types of training for air quality professionals. These training programs are essential for building and maintaining expertise and administrative capacity among our co-regulator agencies, enabling them to continue playing a vibrant role in administering CAA protections and programs. EPA's AirKnowledge program manages funds to deliver training to staff of state and local air agencies. In FY 2023, this program delivered 80 instructor-led trainings reaching over 1,600 students. This complements the AirKnowledge EPA funded effort to provide trainings that delivered roughly 15,000 self-instructional trainings through the AirKnowledge Learning Management System in FY 2023.

#### **Performance Measure Targets:**

Work under this program supports performance results in the Federal Support for Air Quality Management under the EPM appropriation.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$151,160.0) This program change is an increase in grant resources that will help expand the efforts of air pollution control agencies across the country to implement their programs and accelerate on-the-ground efforts to reduce greenhouse gases. The increase also will support enhancing the resiliency, capacity, and capability of air monitoring systems for NAAQS and local-scale monitoring and will support additional air quality monitoring in underserved communities suffering from disproportionate exposure to traffic emissions.

This increase will directly expand the capacity of EPA partners to carry out air quality monitoring and management.

**Statutory Authority:**

Clean Air Act §§ 103, 105, 106.

## Categorical Grant: Toxics Substances Compliance

Program Area: Categorical Grants

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$5,005                  | \$5,010                     | \$6,877                          | \$1,867  |
| Total Budget Authority                    | \$5,005                  | \$5,010                     | \$6,877                          | \$1,867  |

### Program Project Description:

The Toxic Substances Control Act (TSCA) Compliance Monitoring Program builds partnerships with states, tribes, and territories to strengthen their ability to address environmental and public health threats from toxic substances.<sup>47</sup> This assistance is used to prevent or eliminate unreasonable risks to human health or the environment and to ensure compliance with toxic substance regulations. The grants support inspection programs associated with lead-based paint [§402(a), §406(b), the Renovation, Repair, and Painting Rule §402(c), the Asbestos Hazard Emergency Response Act (AHERA), and polychlorinated biphenyls (PCBs)].

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to focus on compliance monitoring programs to prevent or eliminate unreasonable risks to health or the environment associated with chemical substances such as asbestos, lead-based paint, and PCBs. The Agency encourages states to establish their own compliance and enforcement programs for lead-based paint and asbestos. EPA may provide funding for compliance monitoring grants to states and tribes under TSCA to conduct inspections to ensure compliance with the Asbestos-in-Schools requirements, the Model Accreditation Plan (MAP), the Asbestos Ban and Phase Out Rule, the TSCA Asbestos Worker Protection Rule, lead-based paint regulations, and PCB regulations.

For states with an asbestos waiver or lead-based paint programs, these grants help fund enforcement activities. In FY 2025, the Program will continue to award state and tribal assistance grants to aid in the implementation of compliance and enforcement provisions under TSCA. The weighted formula aligns the distribution of funding with the national program priorities including reducing risks from: 1) lead poisoning or elevated blood-lead levels; 2) exposure to asbestos; and 3) exposure to PCBs. The assistance grants will help rebuild programmatic capabilities between

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<sup>47</sup> For additional information, please refer to: <https://www.epa.gov/compliance/toxic-substances-compliance-monitoring-grant-guidance-fiscal-year-2022>.



EPA, states, tribes, and partner agencies to help address Environmental Justice (EJ) concerns in overburdened or vulnerable communities.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,867.0) This program change provides states, tribes, and territories additional funding to prevent or reduce risks from exposure to toxic substances such as lead-based paint, asbestos, and PCBs.

**Statutory Authority:**

Toxic Substances Control Act.

**Categorical Grant: Tribal Air Quality Management**

Program Area: Categorical Grants

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$16,620</i>                  | <i>\$16,415</i>                      | <i>\$23,126</i>                           | <i>\$6,711</i>   |
| Total Budget Authority                    | \$16,620                         | \$16,415                             | \$23,126                                  | \$6,711  |

**Program Project Description:**

American Indians and Alaskan Natives are disproportionately affected by air pollution and climate change. They have a higher rate of asthma, diabetes, heart disease, and chronic obstructive pulmonary disease (COPD) than the general population. Wildfire season has consistently intensified over the past few years due to climate change and extreme weather conditions, which have led to an increase in ambient and indoor air pollution and exacerbated the health of tribal communities. Across the Nation, tribal air issues vary from permitting sources on-reservation, to monitoring for criteria air pollutants, to participating in local, state, regional, and national air quality work groups. In addition to performing emissions inventories and monitoring, other program tasks include addressing indoor air quality issues; implementing voluntary programs and education outreach efforts; and reviewing and commenting on federal air quality rules, policy, and permits issued by other agencies.

This Program includes funding for tribes and tribal air pollution control agencies implementing projects and programs to address air pollution issues in Indian Country. Using Section 105 authority of the Clean Air Act (CAA), tribal agencies may develop and implement programs for the prevention and control of air pollution and implementation of primary and secondary National Ambient Air Quality Standards (NAAQS). Using Section 103 authority of the CAA, tribal agencies, colleges, universities, and multi-tribe jurisdictional air pollution control agencies may conduct and promote research, investigations, experiments, demonstrations, surveys, studies, and training related to ambient or indoor air pollution in Indian Country. EPA provides technical assistance and resources to help tribes build their program capacity and ensure successful project completion. Tribes use these resources to perform emissions inventories, monitor air quality and implement regulatory, voluntary, and education and outreach programs for their citizens, who are among the most environmentally at-risk populations in the country. Currently, out of 574 Federally recognized tribes, 55 tribes have Section 105 grants, and 74 tribes have Section 103 grants. In FY 2025, the Program may include preparations for any new emissions reporting requirements associated with the final revisions to the Air Emissions Reporting Requirements (AERR) rule.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

Tribes will assess environmental and public health conditions in Indian Country by developing emission inventories and, where appropriate, siting and operating air quality monitors. Tribes will continue to develop and implement air pollution control programs for Indian Country to prevent and address air quality concerns, including combating the effects of climate change. EPA will continue to fund organizations for the purpose of providing technical support, tools, and training for tribes to build capacity to develop and implement programs. EPA training could include educating owners/operators on how to report emissions, starting as soon as 2026 depending on the final revisions to the AERR.

Currently, there are 574 federally recognized tribes.<sup>48</sup> Of those, 71 tribes have treatment similar to that of a state or treatment as a state regarding implementing functions pertaining to the management and protection of air resources within reservation boundaries or other areas under the tribe's jurisdiction. In addition, EPA awards financial support under the CAA to help build tribal knowledge and increase tribes' capacity to manage air quality issues and encourages tribes to partner with EPA to carry out CAA protections within tribal lands and tribal communities, including those that have environmental justice (EJ) concerns.

In FY 2025, a key activity is to work to reduce the number of days in violation of the NAAQS. This program supports the Agency's priority of building stronger partnerships with individual tribes and with the National Tribal Air Association, whose priorities include tribes' participation in the Agency's policy and rule development and the Tribal Air Monitoring Support (TAMS) Center. The TAMS Center provides professional assistance to support the tribes' ability to collect and provide monitoring data to protect the health of their tribal members and conducts training for tribal environmental professionals to implement their broader air quality program. EPA's AirKnowledge Learning Management System provides training to tribal environmental professionals. EPA will continue working with tribes on tribal involvement in air quality issues, such as increasing the number of tribes with an up-to-date emissions inventory, increasing the number of tribes implementing voluntary programs, and increasing the number of tribes moving from project grants to program implementation grants. This will increase tribes' knowledge and ability to best protect their citizens. Tribes also will focus on implementation of nonregulatory and voluntary programs, as well as education and outreach programs. These will assist with pollution reduction while creating a more informed citizenry.

The Clean Air Status and Trends Network (CASTNET) has enhanced tribal monitoring capacity by supporting eight sites on tribal lands and training site operators. In FY 2025, the Agency will continue progress toward increasing monitoring capacity by working to identify new tribal partners that would benefit from joining a national air monitoring program. CASTNET monitors provide near real-time air quality data and the ability to assess ecological impacts from atmospheric deposition of air pollutants.

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<sup>48</sup> Source: Department of Interior Bureau of Indian Affairs ([www.bia.gov](http://www.bia.gov)).

The funding for FY 2025 will support these important programs that tribes are focused on for the health of their people. Tribal air quality programs are an important part of the Nation's overall air quality efforts and help to accelerate immediate on-the-ground efforts to reduce greenhouse gases, such as: expanding deployment of renewable energy sources and energy efficiency programs into Indian Country; ensuring safe and effective oil and gas well pollution management and prevention; developing policies and programs to facilitate build-out of electric vehicle (EV) charging station infrastructure; increasing air quality monitoring in areas with vulnerable populations; and supporting programs to improve transportation options and reduce disproportionate exposure to traffic emissions in disadvantaged communities. In addition, some tribes may wish to be more involved with the Combined Air Emissions Reporting System (CAERS) in anticipation of the revised AERR, and some tribes also are owners/operators of facilities that would need to report under the proposed AERR, if finalized.

**Performance Measure Targets:**

Work under this program supports performance results in the Federal Support for Air Quality Management Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$6,711.0) This program change is an increase to help expand the efforts of tribes and tribal air quality control agencies to implement their programs and to accelerate immediate on-the-ground efforts to reduce greenhouse gases. The increase also will support additional air quality monitoring.

**Statutory Authority:**

Clean Air Act §§ 103, 105.

## Categorical Grant: Tribal General Assistance Program

Program Area: Categorical Grants

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

Objective(s): Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and  
Local Levels

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$82,649                 | \$74,750                    | \$85,009                         | \$10,259   |
| Total Budget Authority                    | \$82,649                 | \$74,750                    | \$85,009                         | \$10,259   |

### Program Project Description:

In 1992, Congress established the Indian Environmental General Assistance Program (GAP), a program that provides grants and technical assistance to tribes to plan, develop, and establish tribal environmental protection programs consistent with other applicable provisions of law administered by EPA. The Agency works collaboratively with tribal partners on mutually identified environmental and public health priorities to achieve these aims. Funding provided under the GAP is for the administrative, technical, legal, enforcement, communication, and outreach capacities tribes need to effectively administer environmental regulatory programs that EPA may delegate to tribes. GAP funds also may be used to assist in capacity building so that tribal governments may meaningfully participate in EPA programs, as well as the development and implementation of tribal solid and hazardous waste programs, including solid waste service delivery costs.<sup>49</sup>

Some uses of GAP funds include:

- Assessing the status of a tribe's environmental conditions;
- Developing appropriate environmental programs, codes, and ordinances;
- Developing the capacity to administer environmental regulatory programs that EPA may delegate to a tribe;
- Conducting public education and outreach efforts to ensure that tribal communities (including non-members residing in Indian Country) are informed and prepared to participate in environmental decision-making; and
- Establishing tribal programs' capacity to meaningfully participate with federal, tribal, state, and local government officials on environmental and public health actions and issues.

GAP supports tribal capacity development through financial assistance to approximately 525 tribal governments and intertribal consortia. GAP has helped tribes receive 107 program delegations to administer a variety of programs across relevant EPA statutes, including the Clean Water Act, the Safe Drinking Water Act, and the Clean Air Act. Tribes also have developed capacity by assisting EPA in implementing federal environmental programs through Direct Implementation Tribal

<sup>49</sup> Please see <https://www.epa.gov/tribal-lands/indian-environmental-general-assistance-program-gap> for more information.

Cooperative Agreements (DITCAs). As of FY 2024, there are 14 active DITCAs supporting EPA's direct implementation activities. Furthermore, GAP funds have helped to train tribal government inspectors who are able to conduct compliance monitoring activities under tribal laws and may have EPA federal inspector credentials. In addition, GAP also supports tribes with the development of their waste management programs, with nearly 300 tribes having Integrated Waste Management Plans, and 11 tribes have developed codes and ordinances since FY 2018 with GAP-funded training.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.1 Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels in the *FY 2022 - 2026 EPA Strategic Plan*.

GAP grants are fundamental to the development and growth of tribal environmental programs. GAP promotes tribal self-governance in a number of ways, including supporting tribal governments to assess local environmental conditions, develop long-range strategic plans to address their environmental challenges, and establish environmental programs tailored to their needs and aligned with their strategic planning goals. The overlap between tribal environmental capacity building goals and EPA program priorities, including the mutual responsibilities to achieve them, are captured in EPA / Tribal Environmental Plans, or ETEPs.

In FY 2025, the Agency will continue to implement GAP under a national framework set forth in new program guidance and maintain an emphasis on training (internal and external) to support nationally consistent GAP guidance interpretation and implementation. In supporting a strong GAP management framework (as referenced under Tribal Capacity Program), EPA will continue to establish and refine tools to track the progress tribes achieve toward developing and implementing environmental protection programs in Indian Country. This work continues under the GAP national framework as defined in the new guidance made effective in FY 2022.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$10,259.0) This program change is an increase to support additional grant funding to federally recognized tribes and tribal consortia for planning, developing, and establishing environmental protection programs in Indian Country and implementing solid and hazardous waste programs. This strategic investment will address inequities by promoting environmental justice and public participation in programs being developed.

### **Statutory Authority:**

Indian Environmental General Assistance Program Act.

**Categorical Grant: Underground Injection Control (UIC)**

Program Area: Categorical Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | \$12,661                         | \$13,164                             | \$11,387                                  | -\$1,777   |
| Total Budget Authority                    | \$12,661                         | \$13,164                             | \$11,387                                  | -\$1,777   |

**Program Project Description:**

EPA’s Underground Injection Control (UIC) Grant Program was established by the Safe Drinking Water Act (SDWA) to protect groundwater that is a source of drinking water. The Program supports federal, state, and tribal government agencies that oversee underground injection activities to prevent contamination of underground sources of drinking water from fluid injection practices.

The UIC Program protects underground sources of drinking water by ensuring proper permitting, construction, operation, and closure of injection wells used to place fluids underground for storage, disposal, enhanced recovery of oil and gas, and mineral recovery. The grants are made to states and tribes that have primary enforcement authority (primacy) to implement and manage UIC programs and ensure safe injection well operations that prevent contamination of underground sources of drinking water. Eligible tribes that demonstrate an intent to achieve primacy also may receive grants for the initial development of UIC programs and be designated for “treatment as a state” if their programs are approved. Where a jurisdiction does not have primacy, EPA uses these funds for direct implementation of federal UIC requirements.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*. The Program also will support the Agency’s Infrastructure Investment and Jobs Act implementation priorities.

The FY 2025 request will support implementation of the UIC Program, which manages approximately 804,589 injection wells across six well types to protect groundwater resources.<sup>50</sup> There are currently 71 jurisdictions across the Nation (federal, state, tribal, and territorial) that implement the UIC Program. EPA directly implements UIC programs in seven states, two territories, and the District of Columbia and shares responsibility in ten states and with two tribes.

<sup>50</sup>As represented in FY 2022 annual inventory.

As of December 2023, EPA also administers the UIC programs for all other tribes and for Class VI wells in all states but North Dakota and Wyoming.<sup>51</sup>

The UIC Program is improving efficiency and reducing the UIC permit application processing time and will continue implementing the recently developed UIC well permit review process. This effort includes applying identified permit review and processing efficiencies to all well classes, and modifying common definitions, as appropriate, to provide greater clarity for all well classes.

**Performance Measure Targets:**

Work under this program supports performance results in the Drinking Water Programs under the EPM appropriation and mitigation of climate change to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$1,777.0) This program change is a decrease of resources available for EPA's state and tribal partners through the Underground Injection Control grants program.

**Statutory Authority:**

Safe Drinking Water Act § 1443.

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<sup>51</sup> For more information, please visit: <https://www.epa.gov/uic/primary-enforcement-authority-underground-injection-control-program-0>.



**Categorical Grant: Underground Storage Tanks**

Program Area: Categorical Grants

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$1,503</i>                   | <i>\$1,505</i>                       | <i>\$1,505</i>                            | <i>\$0</i>   |
| Total Budget Authority                    | \$1,503                          | \$1,505                              | \$1,505                                   | \$0  |

**Program Project Description:**

EPA’s Underground Storage Tanks (UST) State and Tribal Assistance Grant (STAG) Program provides funding for grants to states under the Solid Waste Disposal Act to improve and enhance UST programs. STAG funds may be used for prevention activities that are not specifically spelled out in the Energy Policy Act (EPA) of 2005 and are used by states that do not have sufficient state resources to fund these core programs.

STAG funds are used by states to fund such activities as: applying for state program approval to operate the UST Program in lieu of the federal program, updating UST regulations, and providing compliance assistance.<sup>52</sup>

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 - 2026 EPA Strategic Plan*.

Due to the increased emphasis on inspections and release prevention requirements, EPA has consistently met the yearly goal to minimize the number of confirmed releases. Between 2008 and 2023, the number of annual confirmed releases has decreased by 41 percent (from 7,364 to 4,354).<sup>53</sup>

As of the end of FY 2023, 51 states and territories have reported compliance with the UST Technical Compliance Rate (TCR) measure, which came about after the UST rule was revised in 2015.<sup>54</sup>The TCR includes new compliance measures for spill prevention and overfill requirements, as well as additional leak detection requirements. Of the states that report TCR, they produced a TCR rate of 58 percent in FY 2023, which is consistent with the 58 percent rate from FY 2021 but incorporates several states reporting for the first time.

<sup>52</sup> States as referenced here also include the District of Columbia and five territories as described in the definition of a state in the Solid Waste Disposal Act.

<sup>53</sup> For more information, please refer to <https://www.epa.gov/system/files/documents/2023-11/fy-23-coy-final-report-11-21-2023.pdf>.

<sup>54</sup> Beginning in FY 2023, TCR will be the measure reported from the remainder of the states.

By the end of FY 2025, EPA anticipates that all states that originally had state program approval (SPA) based on the 1988 UST regulation will be granted SPA renewal based on the 2015 UST regulation.

**Performance Measure Targets:**

Work under this program supports performance results in the LUST Prevention program under the LUST appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Solid Waste Disposal Act § 2007(f); Consolidated Appropriations Act, 2023, Pub. L. 117-328.

## Categorical Grant: Wetlands Program Development

Program Area: Categorical Grants

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Protect and Restore Waterbodies and Watersheds

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$6,122</i>                   | <i>\$14,692</i>                      | <i>\$22,000</i>                           | <i>\$7,308</i>   |
| Total Budget Authority                    | \$6,122                          | \$14,692                             | \$22,000                                  | \$7,308  |

### Program Project Description:

The Wetland Program Development Grants Program assists states, tribes, and local governments with building or enhancing their wetland and other aquatic resources, protection and restoration programs. Wetlands and other aquatic resources play a critical role absorbing and filtering pollutants from water. Protecting and restoring the Nation’s aquatic resources, including wetlands, also is key to climate resiliency because these resources reduce flood risk, help manage runoff pollution, and serve as carbon sinks. Program grants are used to develop new or refine existing state and tribal wetland/aquatic resource programs in one or more of the following areas: 1) monitoring and assessment; 2) voluntary restoration and protection; 3) regulatory programs, including Clean Water Act (CWA) Section 401 certification and Section 404 assumption;<sup>55</sup> and 4) wetland water quality standards.

States and tribes develop wetland/aquatic resource programs based on their goals and resources. The Program provides grants to support the development of state and tribal wetland/aquatic resource programs that further the goals of the CWA and state/tribal laws, improve water quality in watersheds throughout the country, address climate change and build resilience, and provide benefits to disadvantaged communities. The grants are awarded on a competitive basis under the authority of Section 104(b)(3) of the CWA and the Program is a Justice40 covered program. The grant funding is split among EPA’s 10 regional offices according to the number of states and territories per region. Each region is required, by regulation, to compete the award of these funds to states, tribes, territories, local governments, interstate agencies, and inter-tribal consortia.<sup>56</sup> In addition, EPA sets aside 10 percent of the appropriation for a grant competition specifically for tribes and inter-tribal consortia. Finally, EPA sets aside approximately five percent of the appropriation for a grant competition specifically for nonprofits and interstate and inter-tribal consortia. This grant competition supports state and tribal wetland programs with projects that are

<sup>55</sup> State and tribal assumption of CWA Section 404 is an approach that can be useful in streamlining 404 permitting in coordination with other environmental regulations. When states or tribes assume administration of the federal regulatory program, Section 404 permit applicants seek permits from the state or Tribe rather than the federal government. States and tribes are in many cases located closer to the proposed activities and are often more familiar with local resources, issues, and needs. Even when a state assumes permitting under Section 404, the United States Army Corps of Engineers retains jurisdiction for a certain portion of waters under the CWA as well as those waters subject to Section 10 of the Rivers and Harbors Act for permits.

<sup>56</sup> For more information, please see: [http://water.epa.gov/grants\\_funding/wetlands/estp.cfm](http://water.epa.gov/grants_funding/wetlands/estp.cfm).

nationwide in scope or affect two or more EPA regions. In addition, one of the eligible uses of the grant is training for local communities on restoration practices.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.2, Protect and Restore Waterbodies and Watersheds in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will continue to assist states and tribes in their efforts to protect, restore, and manage wetlands/aquatic resources through monitoring and documenting stresses or improvements to wetland condition, developing tools and programs for wetland restoration and the use of natural infrastructure to mitigate flooding and storm surge hazards, investigating and advancing opportunities to factor in climate change and environmental justice in decision-making, and developing regulatory controls to avoid, minimize, and compensate for wetland impacts. The Agency also will review these activities to identify ways to increase benefits to disadvantaged communities, advance climate adaptation and mitigation measures, evaluate methods for sharing best practices, including through websites, and encourage expansion of state and tribal programs to address changes in federal wetland and aquatic resource protections.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$7,308.0) This increase of resources will go towards helping states develop programs to protect wetlands that lost federal protection following the *Sackett* Supreme Court decision.

**Statutory Authority:**

Clean Water Act § 104(b)(3).

**Categorical Grant: Direct Implementation Tribal Cooperative Agreements**

Program Area: Categorical Grants

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

Objective(s): Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$0                      | \$0                         | \$25,000                         | \$25,000   |
| Total Budget Authority                    | \$0                      | \$0                         | \$25,000                         | \$25,000   |

**Program Project Description:**

U.S. environmental law requires that federal environmental programs are in place across the country, including in Indian Country. Programs are implemented in two ways: by federally recognized tribes through EPA delegations, authorizations, or approvals of EPA authorities; and by EPA, which is known as EPA direct implementation. Approximately 95 percent of federal environmental programs in Indian Country are directly implemented by EPA with the remaining programs implemented by tribes.

In FY 2025, EPA requests establishment of a new program to provide much needed dedicated funding under the Direct Implementation Tribal Cooperative Agreements (DITCAs) authority, which was established by Congress. This unique funding vehicle is available to EPA to fund tribes to carry out agreed upon federal implementation activities to assist EPA with implementation of federal environmental programs in Indian Country. DITCAs are the only EPA funding authority that allows EPA to fund tribes to perform EPA direct implementation activities; such activities cannot be funded by grants. DITCAs also provide a valuable tool for EPA to directly implement programs while simultaneously allowing the tribe to participate and gain valuable experience in the program as it is being implemented in their areas of Indian Country. EPA aims to devote at least half of this program’s funding to projects/initiatives that result in Tribes becoming more resilient to climate change impacts. Once established, it is expected to at least double the number of tribes receiving EPA assistance for EPA direct implementation activities while providing needed multi-media environmental protections.

DITCAs provide several distinct benefits to tribes. The use of DITCAs:

- Creates a critical avenue to partner with EPA in the implementation of meaningful environmental protection in Indian Country,
- Allows for flexibility to develop tribal staff capacity to manage environmental programs by partnering with EPA on implementation,
- Provides the opportunity to address specific tribal environmental needs and priorities,
- Respects tribes’ interest in determining the scope and pace of tribal involvement, and

- Provides tribes the opportunity to “test” their capacity to undertake these activities for potential applications for delegation, authorization, or approval of EPA authorities in the future.

Significantly, DITCAs also provide the opportunity for the tribes to address environmental conditions in Indian Country without having to undergo the primacy delegation, authorization, or approval process which can be expensive, lengthy, and may give rise to potential challenges to tribal jurisdiction.

This source of dedicated funding for Direct Implementation Tribal Cooperative Agreements will advance EPA direct implementation under a broad range of EPA responsibilities where EPA is legally required, or authorized, to implement the federal environmental program in the absence of an acceptable implementation program, and for federal environmental programs with statutes containing legal provisions allowing the delegation, authorization, or approval of those programs to tribes. EPA’s goal is to ensure that environmental programs inside Indian Country are as robust and protective as those same programs outside of Indian Country to protect human health and the environment.

While EPA has successfully implemented a small number of DITCAs since Congress authorized this mechanism, the FY 2025 President’s Budget represents the first time that the budget includes a separately identified funding source dedicated to this critical work. While the existing authority allows funding from other programs, it does not actually set aside such resources or identify them. Separate dedicated funding, as established in this new program, will maximize the tribal and EPA benefits of using a DITCA to implement federal programs in Indian Country and result in EPA reaching more underserved communities in need.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.1 Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels in the *FY 2022 - 2026 EPA Strategic Plan*. Activities will ensure a full and robust implementation of the laws that EPA administers in all areas in need of such protections while simultaneously honoring the federal trust responsibility to the hundreds of federally recognized tribes EPA works with throughout FY 2025.

Separate DITCA funding will fundamentally change the ability of EPA to direct funding to the highest priority direct implementation needs in Indian Country. OITA’s American Indian Environmental Office (AIEO) will lead and administer this effort. EPA will establish the DITCA award program, including criteria to fund high priority implementation activities. EPA staff will work directly with program offices and regional staff to coordinate and carry out the program.

#### **Performance Measure Target:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$25,000.0) This increase establishes funding for a new categorical grant program dedicated to providing support to federally recognized tribes to assist EPA's direct implementation efforts in Indian Country to improve environmental and human health concerns, absent a program delegation, authorization, or approval of EPA authorities to a tribe.

**Statutory Authority:**

DITCAs were initially authorized in the FY 2001 Appropriations Act (Pub. L. No. 107-73, 115 Stat. 686 (2001)) and have been authorized on an annual basis every fiscal year since then.

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; U.S.-Mexico-Canada Agreement (USMCA) Implementation Act, 19 U.S.C. §§ 4501-4372.

## Resource Recovery and Hazardous Waste Grants

Program Area: Categorical Grants

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$105,369</i>         | <i>\$105,000</i>            | <i>\$108,247</i>                 | <i>\$3,247</i>   |
| Total Budget Authority                    | \$105,369                | \$105,000                   | \$108,247                        | \$3,247  |

### Program Project Description:

The Resource Recovery and Hazardous Waste Grants Program helps states, territories, tribes, local governments, and non-profits implement both the Resource Conservation and Recovery Act (RCRA) and the Infrastructure Investment and Jobs Act (IIJA). Through RCRA, EPA and states protect human health and the environment by minimizing waste generation, preventing the release of millions of tons of hazardous wastes, and cleaning up land and water. Authorized states conduct the direct implementation of permitting, corrective action, and enforcement components of the RCRA Hazardous Waste Management Program. Through the IIJA, EPA works with states, territories, tribes, local governments, and non-profits to improve recycling infrastructure, education, and outreach through the Solid Waste Infrastructure for Recycling (SWIFR) grants and the Recycling Education and Outreach (REO) grants.

The RCRA hazardous waste grant funding supports all 50 states and six territories. Currently, 48 states and two territories are authorized to implement the RCRA Program. EPA directly implements the RCRA Program in the states of Iowa and Alaska and in Indian Country. EPA also provides project-specific small grants to tribes selected through a competitive process. To ensure statutory requirements are successful, EPA partners with state and local governments, as well as American businesses and non-governmental organizations, to significantly improve waste and material management practices. In FY 2025, EPA will continue a multi-year transition to an updated allocation formula to distribute Hazardous Waste Financial Assistance Grants to the states and work on further updating the data used within the formula. The Agency believes that using the most recent data will better align cooperative agreement funding to states' needs and maximize the environmental benefits and program performance of this funding. EPA will work in close consultation with the states during the development of the updated allocation formula and expects to begin implementation of a revised allocation in FY 2026.

The IIJA provides EPA with an unprecedented \$350 million in grant funding for the SWIFR grant program, which is focused on enhancing solid waste management infrastructure, and REO grant program, which is focused on improving consumer education on recycling and waste prevention. Other directives in the IIJA include development of a model recycling program toolkit for states, local governments, and tribes; and increasing coordination at the federal level on federal agencies' responsibilities under the Comprehensive Procurement Guidelines (CPG) Program (including the



frequency by which EPA must review the CPGs). In the very first round of funding awarded in FY 2023 and FY 2024, all 50 states, five territories and the District of Columbia received approximately \$32 million in funding; 25 local governments received approximately \$73 million in funding, 59 tribes and intertribal consortia received approximately \$60 million in funding, and 25 education and outreach recipients received approximately \$33 million in funding. The first round of SWIFR grants also were supplemented by annual appropriations under the Recycling Infrastructure program.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 – 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$3.2 million for its hazardous waste grant programs to continue to maintain state and territorial hazardous waste permitting programs and provide support to EPA's state and territorial partners in their efforts to minimize waste generation and prevent its release into communities. In FY 2025, the Agency (and authorized states) will continue to:

- Issue and renew permits to a portion of the 1,300 permitted hazardous waste treatment, storage, and disposal facilities. This includes working with industry, the public, and states to address issues related to management of hazardous waste through development and application of standards, permits, guidance, and training. In FY 2023, EPA and its state partners achieved 114 permit renewals issued at hazardous waste facilities and expect to meet the target of 105 permit renewals in FY 2024.
- Process permit modifications to keep pace with evolving business practices, technology, market conditions, and cleanup decisions.
- Update controls to encourage facilities to modernize technological systems, expand waste management capability, improve hazardous waste management practices, and make timely cleanup decisions.
- Inspect facilities to ensure compliance and safety.
- Oversee cleanups at hazardous waste management facilities and focus on milestones toward completing cleanup of the 3,983 priority contaminated facilities (the Corrective Action Progress Track), which include highly contaminated and technically challenging sites.
- Oversee cleanups at high priority contaminated hazardous waste management facilities and return cleaned up property to productive use. This includes working with state partners to ensure that responsible parties conduct effective and efficient cleanups that are protective of human health and the environment and reduce the burden on taxpayers.
- Draft implementation documents such as permits and orders, review site assessment plans and results, review remedy selection documents, oversee remedy implementation, oversee public participation, and track progress of cleanups.
- Work with tribes to develop tribal hazardous waste management plans; implement hazardous and universal waste tribal programs; and assist tribes in developing and implementing hazardous waste programs enforcement policies and procedures for tribes through the Tribal Hazardous Waste Grant Program.

- Continue to improve cleanup approaches, share best practices and cleanup innovations,<sup>57</sup> and address issues of emerging science.
- Distribute grant funds to assist states in adopting new permit programs for the management of coal combustion residuals.
- Make progress in updating permits to reflect current standards, technologies, and practices. This includes progress towards meeting the Agency’s goal of increasing the percentage of permits that are kept up to date. EPA continues to assess and respond to permitting program needs, which states and regions can adopt for greater permitting program efficiency.

In FY 2025, EPA will announce and award additional grants for states, territories, tribes, local governments, and non-profits utilizing the remaining SWIFR and REO IJA funds.

**Performance Measure Targets:**

Work under this program supports performance results in the RCRA Corrective Action and RCRA Waste Management Programs under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$3,247.0) This program increase provides support for implementation of state and territorial programs with an investment to further assist EPA’s partners in achieving progress on the ground.

**Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act § 3011; Consolidated Appropriations Act, 2018, Pub. L. 115-141; Infrastructure Investment and Jobs Act (IIJA), Pub. L. 117-58.

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<sup>57</sup> For more information, please refer to: <https://www.epa.gov/hw/toolbox-corrective-action-resource-conservation-and-recovery-act-facilities-investigation-remedy>.

## **State and Tribal Assistance Grants (STAG)**

## **Diesel Emissions Reduction Grant Program**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Tackle the Climate Crisis

Objective(s): Reduce Emissions that Cause Climate Change

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$7,239</i>                   | <i>\$100,000</i>                     | <i>\$100,000</i>                          | <i>\$0</i>   |
| Total Budget Authority                    | \$7,239                          | \$100,000                            | \$100,000                                 | \$0  |

### **Program Project Description:**

The Diesel Emissions Reduction Act (DERA) Grant Program provides support for emission reductions from existing diesel engines through engine replacements, including zero emission replacements, retrofits, and rebuilds; switching to cleaner fuels; idling reduction; and other emission reduction strategies. The DERA Program was initially authorized in Sections 791-797 of the Energy Policy Act of 2005 and reauthorized by the Diesel Emission Reduction Act of 2010 and in the Consolidated Appropriations Act of 2021.

Diesel engines remain the modern-day workhorse of the American economy (*e.g.*, goods movement, construction, public transportation). Diesel engines are extremely efficient and power nearly every major piece of equipment on farms, construction sites, in ports, and on highways. As the Agency's heavy-duty highway and nonroad diesel engines emissions standards came into effect, new cleaner diesel engines started to enter the Nation's fleet. However, there are millions of older engines in use that will continue to emit large amounts of nitrogen oxides and particulate matter, including black carbon.<sup>58</sup> DERA funding accelerates the pace at which dirty engines are retired or retrofitted. EPA's DERA Program promotes strategies to reduce these emissions and protect public health by working with air quality professionals, environmental and community organizations, manufacturers, fleet operators, tribes, and state and local officials. DERA funding provides both a public health and climate benefit and can be directed to areas with the greatest need. DERA funding is targeted to areas with air quality challenges and grants funding is prioritized for projects that benefit vulnerable communities.

Ports are places where large concentrations of diesel equipment often converge – including ships, trucks, rail, and nonroad machinery. The near-port communities that bear the brunt of air pollution from these diesel engines are often comprised of low-income populations and people of color. These residents can be exposed to air pollution associated with emissions from diesel engines at ports including particulate matter, nitrogen oxides, ozone, and air toxics. These pollutants can contribute to significant health problems, including premature mortality, increased hospital admissions for heart and lung disease, increased cancer risk, and increased respiratory symptoms, especially for children, the elderly, outdoor workers, and other sensitive populations. DERA prioritizes grant funding to ports and goods movement projects to benefit nearby communities.

<sup>58</sup> DERA Fifth Report to Congress: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1015S8Q.pdf>.

## **FY 2025 Activities and Performance Plan:**

Work in this Program directly supports Goal 1/Objective 1.1, Reduce Emissions that Cause Climate Change in the *FY 2022 - 2026 EPA Strategic Plan*.

Since it began, the DERA Program has provided funding support for cutting-edge clean technologies that reduce emissions from diesel-powered mobile sources. The continuing innovation shown in this sector is now creating new opportunities to look to more zero emission options in source categories ranging from highway trucks to port cargo handling equipment. EPA is committed to look for ways to help expedite this transition as part of its DERA implementation effort. Considering the DERA Program's continuing role in advancing environmental justice and tackling the climate crisis, EPA will evaluate the DERA Program to identify the best actions the Agency can take to support this policy objective in FY 2025, as outlined in Executive Order (EO) 14008: *Tackling the Climate Crisis at Home and Abroad*.

Work in this Program directly supports EO 14008 and its Justice40 Initiative to target 40 percent of the benefits of climate investments to disadvantaged communities. The DERA Program is covered under the Justice40 Initiative.

In FY 2025, the DERA Grant Program will prioritize projects that provide health benefits to residents of communities near centers of goods movement like ports that receive a disproportionate quantity of air pollution from diesel fleets. Further priority will be given to projects whose leaders engage and partner with affected communities with environmental justice concerns.

Using the formula outlined in the Energy Policy Act of 2005, eligible states and territories are offered 30 percent of the annual DERA appropriation to implement projects under the DERA State Grants Program. The remaining DERA funding is awarded as rebates and competitive grants. Through the DERA National Grants and the DERA Tribal and Insular Area Grants, the Agency will competitively award grants focusing on areas with poor air quality, especially those impacted most severely by emissions from ports and goods movement. Priority for funding also is given to projects benefitting vulnerable communities and projects which engage communities in the design and performance of the project. EPA will continue to track, assess, and report the results of DERA grants, such as numbers of engines, emissions benefits, and cost-benefit information.<sup>59</sup> Further, EPA will continue to provide diesel emission reduction technology verification and evaluation and provide that information to the public.<sup>60</sup>

## **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

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<sup>59</sup> List of all grant awards under DERA can be found at <https://www.epa.gov/cleandiesel/clean-diesel-national-grants>.

<sup>60</sup> For more information, please visit: <https://www.epa.gov/cleandiesel>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

The Diesel Emissions Reduction Program is authorized by Title VII, Subtitle G of the Energy Policy Act of 2005, 42 USC 16131, *et seq.*, as amended.

## **Brownfields Projects**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <b>\$87,833</b>                  | <b>\$100,000</b>                     | <b>\$114,482</b>                          | <b>\$14,482</b>  |
| Total Budget Authority                    | \$87,833                         | \$100,000                            | \$114,482                                 | \$14,482   |

### **Program Project Description:**

The Brownfields Program awards grants and provides technical assistance to help states, tribes, local communities, and other stakeholders involved in environmental revitalization and economic redevelopment to work together to plan, inventory, assess, safely cleanup, and reuse brownfields sites, particularly in disadvantaged communities. Approximately 160 million people (roughly 48 percent of the U.S. population) live within three miles of a brownfields site that received EPA funding.<sup>61</sup> Similarly, within a half mile of a brownfields site receiving EPA funding, 20 percent of people live below the national poverty level, 16 percent have less than a high school education, 54 percent are people of color, and seven percent are linguistically isolated. This idle land drags down property values and can slow a local economy.

Brownfields redevelopment is a key to revitalizing main streets, neighborhoods, and rural communities, as well as increasing property values and creating jobs, especially for those communities with persistent poverty and environmental justice (EJ) concerns that are often left out of economic and environmental revitalization. Important environmental impacts of brownfields cleanup and redevelopment include improved water quality associated with reduced runoff from stormwater and nonpoint pollutant sources, and improved air quality associated with reduced greenhouse gas emissions from vehicle travel.<sup>62</sup> The Brownfields Program leverages federal, state, and local resources to strengthen partnerships across all levels of government and with the private sector, allowing these partners to build on each other's successes.

Since its inception, the Brownfields Program has fostered a community-driven approach to the reuse of contaminated sites. As of December 2023, grants awarded by the Program have led to over 10,800 properties made ready for productive use and over 270 thousand jobs and over \$40.4 billion leveraged.<sup>63</sup> By awarding brownfields grants, EPA makes investments in communities so that they can realize their own visions for land reuse, infrastructure development, economic growth, and job creation.

<sup>61</sup> U.S. EPA, Office of Land and Emergency Management, 2023. Data collected includes: 1) Brownfields site information from ACRES as of the end of FY 2022; 2) Population data from the 2017-2021 American Community Survey.

<sup>62</sup> For more information on Brownfields Program Environmental & Economic Benefits please refer to: <https://www.epa.gov/brownfields/brownfields-program-environmental-and-economic-benefits>.

<sup>63</sup> From ACERS.

Under this program, EPA will focus on core activities, providing funding for: 1) assessment cooperative agreements and Targeted Brownfields Assessments (TBAs); 2) cleanup and multipurpose cooperative agreements; and 3) research, training, and technical assistance to communities for brownfields-related activities, including land revitalization assistance, environmental workforce development, and job training cooperative agreements.

A 2017 study found that housing property values increased five to 15.2 percent near brownfields sites when cleanup was completed.<sup>64</sup> Analysis of the data near 48 brownfields sites shows that an estimated \$29 to \$97 million in additional tax revenue was generated for local governments in a single year after cleanup. This is two to seven times more than the \$12.4 million EPA contributed to the cleanup of those brownfields sites.<sup>65</sup> In addition, based on historical data provided by the Assessment Cleanup and Redevelopment Exchange System (ACRES) database, \$1 of EPA's Brownfields funding leverages \$19.78 in other public and private funding.<sup>66</sup>

In addition, the Infrastructure Investment and Jobs Act (IIJA) invests \$1.2 billion to scale up community-led brownfields revitalization from FY 2022 through FY 2026. This work includes direct grants and technical assistance to assess and clean up brownfields sites, train and place people in environmental jobs, and assist hundreds of communities in identifying equitable reuse options to cultivate healthy, resilient, and livable neighborhoods.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an investment of approximately \$14.5 million to advance EJ in tandem with climate work. This investment will align with the Administration's Justice40 initiative by stimulating economic opportunity and environmental revitalization in more than 400 historically overburdened communities. These resources will build on current work to revitalize communities across the country by providing financial and technical assistance to assess, conduct cleanup, and plan reuse at brownfields sites. The Brownfields Program will continue to foster federal, state, tribal, local, and public-private partnerships to return properties to productive economic use, including in historically disadvantaged communities and communities with EJ concerns.

The activities described below will leverage approximately 12,135 jobs and \$2.3 billion in other funding sources.<sup>67</sup>

- Funding will support at least 139 assessment cooperative agreements that recipients may use to inventory, assess, and conduct cleanup and reuse planning at brownfields sites.

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<sup>64</sup> Haninger, K., L. Ma, and C. Timmins. 2017. The Value of Brownfield Remediation. *Journal of the Association of Environmental and Resource Economists*, 4(1): 197-241, <https://www.journals.uchicago.edu/doi/pdfplus/10.1086/689743>.

<sup>65</sup> Sullivan, K. 2017. Brownfields Remediation: Impact on Local Residential Property Tax Revenue. *Journal of Environmental Assessment Policy and Management*, 19(3), <http://dx.doi.org/10.1142/S1464333217500132>.

<sup>66</sup> For more information, please visit [www.epa.gov/brownfields](http://www.epa.gov/brownfields).

<sup>67</sup> U.S. EPA, Office of Land and Emergency Management Estimate. All estimates of outputs and outcomes are supported by the data that is entered by cooperative agreement recipients via EPA's ACRES database.



Approximately 1,250 site assessments will be completed under these agreements, including in communities affected by the retirement of coal-fired power plants.

- Funding will support at least 20 multipurpose cooperative agreements that recipients may use to assess, conduct cleanup, and conduct reuse planning at one or more brownfields sites. At least 20 reuse plans, 20 site assessments, and 20 site cleanups will be completed under these agreements.
- EPA will provide funding for TBAs in up to 200 communities without access to other assessment resources or those that lack the capacity to manage a brownfields assessment grant. There is special emphasis for small, rural, and disadvantaged communities to submit requests for this funding to ensure equal access to brownfields assessment resources. These assessments will be performed through contracts and interagency agreements.
- Funding will support 20 Environmental Workforce Development & Job Training cooperative agreements. This funding will provide environmental job training for citizens to take advantage of new jobs created as a result of brownfields assessment, cleanup, and revitalization in their communities. These awards will lead to approximately 980 people trained and 680 placed in jobs.
- Funding also will support training, research, technical assistance cooperative agreements, interagency agreements, and contracts to support states, tribes, and communities for both the Brownfields and Land Revitalization Programs and other assistance mechanisms, as authorized under Comprehensive Environmental Response, Compensation, and Liability Act 104(k)(7).
- Funding will be provided for technical assistance to an estimated 150 small and disadvantaged communities.
- Funding for Revolving Loan Fund (RLF) and Cleanup cooperative agreements will be provided with IIIA funds and are not requested as part of the Agency’s FY 2025 request. IIIA waived the statutory cost share for RLF and cleanup cooperative agreements.

All estimates of outputs and outcomes are supported by the data that is entered by cooperative agreement recipients via the ACRES database and analyzed by EPA. Maintenance of ACRES focuses on the input of high-quality data, and robust analysis regarding program outcomes and performance will continue to be priorities during FY 2025.

**Performance Measure Targets:**

**(PM B29) Number of brownfields properties assessed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|
| <b>Target</b> | 1,300   |         |         |         | 1,400   | 1,650   | 1,650   | 1,650   | Properties |
| <b>Actual</b> | 1,919   | 1,693   | 1,772   | 1,682   | 1,637   | 1,894   |         |         |            |

**(PM B30) Number of brownfields sites made ready for anticipated use.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> | 684     | 684     | 684     | 684     | 600     | 600     | 600     | 600     | Sites |
| <b>Actual</b> | 861     | 910     | 809     | 616     | 662     | 736     |         |         |       |

**(PM B32) Number of brownfields properties cleaned up.**

|               | <b>FY<br/>2018</b> | <b>FY<br/>2019</b> | <b>FY<br/>2020</b> | <b>FY<br/>2021</b> | <b>FY<br/>2022</b> | <b>FY<br/>2023</b> | <b>FY<br/>2024</b> | <b>FY<br/>2025</b> | <b>Units</b> |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------|
| <b>Target</b> | 130                |                    |                    |                    | 130                | 160                | 160                | 160                | Properties   |
| <b>Actual</b> | 143                | 190                | 183                | 168                | 173                | 169                |                    |                    |              |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$14,482.0) This program increase will build on current work to revitalize communities across the country by providing financial and technical assistance to assess, conduct cleanup, and plan reuse at brownfields sites.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) §§ 101(39) and 104(k).

**Infrastructure Assistance: Alaska Native Villages**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$41,810</i>                  | <i>\$39,686</i>                      | <i>\$41,000</i>                           | <i>\$1,314</i>   |
| Total Budget Authority                    | \$41,810                         | \$39,686                             | \$41,000                                  | \$1,314  |

**Program Project Description:**

The Alaska Rural and Native Village (ANV) Program provides critical basic drinking water and sanitation infrastructure (e.g., flushing toilets and running water) in vulnerable rural and Native Alaskan communities that lack such services. Alaskan rural and native water and sewer systems face not only the typical challenges associated with small system size, but also challenging climate and geographic conditions, such as permafrost, shortened construction seasons, and extremely remote locations.

ANV communities look to EPA as a critical funding source of when they or the State of Alaska are not able to fully finance the needed water infrastructure improvements. The Program serves communities that often lack the debt capacity to apply for other funding sources, including EPA State Revolving Loan Funds. The Indian Health Service’s (IHS) December 2023 analysis identified \$258 million of need for water and wastewater infrastructure in Alaska in FY 2022.<sup>68</sup> Many communities on the prioritized list have not been able to advance their projects due to lack of funding.

While the gains in the Program have been significant, ANV communities continue to trail behind the non-tribal/non-native population in the United States in access to water and sanitation. In Alaska, a significantly higher percentage of native and rural serviceable households live without complete indoor plumbing than the national average.

The ANV Program also supports training, technical assistance, and educational programs to improve the financial management, operation, and maintenance of sanitation systems. The training also results in a trained workforce with transferable job skills. This is done through leveraging prioritization and implementation expertise from the State of Alaska with ANV program funds. (The State of Alaska uses a risk-based prioritization process to fund projects that will have the greatest public health and environmental benefit. Further, the State delivers these services to ANV communities by coordinating across federal agencies and programs.)

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<sup>68</sup> Feasible need as defined by the IHS.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

The FY 2025 request of \$41.0 million will fund water infrastructure in rural Alaskan homes and maintain the existing level of wastewater and drinking water infrastructure that meets public health standards, given increased regulatory requirements on drinking water systems and the rate of construction of new homes in rural Alaska. The funding will be used to leverage funds provided to the IHS by Congress and particularly by the Infrastructure Investment and Jobs Act (IIJA) for the portion of the projects that are deemed ‘ineligible’ by IHS for IHS IIJA funding. Across all funding sources, the goal is to provide service to most of the remaining unserved homes over the course of the five years of the IIJA. Additionally, the request will continue to support training, technical assistance, and educational programs that protect existing federal investments in infrastructure by improving operation and maintenance of the systems. Improved operation and maintenance will improve system performance and extend the life of the asset.

In FY 2025, the Agency will continue to work with the State of Alaska to address sanitation conditions and maximize the value of the federal investment in rural Alaska. EPA will continue to implement the Alaska Rural and Native Village “*Management Controls Policy*,” adopted in June 2007, to ensure efficient use of funds by allocating them to projects that are ready to proceed or are progressing satisfactorily. The Agency has made great strides in implementing more focused and intensive oversight of the ANV grant program through cost analyses, post-award monitoring, and timely closeout of projects. These activities will help meet targets as part of the Justice40 pilot program.

## **Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

## **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,314.0) This program change is an increase to support water infrastructure in rural Alaskan homes and maintain the existing level of wastewater and drinking water infrastructure that meets public health standards, given increased regulatory requirements on drinking water systems and the rate of construction of new homes in rural Alaska.

## **Statutory Authority:**

Safe Drinking Water Act Amendments of 1996 § 303; Clean Water Act § 1263a.

## Infrastructure Assistance: Clean Water SRF

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$735,951</i></b>          | <b><i>\$775,752</i></b>              | <b><i>\$1,239,895</i></b>                 | <b><i>\$464,143</i></b>  |
| Total Budget Authority                           | \$735,951                        | \$775,752                            | \$1,239,895                               | \$464,143  |
| Total Workyears                                  | 4.4                              | 3.6                                  | 3.6                                       | 0.0  |

### Program Project Description:

The Clean Water State Revolving Fund (CWSRF) Program capitalizes state revolving loan funds in all 50 states and Puerto Rico to finance infrastructure improvements for public wastewater systems and projects to improve water quality. In addition to capitalizing state revolving loan funds, the CWSRF appropriation includes a provision for set-aside funding for tribes to address serious wastewater infrastructure needs and associated health impacts. A portion of the CWSRF appropriation also provides direct grant funding for the District of Columbia and United States territories. These funds directly support the Agency's goal to ensure waters are clean through improved water infrastructure and sustainable management. The CWSRF Program also implements American Iron and Steel (AIS),<sup>69</sup> the Build America Buy America Act,<sup>70</sup> and other provisions, as required by law.

The CWSRF Program is the largest source of federal funds for states to provide low-interest loans and other forms of assistance for water quality projects including construction of wastewater treatment facilities, water and energy efficiency projects, green infrastructure projects, and agricultural Best Management Practices (BMPs). This federal investment is designed to be used in concert with other sources of funds to address water quality needs.<sup>71</sup> Other tools, such as additional subsidization, are available as part of the CWSRF Program to assist small, rural, and overburdened and underserved communities. The CWSRF Program is a key component of EPA's efforts to achieve innovative solutions to wastewater infrastructure needs and realize economic and environmental benefits that will continue to accrue in the future.

The revolving nature of the funds and substantial state match contributions have greatly multiplied the federal investment. EPA estimates that for every federal dollar contributed thus far, the Nation has received more than three dollars of investment in water infrastructure. As of June 2023, the CWSRF Programs has provided a total of \$172 billion from all funding sources in affordable

<sup>69</sup> For additional information, please see: <https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement>.

<sup>70</sup> For additional information, please see: <https://www.epa.gov/cwsrf/build-america-buy-america-baba>.

<sup>71</sup> For additional information, please see: <http://www.epa.gov/cwsrf>.

financing for a wide variety of wastewater infrastructure and other water quality projects.<sup>72</sup> In 2023, over 1,600 assistance agreements were made with communities of all sizes, funding over \$8.8 billion in projects aimed at treating wastewater, addressing stormwater runoff, tackling non-point source pollution, and addressing a myriad of other environmental issues.<sup>73</sup>

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

The federal investment in the CWSRF in FY 2025 will continue to support progress toward meeting the Nation's clean water needs and infrastructure priorities while creating good paying jobs. The infrastructure and other water management projects receiving low interest loans and additional subsidization from the CWSRF protect public health, strengthen the economy and local neighborhoods, and contribute to healthy ecosystems. Underserved communities can benefit from the program because its low-cost financing and additional subsidization make these needed investments more affordable.

EPA continues to work with states to meet several key objectives, such as:

- Linking projects to environmental results;
- Targeting funding and technical assistance to rural, small, and disadvantaged communities with limited ability to repay loans; and
- Ensuring the CWSRFs remain reliable sources of affordable funding.

In FY 2025, EPA is requesting over \$1.2 billion to provide funding for critical wastewater infrastructure through the CWSRF Program. Funding requested in FY 2025 would complement the robust investments provided for the SRFs in the Infrastructure Investment and Jobs Act (IIJA). The requested level supports several priority areas including improving resilience to natural hazards such as climate change; addressing environmental justice concerns by providing resources to remedy disproportionate levels of pollution in vulnerable communities; and creating good paying jobs. The Program will encourage states to prioritize funding for projects focused on climate change resiliency. These funding levels advance infrastructure repair and replacement and would allow states, municipalities, and other eligible borrowers to continue to finance high-priority investments that improve water quality and protect human health. EPA will complete annual reviews of each State CWSRF Program to help evaluate if states are effectively implementing the CWSRF program.

The FY 2025 budget includes \$80 million for the complementary Water Infrastructure Finance and Innovation Act (WIFIA) Program. Through the WIFIA Program, EPA will make direct loans to regionally or nationally significant water infrastructure projects. The combined investments of the SRFs and WIFIA Program advance the Agency's ongoing commitment to infrastructure repair and replacement. These funds represent a major investment in water infrastructure and will create

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<sup>72</sup> Clean Water State Revolving Fund National Information Management System. U.S. EPA, Office of Water, National Information Management System Reports: Clean Water State Revolving Fund (CWSRF). Washington, DC (As of June 30, 2023).

<sup>73</sup> Clean Water State Revolving Fund National Information Management System. U.S. EPA, Office of Water, National Information Management System Reports: Clean Water State Revolving Fund (CWSRF). Washington, DC (As of June 30, 2023).

thousands of good paying jobs across the country.

To help drive progress, EPA has established a target to increase the cumulative amount of non-federal dollars leveraged by water infrastructure programs (CWSRF, Drinking Water State Revolving Fund (DWSRF), and WIFIA), with a goal of \$9.5 billion in FY 2025. In FY 2023, over \$11.4 billion of non-federal funds leveraged by these programs, increasing the funds available to improve, repair, and modernize the Nation's water infrastructure.

The FY 2025 capitalization of the CWSRF would supplement the \$172 billion in total assistance provided over the life of the program. The assistance provided in 2023 from federal capitalization, state contributions, and repayments was over \$8.5 billion.

In addition to capitalizing the CWSRF Program, a portion of the appropriation also will provide grants to tribes, District of Columbia and four territories. Many of these communities need assistance because they do not have the required resources to upgrade wastewater infrastructure, causing significant public health and environmental concerns. To ensure sufficient resources are directed toward these communities, EPA continues to request a tribal set-aside of two percent, or \$30 million, whichever is greater, of the funds appropriated in FY 2025. EPA also continues to request a set-aside of 1.5 percent of the funds appropriated for the territories of American Samoa, Guam, the Commonwealth of Northern Marianas, and the United States Virgin Islands. These activities will help work toward meeting targets as part of the Justice40 pilot program.

EPA requests that up to \$2 million of the tribal set-aside be used for training and technical assistance related to the operation and management of tribal wastewater treatment works. EPA also requests the ability to use the tribal and territorial set-asides to support:

- planning and design of treatment works; and
- the construction, repair, or replacement of privately-owned decentralized wastewater treatment systems serving one or more principal residences or small commercial establishments (*e.g.*, septic systems).

This authority is similar to those already available to states. Giving EPA the authority to provide expanded support for planning and design will protect the federal investment in wastewater infrastructure and ensure access to safe wastewater treatment for tribes and territories that face significant challenges with sanitation infrastructure. The ability for both the tribes and territories to construct, repair, or replace decentralized wastewater treatment systems will allow the flexibility that these communities require to provide wastewater infrastructure that is appropriate for the unique circumstances of each community.

Funding future Clean Watershed Needs Surveys (CWNS) remains a priority.<sup>74</sup> The CWNS is a comprehensive assessment of the capital needed to meet the water quality goals of Sections 205(a) and 516 of the Clean Water Act. This assessment and documentation of future needs is critical in the effort to manage and fund our nation's wastewater infrastructure. A comprehensive CWNS is an important tool for identifying critical water quality needs in communities across the Nation, including rural, small, and disadvantaged communities. It also helps assess the scope of investments needed to reduce the vulnerability of water infrastructure to natural hazards, including

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<sup>74</sup> For additional information, please see: <https://www.epa.gov/cwns>

climate change. The FY 2023 appropriation provided a \$1.5 million set-aside from the CWSRF allowing EPA to continue to conduct the CWNS. EPA requests that this appropriation language continue in FY 2025 -to ensure sufficient resources for the next CWNS.

EPA will partner with states to ensure that the CWSRF Program continues to play an important role in promoting efficient system-wide planning; improvements in technical, financial, and managerial capacity; and the design, construction, and ongoing management of sustainable water infrastructure. To streamline data collection and reduce reporting burden, EPA in FY 2022 redesigned the databases used to collect performance information about the CWSRF and DWSRF Programs. The goal of this effort is to reduce reporting burden by eliminating redundancy and providing a more user-friendly interface for states to submit data. EPA completes annual reviews of each state’s CWSRF to help assess the effectiveness of the Program.

Additionally, IJA (Public Law 117-58) includes \$2.828 billion for this program in FY 2025.

**Performance Measure Targets:**

**(PM INFRA-01) Billions of non-federal dollars leveraged by EPA's water infrastructure finance programs (CWSRF, DWSRF and WIFIA).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| <b>Target</b> | 8.0     | 8.0     | 8.0     | 8.0     | 9.0     | 9.5     | 9.5     | 9.5     | Billions of Dollars |
| <b>Actual</b> | 9.7     | 10.3    | 10.2    | 12.1    | 14.6    | 11.4    |         |         |                     |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$1,331.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefit costs.
- (+\$465,474.0) This program change represents an increase to the states’ revolving funds and restores funding for non-earmarked projects, that, combined with IJA funding, will help communities, and increase support to the states.

**Statutory Authority:**

Title VI of the Clean Water Act.



**Infrastructure Assistance: Clean Water Congressionally Directed Spending**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$80,622</i></b>           | <b><i>\$863,109</i></b>              | <b><i>\$0</i></b>                         | <b><i>-\$863,109</i></b>   |
| Total Budget Authority                           | \$80,622                         | \$863,109                            | \$0                                       | -\$863,109   |
| Total Workyears                                  | 0.0                              | 0.0                                  | 0.0                                       | 0.0  |

**Program Project Description:**

The purpose of the Congressionally Directed Spending is to provide grants to specific communities to work on specific water infrastructure projects. In recent years, Congress has set aside funding from the SRFs to fund these Congressionally Directed Spending projects, which do not move through the State Revolving Funds, and do not recycle to facilitate future projects. Grants and work provided by this program can be accomplished with the restoration of funding for non-Congressionally Directed Spending projects within the Clean Water State Revolving Fund.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$863,109.0) This program change is directly attributable to reducing \$863 million in funding for congressionally directed community projects. This earmarked funding does not move through the State Revolving Funds and does not recycle to facilitate future projects.

**Statutory Authority:**

Title VI of the Clean Water Act.

## **Infrastructure Assistance: Drinking Water SRF**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|  | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|--|--------------------------|-----------------------------|----------------------------------|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$504,799</i></b>  | <b><i>\$516,845</i></b>     | <b><i>\$1,126,105</i></b>        | <b><i>\$609,260</i></b>                                      |
| Total Budget Authority                           | \$504,799                | \$516,845                   | \$1,126,105                      | \$609,260  |
| Total Workyears                                  | 0.9                      | 1.4                         | 1.4                              | 0.0  |

### **Program Project Description:**

EPA’s Drinking Water State Revolving Fund (DWSRF) is designed to assist public water systems in financing the costs of drinking water infrastructure improvements needed to achieve or maintain compliance with Safe Drinking Water Act (SDWA) requirements, protect public health, and support state and local efforts to protect and provide drinking water. These funds finance critical infrastructure necessary to ensure safe drinking water for all Americans while creating good paying jobs and upgrading and modernizing America’s drinking water systems. The 2021 Drinking Water Infrastructure Needs Survey and Assessment (7<sup>th</sup> DWINSA) indicated a 20-year capital investment need of \$625 billion for public water systems that are eligible to receive funding from state DWSRF Programs. The capital investment needs covered community water systems (CWS), not-for-profit non-community water systems (NPNCWS), American Indian water systems, and Alaska Native Village (ANV) water systems. The 7<sup>th</sup> DWINSA need reflected costs for rehab and replacement of distribution pipes and deteriorating storage tanks, and treatment equipment, as well as identifying and replacing lead service lines and addressing emerging contaminants in drinking water to protect public health and ensure compliance with the SDWA. In addition, EPA collected lead service line material information for the first time as a part of the 7<sup>th</sup> DWINSA.<sup>75</sup> This information is used to distribute the Infrastructure Investments and Jobs Act (IIJA) DWSRF Lead Service Line Replacement (LSLR) funding starting in FY 2023.

To reduce public health risks and help ensure safe and reliable delivery of drinking water nationwide, EPA makes capitalization grants to states to provide low-cost loans and other assistance to eligible public water systems and maintain robust drinking water protection programs. In addition to maintaining the statutory focus on addressing the greatest public health risks first, states can help those most in need on a per household basis according to state affordability criteria and can utilize set-asides to assist small systems. To maintain a focus on communities most in need, states are required to provide a portion of their capitalization grant as additional subsidization to disadvantaged communities.

<sup>75</sup> For more information please see: <https://www.epa.gov/dwsrf/epas-7th-drinking-water-infrastructure-needs-survey-and-assessment>.

The DWSRF Program provides communities access to critical low-cost financing and offers a subsidy to help utilities address long-term needs associated with water infrastructure. Most DWSRF assistance is offered as loans which water utilities repay from the revenues they generate from the rates they charge their customers for service. Water utilities in many communities may need to evaluate the rate at which they invest in drinking water infrastructure repair and replacement to keep pace with their aging infrastructure, many of which may be approaching the end of their lives.

EPA works with states to ensure that DWSRF infrastructure and technical assistance funds are available to water systems in disadvantaged communities that have the most significant drinking water challenges. EPA emphasizes assistance to projects which reduce lead, address emerging contaminants, and help water systems achieve resiliency to natural and manmade hazards, including climate change and cybersecurity.

This request complements the historic amount of funding provided in the IIJA, (Public Law 117-58) which includes \$6.403 billion for this program in FY 2025.

### State Set-Asides

States have considerable flexibility to tailor their DWSRF program to their unique circumstances. This flexibility ensures that each state can carefully and strategically consider how best to achieve the maximum public health protection. To achieve this, states may set aside and award funds for targeted activities that can help them implement and expand their drinking water programs. The four DWSRF state set-asides are:<sup>76</sup>

- Small System Technical Assistance (up to two percent);
- Administrative and Technical Assistance (up to four percent, \$400 thousand or one-fifth percent of the current valuation of the fund, whichever is greater);
- State Program Management (up to ten percent); and
- Local Assistance and Other State Programs (up to fifteen percent).

Taken together, approximately 31 percent of a state's DWSRF capitalization grant may be set aside for activities other than infrastructure construction. These set-asides enable states to improve water system operation and management, emphasizing institutional capacity as a means of achieving sustainable water system operations. Most recently, states have taken on average 15 percent of the available 31 percent for set-aside activities. States can utilize these set-aside funds to help drinking water systems, especially those in small and disadvantaged communities, increase their technical, managerial, and financial capacity and receive the planning and capacity building assistance they need to effectively manage the systems and plan for the future.

### Non-Federal Funding Leveraging

The federal SRF investment is designed to be used with other sources of funds to address drinking water infrastructure needs. States are required to provide a 20 percent match for their capitalization grant from annual appropriations. Some states elect to leverage their capitalization grants through

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<sup>76</sup> For more information, please see: <https://www.epa.gov/drinkingwatersrf/how-drinking-water-state-revolving-fund-works#tab-5>.

the public debt markets to enable the state to provide more assistance. These features, including state match leveraging and the revolving fund design of the Program, have enabled the states to provide assistance exceeding 235 percent of the federal capitalization since the Program's inception in 1997. For every dollar the federal government invests in this program, the states, in total, have delivered over two dollars in assistance to water systems. In addition, the DWSRF's rate of funds utilized was 95 percent in 2023 (utilization is measured based on the state FY calendar which ended on June 30, 2023).<sup>77</sup>

The FY 2025 capitalization of the DWSRF would supplement almost more than \$57.3 billion in total assistance provided over the life of the Program, from all funding sources. The assistance provided in FY 2023 from federal capitalization, state contributions, and repayments was \$4.3 billion.

### National Set-Asides

Prior to allotting funds to the states, EPA reserves certain national level set-asides.<sup>78</sup> The statute requires that \$2 million be allocated to small systems to monitor for unregulated contaminants to facilitate their compliance with the monitoring and reporting requirements of the Unregulated Contaminant Monitoring Regulation (UCMR). In FY 2022 and 2023, EPA requested and received authority to set aside \$12 million to provide small systems with the resources needed to implement the new statutorily mandated expansion of the UCMR Program. Section 2021 of the America's Water Infrastructure Act (AWIA) of 2018 requires, subject to availability of appropriations and adequate laboratory capacity, all Public Water Systems (PWSs) serving 3,300 to 10,000 persons to monitor under future UCMR cycles. It also requires EPA to ensure that a nationally representative sample of PWSs serving fewer than 3,300 persons monitor under future UCMR cycles. In FY 2025, EPA proposes to again set-aside \$12 million for this new statutory mandate.

The 1996 SDWA established the current UCMR program. It includes statutory provisions that require EPA to coordinate and pay the monitoring costs for a representative selection of small water systems that serve fewer than 10,000 individuals. Historically under this emerging contaminant monitoring program, EPA would require sampling at 800 small water systems that would be selected to represent the over 60,000 small water systems throughout the United States. AWIA included statutory revisions amending SDWA and mandating (subject to the availability of appropriations) that EPA significantly expand the small water system monitoring program. Starting with UCMR 5 (FY 2022-2026), the total number of small systems monitored will increase by 7.5 times, from 800 to 6,000. This expansion will include all 5,200 public water systems that serve between 3,300 and 10,000 individuals and a representative selection of 800 systems serving fewer than 3,300 individuals.

EPA will direct up to two percent or \$20 million, whichever is greater, of annually appropriated funds to tribes and ANVs. These funds are awarded either directly to tribes or, on behalf of tribes, to the Indian Health Service through interagency agreements. Additionally, EPA will continue to set aside up to 1.5 percent for territories.

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<sup>77</sup> The cumulative dollar amount of loan agreements divided by cumulative funds available for projects.

<sup>78</sup> Safe Drinking Water Act Sections 1452(i)(1), 1452(i)(2), 1452(j), and 1452(o), as amended.

In addition, SDWA requires that all funds made available by a state DWSRF as authorized by SDWA Section 1452 (42 U.S.C. 300j-12) for the construction, alteration, maintenance, or repair of a public water system use iron and steel products produced in the United States. The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the DWSRF and the CWSRF for carrying out the provisions for management and oversight of the requirements of this section. Also, the Build America, Buy America Act, which was signed into law in 2021 under IIJA (Section 70911-17), requires that the funds made available for a federal financial assistance program must use iron, steel, manufactured products, and construction materials produced in the United States.

Additionally, EPA is requesting authority in the DWSRF to fund the DWINSA. Every four years, EPA works with states and community water systems to estimate the DWSRF eligible needs of system by state over the next 20 years. EPA uses this information as part of the formula for state allocations of the DWSRF. In April 2023, the Agency announced the new allotment formula, which was first used in FY 2023, based on the 7<sup>th</sup> DWINSA results. EPA released the 7<sup>th</sup> DWINSA Report to Congress in September 2023. Findings included infrastructure needs, estimates of lead service line prevalence and replacement costs, current concerns for a sustainable certified operator workforce, and an assessment of the uses of iron and steel products. In the Fall of 2023, EPA also conducted a one-time update of the service line material information, which will inform BIL LSLR SRF allotments starting in FY 2024. The FY 2025 request includes up to \$1.5 million set-aside from the DWSRF for the 8<sup>th</sup> and future DWINSAs to ensure there are consistent and reliable resources to fund this important work.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the FY 2022 - 2026 EPA Strategic Plan.

Work in this program also directly supports progress toward the FY 2024-2025 Agency Priority Goal: Reduce harmful lead exposure in drinking water through the replacement of lead service lines in communities. By September 30, 2025, increase the number of funded lead service line replacements by 500,000.<sup>79</sup>

In FY 2025, EPA will work to increase by \$9.5 billion the cumulative amount of non-federal dollars leveraged by water infrastructure finance programs (DWSRF, CWSRF and Water Infrastructure Finance and Innovation Act (WIFIA)). For FY 2025, EPA requests \$1.1 billion for the DWSRF to help finance public drinking water system infrastructure projects. EPA is not proposing funding for earmarks, which come at the expense of state funds. This will result in an increased state allocations in FY 2025 as compared to FY 2023. The funding will accelerate infrastructure replacements and investments across the nation. In FY 2025, EPA requests over \$2.3 billion for the Drinking Water and Clean Water State Revolving Funds (SRFs). The SRF infrastructure budget, combined with the funding from the WIFIA Program, and EPA Community Grants, provides robust funding for critical drinking and wastewater infrastructure.

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<sup>79</sup> Based on available data, EPA estimates that on average 73,000 lead service lines have been funded annually. The number of lead service line replacements funded will be tracked quarterly, but the two-year goal is to increase that number to 300%.

The requested funding level reflects documented needs for drinking water infrastructure and improvements to infrastructure in small and disadvantaged communities. EPA will continue to foster its strong partnership with the states to provide small system technical assistance with a focus on compliance with rules, operational efficiencies, and system sustainability and resiliency to ensure public health protection. In FY 2025, EPA also will continue to amplify information on available funding options for local utilities and state programs to meet critical infrastructure needs, especially in underserved and disadvantaged communities.

Furthermore, as a pilot program under Justice40, the Agency will leverage all available authorities, tools, and resources to meet key administration priorities in investments in overburdened and underserved communities. EPA will continue to work to target a significant portion of assistance from SRFs to small, overburdened, and underserved communities with limited ability to repay loans. In FY 2025, EPA is requesting that 14 percent of the funds provided to the states be available for additional subsidy and allow states to go above that percentage if there is an emergency declared for lead.

In FY 2025, the DWSRF Program will continue to implement the Clean Water and Drinking Water Infrastructure Sustainability Policy. This policy focuses on promoting system-wide planning that helps water systems:

- Align water infrastructure system goals.
- Analyze infrastructure alternatives, including energy efficient alternatives; and
- Ensure they have the financial capacity and rate structures to construct, operate, maintain, and replace infrastructure over time.

In FY 2025, EPA is continuing to emphasize strengthening small system technical, managerial, and financial capability through the Capacity Development Program, the Operator Certification Program, the Public Water System Supervision State Grant Program, and the DWSRF. The Capacity Development Program establishes a framework for states and water systems to work together to help small systems achieve the SDWA's public health protection objectives. The state Capacity Development Programs are supported federally by the Public Water System Supervision state grant funds and the set-asides established in the DWSRF. In FY 2025, EPA will continue to work with states to review and update their capacity development strategies to include asset management as required by AWIA.

In addition, EPA will complete annual reviews of each State DWSRF Program to help evaluate if states are effectively implementing the DWSRF Program effectively and implementing the Drinking Water Revolving Fund Program to facilitate community water system compliance with the SDWA.

**Performance Measure Targets:**

**(PM DW-02) Number of community water systems still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         | 875     | 640     | 450     | 425     | 400     | CWSs  |
| <b>Actual</b> | 1,718   | 1,128   | 1,048   | 654     | 537     | 466     |         |         |       |

**(PM DWT-02) Number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| <b>Target</b> |         |         |         |         | 100     | 55      | 35      | 30      | CWSs  |
| <b>Actual</b> |         |         |         |         | 74      | 54      |         |         |       |

**(PM INFRA-01) Billions of non-federal dollars leveraged by EPA's water infrastructure finance programs (CWSRF, DWSRF and WIFIA).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| <b>Target</b> | 8.0     | 8.0     | 8.0     | 8.0     | 9.0     | 9.5     | 9.5     | 9.5     | Billions of Dollars |
| <b>Actual</b> | 9.7     | 10.3    | 10.2    | 12.1    | 14.6    | 11.4    |         |         |                     |

**(PM INFRA-07) Number of lead service line replacements funded.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units              |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------------|
| <b>Target</b> |         |         |         |         |         |         | 222,000 | 500,000 | Lead Service Lines |
| <b>Actual</b> |         |         |         |         |         |         |         |         |                    |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$609,260.0) This program change represents an increase to the SRFs and restores funding for non-earmarked projects, that, combined with IJA funding, will help communities, and increase support to the states.

**Statutory Authority:**

Safe Drinking Water Act § 1452.

**Infrastructure Assistance: Drinking Water Congressionally Directed Spending**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$142,276</i></b>          | <b><i>\$609,256</i></b>              | <b><i>\$0</i></b>                         | <b><i>-\$609,256</i></b>   |
| Total Budget Authority                           | \$142,276                        | \$609,256                            | \$0                                       | -\$609,256   |
| Total Workyears                                  | 0.0                              | 0.0                                  | 0.0                                       | 0.0  |

**Program Project Description:**

The purpose of the Congressionally Directed Spending is to provide grants to specific communities to work on specific water infrastructure projects. In recent years, Congress has set aside funding from the SRFs to fund these Congressionally Directed Spending projects, which do not move through the State Revolving Funds, and do not recycle to facilitate future projects. Grants and work provided by this program can be accomplished with the restoration of funding for non-Congressionally Directed Spending projects within the Drinking Water State Revolving Fund.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the FY 2022 - 2026 EPA Strategic Plan.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$609,256.0) This program change is directly attributable to reducing \$609 million in funding for congressionally directed community projects appropriated in FY 2023. This earmarked funding does not move through the State Revolving Funds and does not recycle to facilitate future projects.

**Statutory Authority:**

Safe Drinking Water Act § 1452.



## Infrastructure Assistance: Mexico Border

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$33,698                 | \$36,386                    | \$36,386                         | \$0  |
| Total Budget Authority                    | \$33,698                 | \$36,386                    | \$36,386                         | \$0  |

### Program Project Description:

The U.S. and Mexico share more than two thousand miles of common border from the Gulf of Mexico to the Pacific Ocean and over 62 miles on either side of the international border. The border region is home to more than 15.2 million people with about 8 million living in the U.S. (U.S. Census Bureau 2017 estimates) and more than 7 million living in Mexico's Border Municipalities (Instituto Nacional de Estadística y Geografía-INEGI, 2015 estimate). Twenty-six U.S. federally recognized Native American tribes are in the U.S.-Mexico border region. Untreated sewage flowing north into the U.S. from Tijuana, Mexicali, and Nogales pollutes several rivers, such as the Tijuana and Santa Cruz rivers, and pollutes shared waters, such as the Rio Grande, the Pacific Ocean, and the Gulf of Mexico. The close proximity and intermingling of border communities that have poor quality drinking water and sanitation poses a serious risk of disease transmission.

EPA works collaboratively with United States (U.S.) federal, state, and local partners and the Mexican water agency--CONAGUA--through the U.S.-Mexico Border Water Infrastructure Program to fund planning, design, and construction of high-priority water and wastewater treatment facilities for underserved communities along the border. Investments in wastewater and drinking water infrastructure in communities on both sides of the U.S.-Mexico Border reduce disease and health care costs associated with exposure to raw sewage and drinking water contaminants causing acute and chronic illnesses. The U.S.-Mexico Border Water Infrastructure projects stimulate local economies through public health-related economic gains, job creation, and increased demand for goods and services.

Up to date, the Program has funded 143 projects. More than nine million people are benefiting from 129 completed projects, and almost 1.8 million people will benefit from projects currently under construction. Since 2003, the Program has provided approximately 61,179 homes with new or improved access to safe drinking water and around 968,410 homes with new or improved access to wastewater collection/treatment.

The EPA's Border Water Infrastructure Program is unique among federal funding programs. It funds projects on both sides of the border. Citizens of the U.S. benefit from all projects since all funded projects must demonstrate that they will provide a positive public health and/or

environmental benefit to the U.S., whether the project is in the U.S. or Mexico. For example, a wastewater project in Mexico can only be funded if that sewage would otherwise contaminate a U.S. waterbody. Treating these waters after they have been contaminated and have crossed the border into the U.S. is neither technically feasible nor financially viable.

U.S.-Mexico Border communities are looking to EPA as a last-resort funding source when utilities, cities, or states are not able to fully finance needed infrastructure improvements. The Program serves communities that often lack the capacity to apply for other funding sources, including EPA's State Revolving Funds. To improve opportunities for communities to request funding support for these critical investment needs, in FY 2017, EPA, in coordination with the North American Development Bank, modified the process to allow for applications to be submitted on a continuous basis through an on-line format available 24 hours a day/seven days per week. Since 2017, a total of 50 applications have been selected and are currently in development or construction. Those applications represent an estimated construction investment need of over \$471 million. The Program continues to receive new applications and evaluates these on, at least, a quarterly basis.

The Agency's investments in the Mexican side projects have represented only a third of the total project construction costs, while leveraging two thirds of the remaining total costs from the Mexican government and other funding sources. EPA's investment leverages Mexican funds that simultaneously benefit the U.S. and Mexico. If not for the Agency's investment, Mexican funds would likely be invested in other parts of Mexico that do not directly benefit the United States. Preventing raw sewage discharges to shared water resources is especially critical in a region that is already facing water scarcity challenges.

The U.S.-Mexico Border Program is one of the few federal programs that assists communities in the planning and design of water and sanitation infrastructure projects. Planning and design are essential to advance projects to a construction ready stage, create sustainable communities and access public and private funding. Thirty-two of the fifty selected projects that have construction costs estimated at over \$393 million are currently in the development phase. More than 4 million border residents will benefit once all these projects are complete.

The close bi-national cooperation in this program has improved public health and water quality. Improving access to clean and safe water is a key focus of the *Border 2025 Plan*,<sup>80</sup> the bi-national agreement that guides efforts to improve environmental conditions in the U.S.-Mexico Border region. EPA investments in these wastewater projects are protecting public health from waterborne diseases and have been a key factor in significant water quality improvements in U.S. waterbodies, such as the Rio Grande (Texas and New Mexico), Santa Cruz River (Arizona), New River (California), and Tijuana River and Pacific Ocean (California). In both the New River and the middle Rio Grande, for example, fecal coliform levels have dropped by over 80 percent because of jointly funded wastewater treatment plants built in Mexicali and Ojinaga, Mexico, respectively. The Santa Cruz River now supports a healthy fish population where a few years ago only bloodworms thrived.

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<sup>80</sup> For more information please visit: <https://www.epa.gov/usmexicoborder/border-2025-framework>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

With the requested \$36.4 million for FY 2025, the U.S.-Mexico Border Water Infrastructure Program will continue to fund high-priority water and wastewater infrastructure projects. Projects that receive funding have been evaluated and ranked using a risk-based prioritization system, which enables the Program to direct grant funding to projects that demonstrate human health benefits, cost-effectiveness, institutional capacity, and sustainability. EPA coordinates at local, national, and bi-national levels to assess the environmental needs and make prioritized funding decisions. All program funding will be invested in projects that, whether located in the U.S. or Mexico, provide a positive public health and/or environmental benefit to the U.S. The U.S. benefits include improved quality of U.S. water bodies and shared waters and reduced health risk to the U.S. population. The demonstration of a U.S. benefit is one of the fundamental eligibility criteria for projects seeking program assistance.

The U.S.-Mexico Border Water Infrastructure Program works with the ten border states (four U.S. and six Mexican) and local communities to improve the region's water quality and public health. The U.S. and Mexican governments will collaborate on water infrastructure projects to reduce health risks to residents, including vulnerable populations of children and the elderly, many of whom currently lack access to safe drinking water and sanitation. Additionally, by providing homes with access to basic sanitation, EPA and its partners will reduce the discharge of untreated wastewater into surface water and groundwater. These activities will help meet targets as part of the Justice40 pilot program.

FY 2025 funding will be allocated to a portion of the construction of projects that have completed planning and design and are ready to move to construction. Final decisions on the use of FY 2023 funding will be based on balancing the construction needs of fully designed projects with the planning and design needs of prioritized projects.

## **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

## **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

## **Statutory Authority:**

Treaty entitled "*Agreement between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, August 14, 1983.*"

**Targeted Airshed Grants**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Improve Air Quality and Reduce Localized Pollution and Health Impacts

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$34,669</i>                  | <i>\$69,927</i>                      | <i>\$69,927</i>                           | <i>\$0</i>   |
| Total Budget Authority                    | \$34,669                         | \$69,927                             | \$69,927                                  | \$0  |

**Program Project Description:**

The Targeted Airshed Grants Program awards competitive grant funding to reduce air pollution in nonattainment areas that were ranked as the top five most polluted areas relative to ozone, annual average fine particulate matter (PM<sub>2.5</sub>), or 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS). This program assists air pollution control agencies in conducting emission reduction activities in these nonattainment areas. The overall goal of the Targeted Airshed Grant Program is to reduce air pollution in the Nation’s areas with the highest levels of ozone and PM<sub>2.5</sub> ambient air concentrations.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.1, Improve Air Quality and Reduce Localized Pollution and Health Impacts in the *FY 2022 - 2026 EPA Strategic Plan*.

Work in this program directly supports the President’s priorities to tackle the climate crisis and advance environmental justice. The targeted airshed grant program provides funding to air pollution control agencies with responsibilities for the State Implementation Plan (SIP) or Tribal Implementation Plan (TIP) for the eligible nonattainment areas. This program can fund any activities that achieve documentable emission reductions to assist eligible nonattainment areas to meet the NAAQS.

Air pollution control agencies that have responsibilities for these areas will continue to implement projects that improve the air quality in the listed nonattainment areas. Expected projects include, but are not limited to:

- Replacing vehicles, engines, or equipment with cleaner alternatives;
- Replacing or retrofitting heat devices (e.g., wood burning stoves, fireplaces); and
- Other projects that achieve quantifiable emission reductions for the applicable pollutant(s), such as road paving or residential wood smoke reduction activities like providing dry seasoned wood.

Anticipated projects will achieve demonstrable reductions in air pollutants that contribute to the nonattainment status of the eligible areas, including reductions in direct PM<sub>2.5</sub>, nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOCs), sulfur dioxide (SO<sub>2</sub>), and/or ammonia. They will provide direct health and environmental benefits to communities. Priority funding for these grants goes to emission reduction projects that promote environmental justice in eligible nonattainment areas based on how well the projects will effectively address the disproportionate and adverse cumulative impacts (human health, environmental, climate-related and others) that have affected and/or currently affect people/communities of color, low income, tribal, and indigenous populations.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

**Safe Water for Small & Disadvantaged Communities**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$22,887</i></b>           | <b><i>\$30,158</i></b>               | <b><i>\$30,173</i></b>                    | <b><i>\$15</i></b>   |
| Total Budget Authority                           | \$22,887                         | \$30,158                             | \$30,173                                  | \$15   |
| Total Workyears                                  | 1.6                              | 1.0                                  | 1.0                                       | 0.0  |

The Infrastructure Investment and Jobs Act (Public Law 117-58) includes \$1 billion in FY 2025.

**Program Project Description:**

EPA awards Small and Disadvantaged Communities Drinking Water Grants to states to assist public water systems in underserved, small, and disadvantaged communities. The grants are designed to assist communities that are unable to finance activities needed to comply with the National Drinking Water Regulations and to respond to drinking water contaminants.

Since the inception of the Program, the Program has awarded over \$128 million in project grants funding to 43 states and tribal communities. These grants and the cost share requirement have contributed to over \$120 million in project investments, impacting over one million residents in small, underserved, and disadvantaged communities. The Program is in the process of making additional awards with FY 2023 funds and finding prospective projects to award once FY 2024 funds become available.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA is requesting \$30.2 million in FY 2025 to assist small and disadvantaged communities with improving their drinking water resources. The request will provide additional grant funding and support to address lead and other contaminants in drinking water, especially in small and disadvantaged communities. Many of these communities are rural and have limited access to other sources of funding. These grants are awarded as non-competitive grants to states, with a separate tribal allotment. The grant program supports overburdened and underserved communities that either have no household drinking water or wastewater services or are served by a public water system that violates or exceeds any maximum containment level, treatment technique, or action level. Projects eligible for assistance include those designed to:

- Return a public water system to compliance;
- Benefit overburdened and underserved communities on a per household basis;

- Provide household water quality testing, including testing for unregulated contaminants;
- Fund activities necessary and appropriate for a state to respond to a contaminant;
- Purchase point-of-entry or point-of-use filters and filtration systems that are certified by a third-party using science-based test methods for the removal of contaminants of concern; and
- Provide accurate and current information on the need for filtration and filter safety, including proper use and maintenance practices, and the options for replacing lead service lines (as defined in Safe Drinking Water Act section 1459B(a)) and removing other sources of lead in water.

With over \$30 million in grant funding, the Program is estimating that approximately 45 projects would receive funding. With a federal cost share of 10 percent, EPA estimates these projects would total \$33 million in project investment in small, disadvantaged, and underserved communities.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance performance results in the Drinking Water Programs under the EPM appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$8.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$7.0) This change will increase the resources available to states to help underserved, small, and disadvantaged communities.

**Statutory Authority:**

Water Infrastructure Improvements for the Nation Act, Title IV, Section 2104; Consolidated Appropriations Act, 2023, Pub. L.117-328.

## Reducing Lead in Drinking Water

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$32,301</i>          | <i>\$25,011</i>             | <i>\$64,479</i>                  | <i>\$39,468</i>  |
| Total Budget Authority                    | \$32,301                 | \$25,011                    | \$64,479                         | \$39,468   |
| Total Workyears                           | 1.6                      | 1.0                         | 1.0                              | 0.0  |

### Program Project Description:

The Reducing Lead in Drinking Water grant program was established in Section 2105 of the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN). The objectives of the grant program are to reduce the concentration of lead in drinking water by: 1) replacing lead service lines (LSLs); 2) identifying and addressing conditions that contribute to increased concentration of lead in drinking water; and 3) providing assistance to low-income homeowners to replace LSLs. The grant program supports the Biden-Harris Administration’s commitment to eliminating LSLs and the goal of ensuring clean and safe water for all by prioritizing applications from disadvantaged communities.<sup>81</sup> At the end of FY 2022, EPA had announced over \$73 million in available funding and commenced making awards. The grants included 22 projects across the nation, including tribal communities. Projects included LSL replacement, improvements in drinking water infrastructure, and lead remediation and replacement activities in schools and childcare facilities. These grant awards were finalized in FY 2023.

In FY 2024, the Agency plans to announce the next competition cycle for approximately \$35 million in grant funding to continue to reduce lead exposure in drinking water in underserved and overburdened communities.

### FY 2025 Activities and Performance Plan:

Work in this Program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*. Work in this Program also directly supports progress toward the FY 2024-2025 Agency Priority Goal: Reduce harmful lead exposure in drinking water through the replacement of lead service lines in communities. By September 30, 2025, increase the number of funded lead service line replacements by 500 thousand.<sup>82</sup>

<sup>81</sup> For more information please see: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/16/fact-sheet-the-biden-harris-lead-pipe-and-paint-action-plan/>.

<sup>82</sup> Based on available data, EPA estimates that on average 73 thousand lead service lines have been funded annually. The number of lead service line replacements funded will be tracked quarterly, but the two-year goal is to increase that number to 300 percent.



In FY 2025, work in this Program will directly support efforts related to the reduction of lead exposures and associated health impacts in disadvantaged communities, including support for infrastructure or treatment improvements in public drinking water systems, as well as the remediation or replacement of drinking water infrastructure in schools and childcare facilities.

The FY 2025 request includes over \$64 million for the Reducing Lead in Drinking Water grant program, which are intended to complement the Infrastructure Investment and Jobs Act (IIJA) funding provided for LSL replacements through the Drinking Water State Revolving Fund (DWSRF). EPA will provide grants to eligible entities to fund LSL replacement or remediation projects that meaningfully reduce the concentration of lead in drinking water with a priority for disadvantaged communities. The prioritization will be based on the disadvantaged community criteria established by the applicable state. This funding will support approximately 60 to 120 additional projects across the country in FY 2025. These activities also will help work toward meeting targets as part of the Justice40 pilot program.

**Performance Measure Targets:**

**(PM INFRA-07) Number of lead service line replacements funded.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units              |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------------|
| <b>Target</b> |         |         |         |         |         |         | 222,000 | 500,000 | Lead Service Lines |
| <b>Actual</b> |         |         |         |         |         |         |         |         |                    |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$6.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$39,462.0) This change increases the number of lead reduction projects that can be funded across the country.

**Statutory Authority:**

Water Infrastructure Improvements for the Nation Act, Title IV, Section 2105; Consolidated Appropriations Act, 2023, Pub. L. 117-328.

## Lead Testing in Schools

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$5,417</i>                   | <i>\$30,500</i>                      | <i>\$36,500</i>                           | <i>\$6,000</i>   |
| Total Budget Authority                    | \$5,417                          | \$30,500                             | \$36,500                                  | \$6,000  |

### Program Project Description:

The goals of the Voluntary Lead Testing in Schools Grant Program are to: 1) reduce children’s exposure to lead in drinking water; 2) help states target funding to schools and childcare facilities unable to pay for testing; 3) use the Training, Testing, and Taking Action (3Ts) approach to establish best practices for a lead in drinking water prevention program; 4) foster sustainable partnerships at the state and local level to facilitate both exchange of information among experts in the education and health sectors and more efficient use of existing resources; and 5) enhance community, parent, and teacher cooperation and trust. In November 2021, the Infrastructure Investments and Jobs Act amended the grant statute to allow for funding to include remediation of lead in drinking water and replacement of lead service lines in schools and childcare facilities.

In FY 2023, EPA announced the total availability of \$58 million in FY 2022 and 2023 grant funding, \$27.5 and \$30.5 million respectively, including \$3.73 million set aside for American Indian and Alaska Native Communities. Non-tribal program participants include all 50 states, the District of Columbia, Puerto Rico, American Samoa, and the U.S. Virgin Islands. The full funding amount has been allocated and is available for participant states and territories to use for eligible programmatic activities. Progress reporting for FY 2023 funds shows that a total of 11,300 schools and childcare facilities across the country have been tested for lead.

To date, this program has supported testing for lead in drinking water in over 20 thousand schools and childcare facilities, directly impacting over four million children. In FY 2023, approximately 6 thousand schools and 4 thousand childcare facilities were tested. The Agency also continues to work with the seven tribal consortia that were awarded \$4.3 million in grants to support lead testing in tribal schools and childcare programs.<sup>83</sup>

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*. Work in this program also directly supports progress toward the Agency Priority Goal: Reduce harmful lead exposure in

<sup>83</sup> For more information, please see: <https://www.epa.gov/tribaldrinkingwater/wiin-act-section-2107-lead-testing-school-and-child-care-program-drinking-water>.

drinking water through the replacement of lead service lines in communities. By September 30, 2025, the goal is to increase the number of funded lead service line replacements by 500 thousand.<sup>84</sup>

The Drinking Water and Wastewater Infrastructure Act of 2021 amended Safe Drinking Water Act (SDWA) Section 1464 (Lead Testing in Schools grant) to include remediation (termed “lead reduction”) in the statutory language. This important amendment allows program grants to support both water testing and remediation of the sources of the lead in drinking water in schools and childcare facilities. In FY 2025, EPA is requesting \$36.5 million to provide grants to support voluntary testing for lead contamination in drinking water at schools and childcare facilities and for remediation of sources of lead in the drinking water in those facilities. The FY 2025 funding will improve drinking water quality for vulnerable populations and help schools and childcare facilities better protect children in overburdened and underserved communities.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance performance results in the Drinking Water Programs under the EPM appropriation and the Drinking Water State Revolving Fund under the STAG appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$6,000.0) This program change is an increase in program resources to further address lead in drinking water, especially in small and disadvantaged communities.

**Statutory Authority:**

SDWA § 1464(d), as amended by the America's Water Infrastructure Act, Pub. L. 115-270 § 2006.

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<sup>84</sup> Based on available data, EPA estimates that on average 73 thousand lead service lines have been funded annually. The number of lead service line replacements funded will be tracked quarterly, but the two-year goal is to increase that number to 300 percent.

**Drinking Water Infrastructure Resilience and Sustainability**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$0</i>                       | <i>\$7,000</i>                       | <i>\$25,000</i>                           | <i>\$18,000</i>  |
| Total Budget Authority                    | \$0                              | \$7,000                              | \$25,000                                  | \$18,000   |

**Program Project Description:**

The Drinking Water Infrastructure Resilience and Sustainability Program assists public water systems serving small and underserved communities in the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience to natural hazards, including climate change. This program focuses on increasing water infrastructure investment and improving drinking water and water quality, especially in underserved and overburdened communities across the country.

The Program conducted outreach and launched the inaugural competition with a Request for Applications (RFA) on September 7, 2023, for \$19 million in funding (combined funding from FY 2020 through FY2023). The open application period for the competition closed on November 6, 2023, and EPA is currently reviewing the applications. Selections are anticipated to be completed in early 2024, with awards to follow.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA is requesting \$15 million for the Drinking Water Infrastructure Resilience and Sustainability Grant Program. This Program supports the Administration’s priority of assisting eligible entities in the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience to natural hazards, including climate change.

The FY 2025 request will allow EPA to fund projects across the country, accelerating the ability of public water systems to take action to improve their resilience, especially after natural hazard occurrences. The FY 2025 grants will support a wide range of locally relevant activities, including:

- Water conservation or the enhancement of water use efficiency;

- Modification or relocation of existing drinking water system infrastructure that is at risk of significant impairment by natural hazards, including risks to drinking water from climate change and flooding;
- Design or construction of desalination facilities to serve existing communities;
- Enhancement of water supply through watershed management and source water protection;
- Enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water; or
- Development and implementation of activities to increase the resilience of the eligible entity to natural hazards.

These grants help ensure that water systems across the country, especially those serving disadvantaged, rural, and small communities, have the resources needed to reduce the vulnerability of their water infrastructure to natural hazards.

**Performance Measure Targets:**

Work under this program supports performance results in the Drinking Water State Revolving Fund and Categorical Grant: Public Water System Supervision Programs under the STAG appropriation and the Drinking Water Programs under the EPM appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$18,000.0) This change is an increase that will fully fund the Program at the authorized level. This increase of resources supports water infrastructure in communities, ensuring access to safe drinking water, and supports the President’s priority of assisting eligible entities in the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience to natural hazards.

**Statutory Authority:**

America's Water Infrastructure Act, P.L. 115-270, Section 2005.

**Technical Assistance for Wastewater Treatment Works**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$40,617</i>                  | <i>\$27,000</i>                      | <i>\$18,000</i>                           | <i>-\$9,000</i>  |
| Total Budget Authority                    | \$40,617                         | \$27,000                             | \$18,000                                  | -\$9,000   |

**Program Project Description:**

This Program provides grants to nonprofit organizations to help rural, small, and tribal municipalities to 1) obtain Clean Water State Revolving Fund (CWSRF) financing; 2) protect water quality and achieve and maintain compliance with the requirements of the Clean Water Act (CWA); and 3) disseminate planning, design, construction, and operation information for small publicly owned wastewater systems and decentralized wastewater treatment systems. Program funding also provides training to operators, staff, and managers on sustainable and effective management, financial, and operational wastewater utility treatment practices.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

The FY 2025 request of \$18.0 million will continue funding for the Technical Assistance for Treatment Works Grant Program. The Program also supports environmental justice and work in underserved communities. Underserved communities are more likely to experience wastewater infrastructure challenges because of a lack of staff capacity and limited resources to pay for external expertise. In FY 2025, EPA will provide grants to nonprofit organizations to support training and technical assistance to help rural, small, and tribal municipalities obtain CWSRF financing, protect water quality and ensure CWA compliance, and share information on planning, design, construction, and operation of wastewater systems. These activities also will help achieve the goals of the Administration’s Justice40 Initiative. As of FY 2023, EPA has awarded about \$53 million in grants from this program, helping communities obtain water infrastructure financing.

**Performance Measure Targets:**

Work under this program supports performance results in the Drinking Water Programs and Surface Water Protection Programs under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$9,000.0) This program change redirects funding to other administration priorities.

**Statutory Authority:**

America's Water Infrastructure Act, P.L. 115-270, Section 4103 and Clean Water Action Section 104(b)(8).

**Sewer Overflow and Stormwater Reuse Grants**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|  | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|--|----------------------------------|--------------------------------------|---|--|
| <b><i>State and Tribal Assistance Grants</i></b> | <b><i>\$48,486</i></b>           | <b><i>\$50,000</i></b>               | <b><i>\$50,000</i></b>                    | <b><i>\$0</i></b>  |
| Total Budget Authority                           | \$48,486                         | \$50,000                             | \$50,000                                  | \$0  |
| Total Workyears                                  | 0.6                              | 0.0                                  | 0.0                                       | 0.0  |

**Program Project Description:**

The Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) Program provides grants to fund projects that can mitigate the effects of extreme weather events. These events increase storm water discharges as well as increase discharge of raw sewage from combined and sanitary sewer overflows. The grants fund projects that include green as well as gray infrastructure. Many underserved and marginalized communities will benefit from the work funded by these grants. States will provide grants to municipalities to manage combined sewer overflows, sanitary sewer overflows, and stormwater flows.<sup>85</sup>

EPA awards grants using a formula that captures sewer overflow and stormwater infrastructure needs.<sup>86</sup> To the extent eligible projects exist, 20 percent of the appropriated funds must be for projects utilizing green infrastructure, water and energy efficiency improvements, or other environmentally innovative activities. Section 50204 of the Infrastructure Investment and Jobs Act amends the OSG program to include a minimum of 25 percent of each state’s grant for eligible projects in rural or financially distressed communities.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

The FY 2025 request includes \$50 million for the OSG Program. These funds will be used to help local officials mitigate the impact of extreme weather events with an increased focus on rural and financially distressed communities. This investment supports the Administration’s priority for reducing climate pollution, advances environmental justice, and will support reaching targets under the Administration’s Justice40 Initiative. This grant program also advances the Administration’s priority for ensuring climate resilient infrastructure by funding projects that

<sup>85</sup> For more information please visit: <https://www.federalregister.gov/documents/2021/02/24/2021-03756/state-formula-allocations-for-sewer-overflow-and-stormwater-reuse-grants>.

<sup>86</sup> For more information please visit: <https://www.epa.gov/cwsrf/sewer-overflow-and-stormwater-reuse-municipal-grants-program>.



manage stormwater levels from extreme wet-weather events. In the 2012 Clean Watersheds Needs Survey, states reported a forward-looking 20-year infrastructure need for combined sewer overflows, sanitary sewer overflows, and stormwater management in the amount of \$99.8 billion. To date, the program has issued over \$98 million in grants to 44 different state entities.

**Performance Measure Targets:**

Work under this program supports performance results in the Drinking Water State Revolving Fund and Clean Water State Revolving Fund Programs under the State and Tribal Assistance Grants (STAG) appropriation and the Water Infrastructure Finance and Innovation Act (WIFIA) Program under the WIFIA appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

America's Water Infrastructure Act of 2018, P.L. 115-270, Section 4106, Infrastructure Investment and Jobs Act of 2021, P.L. 117-58, Section 50204, Sec 221 Clean Water Act (33 USC 1301).

## Water Infrastructure Workforce Investment

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$0                      | \$6,000                     | \$6,000                          | \$0  |
| Total Budget Authority                    | \$0                      | \$6,000                     | \$6,000                          | \$0  |

### Program Project Description:

Drinking water and wastewater utilities provide stable, rewarding, and high-quality careers. As utilities make critical investments in infrastructure, drinking water and wastewater, utilities also must invest in the development of a strong local workforce to strengthen communities and ensure a strong pipeline of skilled and diverse workers for today and tomorrow.

The innovative Water Infrastructure Workforce Development Investment Grant Program, created in consultation with the United States Department of Agriculture, provides competitive grants to be used to connect individuals to career opportunities at drinking water and wastewater utilities and increase public awareness of careers in this field. EPA selects experienced and qualified non-profit organizations, labor organizations, educational institutions, and public works departments that can work with a broad array of water utilities.

This Program supports efforts to increase representation from women, people of color, and tribes in this sector. Most jobs in this sector do not require college degrees, and apprenticeship and training programs can prepare people to have high-paying, meaningful professions that support the water sector and economic development in their communities.

### FY 2025 Activities and Performance Plan:

Work in this Program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

The FY 2025 request of \$6 million for the innovative Water Infrastructure Workforce Development Investment Grant Program will: 1) assist in the development of innovative water workforce development and career opportunities in the drinking water and wastewater utility sector and 2) expand public awareness about drinking water and wastewater utilities and connect individuals to careers in the drinking water and wastewater utility sector.<sup>87</sup> Program funding will support activities such as internship, pre-apprenticeship, apprenticeship, and post-secondary bridge programs; education programs for elementary, secondary, and higher education students;

<sup>87</sup>For more information, please see: <https://www.epa.gov/sustainable-water-infrastructure/innovative-water-infrastructure-workforce-development-program>.

regional industry and workforce collaboratives; secondary integrated learning laboratories; and leadership development. The Request for Applications for the FY 2023 resources closed in late 2023 and EPA is currently evaluating applications.

FY 2025 resources also will support nonprofit organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities.

**Performance Measure Targets:**

Work under this Program supports performance results in the Drinking Water State Revolving Fund and Clean Water State Revolving Fund Programs under the STAG appropriation and the Water Infrastructure Finance and Innovation Program (WIFIA) under the WIFIA appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

42 U.S.C. 300j-19e, AWIA, P.L. 115-270, Section 4304.

**Technical Assistance and Grants for Emergencies (SDWA)**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | \$0                              | \$0                                  | \$2,000                                   | \$2,000  |
| Total Budget Authority                    | \$0                              | \$0                                  | \$2,000                                   | \$2,000  |

**Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50101 of DWWIA authorizes EPA to make grants to states or publicly owned water systems to assist in responding to and alleviating any emergency situation (including cybersecurity events and heightened exposure to lead) when the Agency determines that there is a substantial danger to the public health.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to create this new grant program.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance performance results in the Drinking Water Programs under the EPM appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$2,000.0) This program change will fund the creation of the new grant program authorized under DWWIA to make grants to provide states or publicly owned water

systems to assist in responding to and alleviating any emergency situation.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50101.

**Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | \$0                              | \$5,000                              | \$5,000                                   | \$0  |
| Total Budget Authority                    | \$0                              | \$5,000                              | \$5,000                                   | \$0  |

**Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50107 of DWWIA authorizes EPA to create a grant program for the resilience and sustainability of public water systems serving more than 10 thousand people; including projects that increase resilience to natural hazards, cybersecurity vulnerabilities, or extreme weather events. Eligible activities include water conservation and efficiency, infrastructure modification or relocation, desalination, source water protection, energy efficiency, renewable energy, resiliency efforts, cybersecurity measures, or water conservation or reuse.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*. EPA plans to issue the first Request for Applications for this grant by the end of FY 2024.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance performance results in the Drinking Water Programs under the EPM appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50107.

**Indian Reservation Drinking Water Program**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$0</i>                       | <i>\$4,000</i>                       | <i>\$5,000</i>                            | <i>\$1,000</i>   |
| Total Budget Authority                    | \$0                              | \$4,000                              | \$5,000                                   | \$1,000  |

**Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50111 of DWWIA broadens the Indian reservation drinking water grant program to extend to projects on Indian reservations that connect, expand, or repair existing public water systems, as well as to include Clean Water Act water quality or sanitation projects for treatment works.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to continue this grant program.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance performance results in the Drinking Water Programs under the EPM appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,000.0) This program change will increase funding for the drinking water grant program to extend projects on Indian reservations.



**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50111.

**Clean Water Infrastructure Resiliency and Sustainability Program**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$0</i>                       | <i>\$0</i>                           | <i>\$25,000</i>                           | <i>\$25,000</i>  |
| Total Budget Authority                    | \$0                              | \$0                                  | \$25,000                                  | \$25,000   |

**Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50205 of DWWIA authorizes EPA to provide grants to municipality or an intermunicipal, interstate, or state agency for planning, designing, or constructing projects that increase the resilience of publicly owned treatment works (POTWs) to natural hazards or cybersecurity vulnerabilities.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to create this new grant program.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$25,000.0) This program change will fund the creation of the new grant program to municipalities and agencies for planning, designing, or constructing projects that increase the resilience of POTWs to natural hazards or cybersecurity vulnerabilities.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50205.

## **Small and Medium Publicly Owned Treatment Works Circuit Rider Program**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$0</i>                       | <i>\$0</i>                           | <i>\$5,000</i>                            | <i>\$5,000</i>   |
| Total Budget Authority                    | \$0                              | \$0                                  | \$5,000                                   | \$5,000  |

### **Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government's ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation's waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50206 of DWWIA authorizes EPA to provide grants to qualified nonprofits to assist owners and operators of small and medium publicly owned treatment works (POTWs). Grants will prioritize nonprofits that service communities that are overburdened or underserved.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to create this new grant program.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$5,000.0) This program change will fund the creation of the new grant program to assist owners and operators of small and medium POTWs.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50206.

## Grants for Low and Moderate Income Household Decentralized Wastewater Systems

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$0                      | \$0                         | \$5,000                          | \$5,000  |
| Total Budget Authority                    | \$0                      | \$0                         | \$5,000                          | \$5,000  |

### Program Project Description:

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50208 of DWWIA authorizes EPA to provide grants to nonprofits that provide assistance to low- and moderate-income individuals for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or the installation of a larger decentralized wastewater system designed to provide treatment for two or more households.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to create this new grant program.

### Performance Measure Targets:

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):

- (+\$5,000.0) This program change will fund the creation of the new grant program to allow EPA to provide grants for the construction, repair, or replacement of an individual

household decentralized wastewater treatment system; or the installation of a larger decentralized wastewater system designed to provide treatment for two or more households.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50208.

## Connection to Publicly Owned Treatment Works

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$0                      | \$0                         | \$3,000                          | \$3,000  |
| Total Budget Authority                    | \$0                      | \$0                         | \$3,000                          | \$3,000  |

### Program Project Description:

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50209 of DWWIA authorizes EPA to provide grants to publicly owned treatment works (POTWs) or nonprofits that assist individuals with the costs of connecting their household to a publicly owned treatment work.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to create this new grant program.

### Performance Measure Targets:

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):

- (+\$3,000.0) This program change will fund the grant program for POTWs or nonprofits that assist individuals with the costs of connecting their household to a publicly owned treatment work.



**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50209.

## Stormwater Infrastructure Technology

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$0                      | \$3,000                     | \$5,000                          | \$2,000  |
| Total Budget Authority                    | \$0                      | \$3,000                     | \$5,000                          | \$2,000  |

### Program Project Description:

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50217(b) of DWWIA authorizes EPA to establish a competitive grant program aimed at creating between three and five centers of excellence for new and emerging stormwater control infrastructure technologies.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to continue this grant program.

### Performance Measure Targets:

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):

- (+\$2,000.0) This program change will fund the grant program for municipalities and agencies to improve stormwater infrastructure by investing in new technologies.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50217(b).

**Alternative Water Sources Grants Pilot Program**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | \$0                              | \$0                                  | \$3,000                                   | \$3,000  |
| Total Budget Authority                    | \$0                              | \$0                                  | \$3,000                                   | \$3,000  |

**Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues across the country. Implementation of the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities.

Section 50203 of DWWIA authorizes EPA to provide grants to a water authority in the area of a state that is experiencing critical water supply needs, and may be used for engineering, design, construction, and final testing of alternative water source projects to meet critical water supply needs.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Funds are requested in FY 2025 to create this new grant program.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$3,000.0) This program change will fund the creation of the new grant program to help water authorities to find alternative water source projects to meet critical water supply needs.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50203.

**Enhanced Aquifer Use and Recharge**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$0</i>                       | <i>\$4,000</i>                       | <i>\$5,000</i>                            | <i>\$1,000</i>   |
| Total Budget Authority                    | \$0                              | \$4,000                              | \$5,000                                   | \$1,000  |

**Program Project Description:**

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) was enacted to help address numerous drinking water and wastewater issues nationwide. Implementing the Act will strengthen the federal government’s ability to invest in water infrastructure in communities in every state so that all Americans can continue to have access to safe drinking water and our Nation’s waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and assist underserved communities.

Section 50222 of DWWIA authorizes EPA to provide grants to carry out groundwater research of enhanced aquifer use and recharge in support of sole-source aquifers.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,000.0) This program increase provides additional funds to carry out the grants program related to groundwater research of enhanced aquifer use and recharge in support of sole-source aquifers.

**Statutory Authority:**

Drinking Water and Wastewater Infrastructure Act, P.L. 117-58, Section 50222.

**Water Sector Cybersecurity**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$0</i>                       | <i>\$0</i>                           | <i>\$25,000</i>                           | <i>\$25,000</i>  |
| Total Budget Authority                    | \$0                              | \$0                                  | \$25,000                                  | \$25,000   |

**Program Project Description:**

Cybersecurity represents a substantial concern for the water sector, given the prevalence of state-sponsored and other malevolent attacks on the sector as well as the sector’s inherent vulnerability and limited technical capacity to address cyber issues. The Nation’s drinking water and wastewater systems possess limited or no technical capacity to address cybersecurity risks. This competitive grant will help systems establish and build the necessary cybersecurity infrastructure to address rising threats. The Program also will support the Agency’s Infrastructure Investment and Jobs Act implementation priorities including preparing for and responding to cybersecurity challenges so that water systems are more resilient.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5, Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA is requesting \$25 million for a new competitive Water Sector Cybersecurity Grant Program. This program will provide grants for cybersecurity improvements to drinking water and wastewater systems. Specifically, grant money will be available to develop and implement programs to proactively mitigate the risk of cybersecurity attacks on drinking water and/or wastewater systems. This Grant Program would complement authorities provided by the Drinking Water and Wastewater Infrastructure Act allowing EPA to provide technical assistance and grants in the event of a cybersecurity emergency.

It is expected that eligible grantees will include water systems serving small, medium, and large communities. Receiving grants could be contingent upon completion of an approved cybersecurity assessment. An approved cybersecurity assessment may include an EPA cybersecurity assessment or a Cybersecurity and Infrastructure Security Agency (CISA) assessment. This Grant Program will complement cybersecurity work already underway at EPA.

**Performance Measure Targets:**

Work under this program supports Safe Drinking Water Act implementation and compliance performance results in the Drinking Water Programs under the EPM appropriation to support safe drinking water for the Nation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$25,000.0) This program change will support a new competitive grant program to advance cybersecurity infrastructure capacity and protections within the water sector.

**Statutory Authority:**

Safe Drinking Water Act.



## Recycling Infrastructure

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | <i>\$2,136</i>           | <i>\$6,500</i>              | <i>\$10,005</i>                  | <i>\$3,505</i>   |
| Total Budget Authority                    | \$2,136                  | \$6,500                     | \$10,005                         | \$3,505  |
| Total Workyears                           | 0.0                      | 0.5                         | 2.0                              | 1.5  |

### Program Project Description:

EPA’s Recycling Infrastructure program provides a critical opportunity to fund a range of high-impact projects to increase recycling, reduce contamination, and promote a circular economy for sustainable materials management by making much-needed investments in solid waste management infrastructure while delivering overall benefits of climate, clean energy, affordable and sustainable housing, clean water, and other investments to disadvantaged communities. EPA utilized funding provided by the Infrastructure Investment and Jobs Act (IIJA) to design and launch the Solid Waste Infrastructure for Recycling (SWIFR) grant program. Through the first round of funding awarded in FY 2023 and FY 2024, all 50 states, five territories, and the District of Columbia received approximately \$32 million in funding; 25 local governments received approximately \$73 million in funding, and 59 tribes and intertribal consortia received approximately \$60 million in funding. Continuing to support the SWIFR grant program through annual appropriations is critical to ensuring ongoing support for solid waste management improvements into the future.

The U.S. recycling industry provides approximately 680 thousand jobs and \$5.5 billion annually in tax revenues and there is opportunity for greater contribution to the economy and environmental protection, as recent data indicate materials worth as much as nine billion dollars are thrown away each year.<sup>88</sup> Recycling is an important part of a circular economy, which refers to a system of activities that is restorative to the environment, enables resources to maintain their highest values, and designs out waste. A circular economy approach provides direct, measurable reductions in greenhouse gas (GHG) emissions, as natural resource extraction and processing make up approximately 50 percent of total GHG emissions.<sup>89</sup>

Federal investment continues to be needed in the U.S. recycling system. The U.S. solid waste management infrastructure is struggling to maintain pace with rapidly evolving waste streams, leading to inefficient use of domestic resources.

<sup>88</sup> For more information, please refer to: <https://www.epa.gov/smm/recycling-economic-information-rei-report>.

<sup>89</sup> U.N. Environment International Resource Panel, Global Resources Outlook, 2019, p. 8. <https://www.resourcepanel.org/reports/global-resources-outlook>.

Working to build a circular economy supports President Biden’s Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad*. Improving and enhancing recycling infrastructure will reduce climate impacts from materials extraction and production, address disproportionate impacts of mismanagement of wastes on overburdened communities, create jobs, and provide feedstock for the manufacturing sector to produce essential products.

The 10-year vision for the circular economy program is to build and transform solid waste infrastructure in the United States to equitably reduce waste and manage materials to achieve a circular economy, reduce GHG emissions, and create cleaner, healthier, and more resilient communities.<sup>90</sup>

In FY 2023, EPA issued three types of funding opportunities within the SWIFR grant program, which are designed to fund a range of projects that will enable EPA to help states, territories, tribes, local governments, and communities improve their recycling and materials management infrastructure:

- **SWIFR Grants for States and Territories** provide states and territories with grants to support their long-term planning and data collection needs to demonstrate progress toward the National Recycling Goal of increasing the recycling rate from 32.1 percent to 50 percent by 2030, and the Food Loss and Waste Reduction Goal to reduce food loss and waste by 50 percent by 2030, while also advancing a circular economy for recycled materials. Territories will be able to utilize funds for equipment and construction related costs as part of their implementation of plans.
- **SWIFR Grants for Tribes and Intertribal Consortia** provide funds for tribes and intertribal consortia to develop or update plans focused on encouraging environmentally sound post-consumer materials management; establish, increase, or expand materials management infrastructure; and identify, establish, or improve end-markets for the use of recycled materials.
- **SWIFR Grants for Communities** provide funds to local governments to establish, increase, expand, or optimize collection and improve materials management infrastructure; reduce contamination in the recycled materials stream; and identify, establish, or improve end-markets for the use of recycled materials.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$3.5 million and 1.5 FTE to further assist EPA’s partners to achieve progress on the ground with investments in solid waste management infrastructure and post-consumer materials management. The SWIFR Grant Program will further help reduce waste, reduce greenhouse emissions, increase disadvantaged communities’ access to recycling programs and services, and create jobs. In FY 2025, the Agency will:

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<sup>90</sup> For more information, please refer to: [https://www.epa.gov/system/files/documents/2022-09/EPA\\_Circular\\_Economy\\_Progress\\_Report\\_Sept\\_2022.pdf](https://www.epa.gov/system/files/documents/2022-09/EPA_Circular_Economy_Progress_Report_Sept_2022.pdf).

- Continue to distribute funds to states and territories made available in IIJA and STAG annual appropriations and continue working with recipients.
- Continue to distribute funds made available in IIJA and STAG annual appropriations to tribes and intertribal consortia and continue working with them on implementation of their grants.
- Continue to distribute funds made available in IIJA and STAG annual appropriations to political subdivisions of states and tribes and continue working with them on implementation of their grants.
- Continue working with other EPA program offices to scope, develop, and offer technical assistance through grants funded through the annual appropriation.
- Provide oversight and monitoring to ensure grant funds are spent appropriately.
- Announce availability of additional grant funds for eligible entities.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$3,505.0 / +1.5 FTE) This program change increases support for states, territories, tribes, intertribal consortia, and political subdivisions of states for technical assistance in managing SWIFR grants and to make additional grant funds available to eligible entities. This investment includes the addition of 1.5 FTE to the 0.5 FTE funded through the administrative set-aside in the FY 2023 Enacted Budget. The FTE will assist in the management of the technical assistance grant programs and oversight of SWIFR grants. EPA is including appropriations language to reflect the increase needed to the administrative set-aside. This investment includes \$274.0 thousand for payroll.

**Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act § 3011; Save our Seas 2.0, 2020, Pub. L. 116-224; Infrastructure Investment and Jobs Act, Pub. L. 117-58.

## Wildfire Smoke Preparedness

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>State and Tribal Assistance Grants</i> | \$330                    | \$7,000                     | \$7,000                          | \$0  |
| Total Budget Authority                    | \$330                    | \$7,000                     | \$7,000                          | \$0  |
| Total Workyears                           | 0.3                      | 0.0                         | 0.0                              | 0.0  |

### Program Project Description:

The Wildfire Smoke Preparedness Program, which was funded for the first time in the FY 2022 appropriations, awards competitive grant funding to better prepare community buildings for wildfire smoke. These grants are intended to be distributed on a competitive basis to states, tribes, public pre-schools, local educational agencies, and non-profit organizations. No more than 25 percent of the available funding may go to recipients in any one state. There is a 10 percent cost-share requirement, which may be waived for projects involving facilities located in economically distressed communities. Eligible activities may include research, investigations, experiments, demonstrations, surveys, and studies intended for the assessment, prevention, control, or abatement of wildfire smoke hazards in community buildings (including schools) and related activities.

Wildfire smoke is an increasingly significant public health problem across the nation as climate change accelerates and intensifies fires. Over the past 20 years, the number of acres burned annually due to wildfires in the U.S. has doubled; in 2022, nearly 66,000 fires burned over 7.5 million acres.<sup>91</sup> Smoke plumes can have impacts over a large portion of our population, and the health impacts of wildfire smoke are significant, ranging from eye and throat irritation to asthma attacks, cardiovascular events, and even premature death. Many communities in the U.S. experience smoke from wildfires for days, weeks, or even months in a given year and over multiple fire seasons.

Wildfire smoke can make the outdoor air unhealthy to breathe. Local officials often advise people to stay indoors during a smoke event. However, some of the smoke from outdoors can enter homes and buildings and make it unhealthy to breathe indoor air, too. Buildings are varied and do not all provide the same level of protection against smoke. Factors such as the type of heating, ventilation, and air conditioning (HVAC) system, HVAC filter ratings and fit, and building tightness and maintenance can all impact how much wildfire smoke enters a building.

<sup>91</sup> For more information please visit: <https://www.ncei.noaa.gov/access/monitoring/monthly-report/fire/202213>.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*. In FY 2025, EPA will monitor ongoing wildfire preparedness in community buildings grants and award new grants with appropriated funding.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Water Infrastructure Finance and Innovation Fund  
Resource Summary Table  
(Dollars in Thousands)**

|   | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|---|--------------------------------------|--------------------------------------|---|--|
| <b>Water Infrastructure Finance and<br/>Innovation Fund</b> |                                      |                                      |   |  |
| Budget Authority  | \$322,118                            | \$75,640                             | \$80,000                                  | \$4,360  |
| Total Workyears   | 35.7                                 | 38.4                                 | 40.0                                      | 1.6  |

**Bill Language: Water Infrastructure Finance and Innovation Program Account**

*For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, \$72,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed \$12,500,000,000: Provided further, That of the funds made available under this heading, up to \$5,000,000 may be used for the cost of direct loans and for the cost of guaranteed loans for projects described in section 5026(9) of the Water Infrastructure Finance and Innovation Act of 2014 to State infrastructure financing authorities, as authorized by section 5033(e) of such Act: Provided further, That the use of direct loans or loan guarantee authority under this heading for direct loans or commitments to guarantee loans for any project shall be in accordance with the criteria published in the Federal Register on June 30, 2020 (85 FR 39189) pursuant to the fourth proviso under the heading "Water Infrastructure Finance and Innovation Program Account" in division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94): Provided further, That none of the direct loans or loan guarantee authority made available under this heading shall be available for any project unless the Administrator and the Director of the Office of Management and Budget have certified in advance in writing that the direct loan or loan guarantee, as applicable, and the project comply with the criteria referenced in the previous proviso: Provided further, That, for the purposes of carrying out the Congressional Budget Act of 1974, the Director of the Congressional Budget Office may request, and the Administrator shall promptly provide, documentation and information relating to a project identified in a Letter of Interest submitted to the Administrator pursuant to a Notice of Funding Availability for applications for credit assistance under the Water Infrastructure Finance and Innovation Act Program, including with respect to a project that was initiated or completed before the date of enactment of this Act.*

*In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended. In addition, for administrative expenses to carry out the direct and*

*guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, \$8,000,000, to remain available until September 30, 2026.*

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

| <b>Program Project</b>                      | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Ensure Clean Water                          |                                  |                                      |   |  |
| Water Infrastructure Finance and Innovation | \$31,386                         | \$75,640                             | \$80,000                                  | \$4,360  |
| Not Specified                               |                                  |                                      |   |  |
| Not Specified                               | \$290,732                        | \$0                                  | \$0                                       | \$0  |
| <b>TOTAL WIFIA</b>                          | <b>\$322,118</b>                 | <b>\$75,640</b>                      | <b>\$80,000</b>                           | <b>\$4,360</b>   |



## **Ensure Clean Water**

## Water Infrastructure Finance and Innovation

Program Area: Ensure Clean Water

Goal: Ensure Clean and Safe Water for All Communities

Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

|   | FY 2023<br>Final Actuals | FY 2024<br>Annualized<br>CR | FY 2025<br>President's<br>Budget | FY 2025 President's<br>Budget v.<br>FY 2024 Annualized<br>CR |
|---|--------------------------|-----------------------------|----------------------------------|--|
| <i>Water Infrastructure Finance and Innovation Fund</i> | <i>\$31,386</i>          | <i>\$75,640</i>             | <i>\$80,000</i>                  | <i>\$4,360</i>   |
| Total Budget Authority                                  | \$31,386                 | \$75,640                    | \$80,000                         | \$4,360  |
| Total Workyears   | 36.1                     | 38.4                        | 40.0                             | 1.6  |

### Program Project Description:

Communities across the country find it difficult to obtain affordable financing to update aging water infrastructure. Critical water infrastructure is vulnerable to flooding and other climate change-related weather events. Additionally, people of color, indigenous groups, and low-income communities often suffer disproportionately from lack of modern water infrastructure. Our nation’s health and wellbeing are dependent on equitable access to drinking water, wastewater, and stormwater systems; however, thousands of communities nationwide are burdened by aging and inadequate systems that threaten public health and stifle economic growth. To help address these challenges, Congress enacted the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA).

Communities use WIFIA Program funds to leverage local dollars to maximize the impact of water infrastructure projects that protect public health and deliver environmental benefits while supporting local economies and creating jobs. As of December 2023, the Program has issued 120 loans to communities across the country totaling \$19 billion in credit assistance to help finance more than \$43 billion for water infrastructure projects. WIFIA loans for these projects have saved communities nearly \$7 billion, which they can use to accelerate additional infrastructure investment and keep rates affordable for water system users. These WIFIA-financed projects are creating over 140,000 jobs and improved water infrastructure to benefit over 63 million people. Additional projects in the WIFIA pipeline have been invited to apply for nearly \$10 billion in WIFIA assistance, which will stimulate more than \$20 billion in additional infrastructure investments once fully committed through loan agreements. These outcomes demonstrate that WIFIA credit assistance is an effective tool to help communities nationwide address water infrastructure needs.

The WIFIA Program provides and services direct loans to cover up to 49 percent of eligible costs for water infrastructure projects of regional or national significance and up to 80 percent of eligible costs for small community borrowers. WIFIA provides financing for the rehabilitation and construction of water, wastewater, and stormwaters systems to address aging infrastructure, meet regulatory requirements, and help improve long-term strategic, financial, and climate resiliency

planning. The Program supports a broad borrower base, including underserved communities, private companies, and small towns.

Communities often use WIFIA Program funds to supplement State Revolving Fund financing, providing an additional source of low-cost capital to help meet the growing water infrastructure needs of the United States while minimizing the financial costs to residents.

To date, WIFIA borrowers have received interest rates as low as 0.83 percent, with an average interest rate of 2.5 percent. Terms include the option to bundle multiple projects under one loan and master credit agreements, capitalize interest, backload repayment, and methods that preserve senior debt capacity.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 5/Objective 5.1, Ensure Safe Drinking Water and Reliable Water Infrastructure in the *FY 2022 - 2026 EPA Strategic Plan*.

Work in this program also directly supports progress toward the FY 2024-2025 Agency Priority Goal: Reduce harmful lead exposure in drinking water through the replacement of lead service lines in communities. By September 30, 2025, increase the number of lead service line replacements funded to 500,000.<sup>1</sup>

The FY 2025 request builds on the Program's success accelerating water infrastructure investment and enables the Program to continue to offer support for small, overburdened, and underserved communities. The requested \$80 million, including \$72 million in credit subsidy, will enable EPA to provide up to \$8 billion in direct credit assistance, which when combined with other funding sources could help sustain over \$16 billion in total infrastructure investment.

Of the total \$80.0 million request to implement the program, \$8.0 million is for the WIFIA Program's administrative expenses, including staff salaries and contract support. For the past five fiscal years, the number of projects selected to receive a WIFIA loan has been at least triple the number selected in the program's first year in FY 2017, and since the Program's first loan closing in 2018, the number of closed loans to monitor has already increased to 120. The WIFIA Program's administrative expenses enable high quality underwriting and technical reviews that are required to allow the WIFIA Program to properly mitigate risk. Furthermore, administrative expenses allow for high-quality post-loan closing portfolio monitoring, including implementation and oversight of Made in America requirements, and management that is critical to oversee the program's burgeoning \$30 billion<sup>2</sup> portfolio of projects and ensure the program's long-term solvency. The Agency's request for a sufficient administrative appropriation ensures the WIFIA Program's ability to monitor its rapidly growing portfolio, make new loans lowering the risk to the government, and meet the goals and requirements of Administration priorities (*e.g.*, Justice40).

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<sup>1</sup> Based on available data, EPA estimates that on average 73,000 lead service line replacements have been funded annually. The number of lead service line replacements funded will be tracked quarterly, but the two-year goal is to increase that number to 300%.

<sup>2</sup> This number represents the amount of loans already made and still in process.

The FY 2025 budget request also includes authority to use fee revenue as outlined in the Water Resources Reform and Development Act, Sections 5029(a), 5030(b), and 5030(c). Fee revenue is for the cost of contracting with expert services such as financial advisory, legal advisory, and engineering firms. The fee expenditure authority for the Program is in addition to the \$8.0 million requests for management and operations administrative expenses.

**Performance Measure Targets:**

**(PM INFRA-01) Billions of non-federal dollars leveraged by EPA's water infrastructure finance programs (CWSRF, DWSRF and WIFIA).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| <b>Target</b> | 8.0     | 8.0     | 8.0     | 8.0     | 9.0     | 9.5     | 9.5     | 9.5     | Billions of Dollars |
| <b>Actual</b> | 9.7     | 10.3    | 10.2    | 12.1    | 14.6    | 11.4    |         |         |                     |

**(PM INFRA-07) Number of lead service line replacements funded.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units              |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------------|
| <b>Target</b> |         |         |         |         |         |         | 222,000 | 500,000 | Lead Service Lines |
| <b>Actual</b> |         |         |         |         |         |         |         |         |                    |

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$2.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$4,362.0 / +1.6 FTE) This program change is an increase to support the growing demand for WIFIA loans for communities. This investment also includes \$309 thousand in payroll.

**Statutory Authority:**

Water Infrastructure Finance and Innovation Act of 2014.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Hazardous Waste Electronic Manifest System Fund  
Resource Summary Table  
(Dollars in Thousands)**

|  | <b>FY 2023<br/>Final<br/>Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025<br/>President's Budget<br/>v.<br/>FY 2024<br/>Annualized CR</b> |
|--|--------------------------------------|--------------------------------------|---|--|
| <b>Hazardous Waste Electronic Manifest System Fund</b> |                                      |                                      |   |  |
| Budget Authority                                       | \$10,962                             | \$0                                  | \$0                                       | \$0  |
| Total Workyears  | 10.5                                 | 15.0                                 | 15.0                                      | 0.0  |

**Bill Language: E- Manifest**

*The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2025, to remain available until expended.*

*Note. — This language is proposed under the FY 2025 Administrative Provisions.*

**Program Projects in e-Manifest  
(Dollars in Thousands)**

| <b>Program Project</b>                        | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Operations and Administration                 |                                  |                                      |   |  |
| Central Planning, Budgeting, and Finance      | \$59                             | \$0                                  | \$0                                       | \$0  |
| Resource Conservation and Recovery Act (RCRA) |                                  |                                      |   |  |
| RCRA: Waste Management                        | \$10,903                         | \$0                                  | \$0                                       | \$0  |
| <b>TOTAL e-Manifest</b>                       | <b>\$10,962</b>                  | <b>\$0</b>                           | <b>\$0</b>                                | <b>\$0</b>   |

**Resource Conservation and Recovery Act (RCRA)**

**RCRA: Waste Management**

Program Area: Resource Conservation and Recovery Act (RCRA)

Goal: Safeguard and Revitalize Communities

Objective(s): Reduce Waste and Prevent Environmental Contamination

(Dollars in Thousands)

|   | <b>FY 2023<br/>Final Actuals</b> | <b>FY 2024<br/>Annualized<br/>CR</b> | <b>FY 2025<br/>President's<br/>Budget</b> | <b>FY 2025 President's<br/>Budget v.<br/>FY 2024 Annualized<br/>CR</b> |
|---|----------------------------------|--------------------------------------|---|--|
| Environmental Programs & Management                           | \$70,129                         | \$75,958                             | \$91,500                                  | \$15,542   |
| <b><i>Hazardous Waste Electronic Manifest System Fund</i></b> | <b><i>\$10,962</i></b>           | <b><i>\$0</i></b>                    | <b><i>\$0</i></b>                         | <b><i>\$0</i></b>  |
| Total Budget Authority  | \$81,091                         | \$75,958                             | \$91,500                                  | \$15,542   |
| Total Workyears   | 296.9                            | 307.8                                | 353.3                                     | 45.5   |

Total workyears in FY 2025 include 15.0 FTE funded by e-Manifest fees.

**Program Project Description:**

The Resource Conservation and Recovery Act (RCRA) requires companies that ship hazardous waste to track and report the estimated two million shipments each year. On June 30, 2018, EPA launched a national system for tracking hazardous waste shipments electronically. The system, known as “e-Manifest,” was developed per the Hazardous Waste Electronic Manifest Establishment Act (e-Manifest Act, Public Law 112-195), enacted on October 5, 2012. e-Manifest modernizes the Nation’s cradle-to-grave hazardous waste tracking process while saving valuable time, resources, and dollars for industry and states. Since system launch through February 2023, EPA has received approximately 8.3 million manifests and collected over \$100 million in user fees.

EPA estimates the e-Manifest system will reduce the burden associated with paper manifests by between 175 thousand and 425 thousand hours, saving state and industry users more than \$50 million annually, once electronic manifests are widely adopted.<sup>1</sup> Since the 2018 launch, e-Manifest has saved state programs \$65 million dollars in processing, data entry, and storage costs. The e-Manifest system will provide better knowledge of waste generation and final disposition; enhanced access to manifest information; and greater transparency for the public about hazardous waste shipments.

In FY 2014, Congress established the “Hazardous Waste Electronic Manifest System Fund” to implement the e-Manifest Program, including system development, fee collection authority, rulemaking, and advisory committee establishment. In FY 2025, e-Manifest will continue to be fully supported by user fees, which includes support for continuing the development and operation of the system and agency personnel that support its use and further its implementation.

<sup>1</sup> For more information, please refer to: <https://www.epa.gov/e-manifest/learn-about-hazardous-waste-electronic-manifest-system-e-manifest>.



### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.2, Reduce Waste and Prevent Environmental Contamination in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA will operate the e-Manifest system and will collect and deposit user fees into the Hazardous Waste Electronic Manifest System Fund (approximately \$20.0 million is anticipated). The authority to collect and spend fees requires authorization from Congress in annual appropriations bills.

In FY 2025, EPA plans to perform the following key activities:

- Continue to implement and enhance electronic signature methods that will ease the logistical burdens of adopting greater use of the electronic and image plus data submission methods.
- Work with individual generators and generator-associated groups to increase their registration and use of the e-Manifest system, which will allow for greater fully electronic adoption.
- Continue regular outreach with users and stakeholders to identify new ways to improve the e-Manifest system. This includes regular webinars and targeted demonstrations on how to use the e-Manifest system.
- Operate appropriate accounting and financial reporting interfaces needed to collect and manage user fees, adjust fees as appropriate, and comply with the auditing requirements of the Hazardous Waste Electronic Manifest Establishment Act.
- Hold the annual meeting of the e-Manifest Advisory Board, consisting of state and industry stakeholders and Information Technology experts, to provide input on system operation and implementation of the user fee regulation.
- Develop and enhance the e-Manifest system software to expand developmental capabilities, increase ease of use, and improve program efficiencies.

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

### **Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) and the Hazardous Waste Electronic Manifest Establishment Act.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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## EPA Evaluation and Evidence-Building for FY 2025

EPA's ability to protect human health and the environment depends on its use of high-quality evidence to support the development of its policies, decisions, guidance, and regulations. EPA programs collect data about their implementation and outcomes to monitor their *effectiveness* (e.g., the extent to which targets are achieved), *efficiency* (e.g., the extent to which activities are delivered on schedule and within budget), and *equity* (e.g., the extent to which all people regardless of background have fair access to program benefits).

Consistent with the Foundations for Evidence-Based Policymaking Act of 2018 ([Evidence Act](#)), EPA works to promote a culture of using evidence to inform decision making and support continuous improvement in delivering programs effectively, efficiently, and equitably. Programs analyze their data to assess progress in achieving performance results, identify challenges in carrying out strategies, and consider opportunities to mitigate risks and barriers. Programs identify successful strategies and approaches, as well as areas for development, which then inform recommendations for best practices and improvement strategies that can be implemented across the Agency. EPA publishes an Annual Evaluation Plan (AEP), as required by the Evidence Act [starting with FY 2022](#), which highlights EPA's planned investment in, and intended use of program evaluations and other evidence-building activities to improve programs effectiveness, efficiency, and equity. EPA's FY 2025 AEP describes key program evaluations and other evidence-building activities the Agency plans to undertake. Final program evaluation reports will be available on EPA's [evaluation website](#) unless otherwise indicated.

This document is organized into three sections:

1. FY 2025 Annual Evaluation Plan: program evaluations proposed by each EPA office
2. FY 2025 Evidence-Building Activities: evidence-building activities proposed (a) to support EPA's Learning Agenda, and (b) by each EPA office
3. FY 2024 Evaluation and Evidence-Building Activities – Supplemental Funds: evaluations and evidence-building activities proposed to support (a) programs funded by the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA); and (b) the Inflation Reduction Act (IRA).

## FY 2025 Annual Evaluation Plan

### Office of Enforcement and Compliance Assurance

|                                   |   |                        |                |
|-----------------------------------|---|------------------------|----------------|
| <b>Title</b>                      | Assessing the effectiveness of offsite compliance monitoring FY 2025  |                        |                |
| <b>Lead Office</b>                | Office of Enforcement and Compliance Assurance  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 3: Improve compliance with the nation’s environmental laws and hold violators accountable.<br>Objective 3.2: Ensure high levels of compliance with federal environmental laws and regulations through effective compliance tools – including inspections, other monitoring activities, and technical assistance supported by evidence and advanced technologies. |                        |                |
| <b>Start Date</b>                 | October 2022  | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This evaluation is being conducted over multiple fiscal years.  |                        |                |

**Purpose and brief description:** This project is part of OECA’s Compliance Learning Agenda which promotes collaboration between EPA, states, tribes, and academics to identify the most pressing programmatic questions, and develop evidence-based enforcement tools and techniques that will ensure the biggest impact on environmental compliance. The pandemic restricted our ability to do onsite inspections and provided insight that a broader portfolio of Off-site Compliance Monitoring (OfCM) activities may provide us with additional tools for our enforcement and compliance programs. To assess what EPA has learned from the extended use from 2020-2022 and gain insight into the efficacy of OfCM tools relative to onsite inspections, we conducted a preliminary, short-term assessment using readily available data and information to inform interim guidance and best practices. The findings of the Short-Term Assessment provided general information and trends that can be used by EPA to better understand how OfCM can enhance the National Compliance Monitoring Program. The findings indicated that:

- Effectiveness of OfCM activities varied by program and activity employed.
- OfCM activities do not supplant the need for onsite inspections.
- Formal enforcement rates resulting from the use of OfCM varied significantly between programs with rates as low as 0 percent and as high as 43 percent.
- Some programs were able to produce sizable formal enforcement cases without onsite inspections.
- There are trends for situations where OfCM is more useful and effective and where they are less useful and effective.

EPA is using these results to guide longer-term evaluations of OfCM and the best uses of these tools going forward. EPA anticipates that the answers to these questions will involve multiple evaluation efforts given the range of programs and OfCM tools that will need to be assessed.

**Question(s) to be addressed:**

1. How does the effectiveness of offsite compliance monitoring activities compare to onsite inspections?
2. What outcomes does EPA get from offsite compliance monitoring?
3. What is the most effective use for OfCM? (does it depend on the tool, the Program, and on the compliance history of the facility?)
4. Do OfCM tools support enforcement activities?

## **Methodological and Analytical approach**

**Data collection method:** This project will use existing data for further preliminary research, followed by a randomized control trial (RCT).

**Data sets:** The state/EPA inspection data, enforcement data, and state OfCM data from the Integrated Compliance Information System (ICIS) is created and available to EPA. The data from state associations, academic databases, and RCT will be created by an external party who will make it available to the Agency.

**Analytic approach:** We will continue to work with academic partners to uncover which analytical method will be used on this project.

**Tools and/or equipment:** We will continue to work with academic partners to uncover which, if any, tools and/or equipment might be used on this project.

**Anticipated challenges and proposed solutions:** There are potential data limitations associated with this activity. For example, because of the broad categories in ICIS, the definition of the OfCM activity performed in ICIS may not be indicative of the actual activity performed. Additionally, there are limited links between OfCM activity and enforcement actions. To combat this, EPA will use an array of different data sources to obtain as much specific, credible information as possible to minimize irregularities. For the randomized control trial, EPA anticipates there could be hesitation from regions and states to participate. In an effort to mitigate these challenges, EPA has partnered with the E-Enterprise Leadership Council and have invited ECOS, states, and tribes to participate in the workgroup to complete learning agenda projects. EPA also will be proactive in marketing the benefits of the results of an RCT and how the results could be beneficial to regions and states as they make compliance monitoring decisions.

**Dissemination of findings:** We anticipate making project findings public on EPA.gov.

## Office of Research and Development

|                                   |  |                        |         |
|-----------------------------------|--|------------------------|---------|
| <b>Title</b>                      | Research Planning Review for Strategic Research Action Plan 2023-2026                  |                        |         |
| <b>Lead Office</b>                | Office of Research and Development   |                        |         |
| <b>Link to EPA Strategic Plan</b> | Cross-Agency Strategy 1: Ensure Scientific Integrity and Science-Based Decision Making |                        |         |
| <b>Start Date</b>                 | FY 2023  | <b>Completion Date</b> | FY 2028 |
| <b>Note</b>                       | This evaluation is being conducted over multiple fiscal years.                         |                        |         |

**Purpose and brief description:** ORD’s research planning process is highly complex by design, such that many different types of participants and research are included. As a scientific organization, ORD leadership is interested in learning from staff about their experiences in the most recent research planning cycle, which informed ORD’s Strategic Research Action Plans for Fiscal Years 2023-2026.

One objective of the Research Planning Review (RPR) is to understand the effects of process improvement strategies that were implemented in the research planning cycle that resulted in development of the FY 2023-2026 Strategic Research Actions Plans (StRAPs). A second objective is understanding our partners’ experiences in the most recent research planning process. Finally, the RPR will explore the planning process that other federal research organizations use with a goal of understanding the objectives, structures, participants, challenges, and ensuring science-based decision making. The RPR is intended to strengthen communication among ORD employees in the context of research planning, guide our ability to use evidence-based decision making, and continuously improve ORD’s research planning process.

**Question(s) to be addressed:** The overall goal of the RPR project is to identify what worked well in the most recent research planning cycle and where improvements could be addressed in future research planning cycles. The insights will be synthesized and used to identify specific strategies that may be implemented in future research planning cycles.

### Methodological and analytical approach

**Data collection method:** The project design includes a mixed-methods explanatory approach and includes a range of primary data collection from individuals that will take place over the evaluation time period including but not limited to:

- Surveys to internal EPA employees (Qualtrics)
- Ad Hoc 1:1 informal conversations
- Focused small group interviews
- Workgroup strategy development discussions

**Data sets:** Qualitative data will be produced from the survey sent to internal EPA Employees.

**Analytic approach:** A mixed-method analytical approach will include thematic coding of open-ended responses and quantitative analysis of Likert-scaled questions.

**Tools and/or equipment:** The survey instrument used will be Qualtrics, and responses will be analyzed using Qualtrics data visualization tools and Microsoft Excel.

**Anticipated challenges and proposed solutions:** This evaluation will produce qualitative responses that will require analysis, interpretation, review coordination, task prioritization, and regular interactions internally within ORD and with the program partners (*e.g.*, OAR, OCSPP, OECA, OEJECR, OLEM, OW, Regional Offices) to ensure future Strategic Research Action Plan Research Planning processes meet ORD's mission and our partner's needs.

**Dissemination of findings:** Evaluation findings will be posted on the ORD intranet webpage. The findings from this evaluation will be included in EPA's FY 2028 Evaluation Report.

## Office of Water

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | NEP Program Evaluation FY 2025   |                        |                |
| <b>Lead Office</b>                | Office of Water  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.2: Protect and restore waterbodies and watersheds. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This evaluation is conducted each fiscal year.   |                        |                |

**Purpose and brief description:** The primary purpose of the Program Evaluation (PE) process is to help EPA assess how the National Estuary Programs (NEPs) are making progress in achieving programmatic and environmental results through implementation of their Comprehensive Conservation and Management Plans (CCMPs). The PE process has proven to be an effective, interactive management process that ensures national program accountability and transparency, while incorporating local priority considerations. It also demonstrates the value of federal investment in estuarine and coastal watershed restoration and protection at the local and regional levels. The PE process was revised, and new guidance distributed to the 28 NEP locations at the end of 2021. The 28 NEPs are evaluated on a rotating basis over a five-year cycle, so each NEP is evaluated every five years, but all NEPs are not evaluated in the same year.

The PE process also is useful for: Transferring lessons learned among NEPs, EPA, and stakeholders through the sharing of case studies and transferable examples; documenting the value added to environmental management of estuarine systems using the partnership model of the national program and its individual NEPs, including their role in convening stakeholders for decision-making and interpreting science for management actions; demonstrating continued stakeholder commitment; and highlighting achievements and successes of each NEP, as well as suggestions for continued program improvements.

**Question(s) to be addressed:** The evaluation process for NEP locations informs the Agency on the progress of the NEP program. It also ensures the locations are delivering environmental results and are well-managed programs so that they can continue to receive annual grants from EPA which are matched 1:1 with non-federal dollars.

The program evaluation is focused on the National Estuary Program as described in Section 320 of the Clean Water Act. The PE goals are to: ensure submissions enable objective and consistent evaluations among the different NEPs; ensure a consistent and transparent process to determine NEP CCMP implementation progress; further align the PEs with individual NEP CCMP priorities and related NEP annual work plan goals and accomplishments; determine progress in achieving programmatic and environmental results by documenting NEP contributions to improving or reducing pressures on their coastal watersheds and enabling all NEPs to successfully serve as local implementation partners for EPA programs; and identify areas of improvement to assist NEPs in becoming stronger programs and achieving environmental results.



**Data collection methods and datasets:** The PE consists of several phases: A) development and submission of a package of required information, B) PE team site visit to each NEP under evaluation, and C) documentation of PE findings via formal letter from EPA Headquarters.

The PE Narrative Submission should report on the NEP's five-year evaluation period and include a concise, five-year cumulative self-reflection on the three key topics: 1) NEP Environmental/Programmatic Workplan Accomplishments, 2) NEP Program Implementation, and 3) NEP Ecosystem and Community Status. More information about the required information and format is available in the NEP Program Evaluation Guidance from September 2021, which the program can share upon request.

**Anticipated challenges and proposed solutions:** The regular PE process examines each NEP location on a variety of topics as listed below.

- NEP Administration and Governance Structure
- Grant Obligations and Finance including budget summary
- Healthy Ecosystems (*e.g.*, fish, shellfish, plant, eelgrass, and wildlife populations; habitat protection/restoration, natural resources, land use, hydrological and ecological restoration, invasive species)
- Community and Stakeholder Engagement
- Education and Outreach
- Monitoring and Assessment
- Clean Water Act Programs Relationship
- EPA Priorities (nutrient pollution, water reuse and conservation, marine litter reduction, green infrastructure, environmental justice, climate change)

The challenge is to identify and relay recommendations for improvement based upon the categories above. The solution is to use discussions between the PE team and NEP location to review the recommendations, and then to follow-up these discussions by submitting a final PE letter to each NEP location.

**Dissemination of findings:** Summary information on the NEP is available on the EPA's [NEP website](#). EPA acknowledges the importance of NEP partnerships and proactive actions of most NEP location activities which are mostly non-regulatory and highly leveraged offering EPA an average value of \$17 for every \$1 of EPA investment. Individual PE results are typically not made available to the public.

|                                   |  |                        |               |
|-----------------------------------|--|------------------------|---------------|
| <b>Title</b>                      | Charting a course beyond 2025  |                        |               |
| <b>Lead Office</b>                | Office of Water  |                        |               |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.2: Protect and restore waterbodies and watersheds. |                        |               |
| <b>Start Date</b>                 | October 2023   | <b>Completion Date</b> | December 2026 |
| <b>Note</b>                       | This evaluation will be conducted over multiple fiscal years.  |                        |               |

**Purpose and brief description:** The Chesapeake Bay Program’s (CBP) Chesapeake Executive Council (EC) has charged the CBP Principals’ Staff Committee (PSC) with recommending a critical path forward that prioritizes and outlines the next steps for meeting the goals and outcomes of the 2014 Chesapeake Bay Watershed Agreement (2014 Agreement) leading up to and beyond 2025. At the 2024 annual EC meeting, the PSC is to prepare recommendations that continue to address new advances in science and restoration, along with a focus on the CBP partnership for going beyond 2025. A value assessment of the 2014 Agreement and a program evaluation of the CBP will be conducted as part of fulfilling the EC charge.

**Question(s) to be addressed:** Questions to be addressed include:

- Can Chesapeake Bay water quality goals and the way attainment is measured be revised to increase attention to, and potential for, other water quality investments to improve living resources?
- What policy and implementation options offer the potential to deliver substantial and sustained reductions in nonpoint source loads?
- What processes and analytical approaches are available to improve learning, especially as it pertains to the first two questions above?
- What are the existing and emerging challenges that the CBP partnership will need to address beyond 2025 to be able to meet its goals and objectives?
- How will these challenges affect the CBP partnership’s ability to meet its goals and objectives?
- How can these challenges be prioritized by the CBP partnership to ensure resources are being used most cost-effectively?
- What actions can be used to address multiple water quality goals/outcomes which are not being used to address multiple goals/outcomes currently?
- Who are the relevant communities the CBP partnership should engage to improve the health of the ecosystem? What are their distributions (geographic and otherwise)?
- What are the restoration and protection needs of these communities?
- To what extent is the CBP partnership meeting the conservation needs of these communities? If so, how? If not, why?
- Who are the CBP partnership’s stakeholders?
- What routes do the stakeholders have in reaching (*i.e.*, contacting) the partnership?
- To what extent do stakeholders use/access the defined routes to reach the CBP partnership and its data or other resources?
- To what extent do stakeholders feel the CBP partnership has listened to their needs?
- To what extent does the CBP logic model reflect actual operations?

**Data collection methods:** Literature reviews, focus groups, (scientific) document review and synthesis, surveys, and expert elicitation with CBP partnership staff and management.

**Anticipated challenges and proposed solutions:** Program evaluation, including the development of recommendations, to fulfill the EC charge is currently on a tight timeframe. In addition, the CBP partnership group tasked with developing recommendations is a large group with representation from across the Chesapeake Bay watershed. To address these challenges, EPA has leveraged contractor resources to assist with conducting the program evaluation and facilitating the CBP partnership group responsible for this work.

**Dissemination of findings:** The findings will be made publicly available on EPA.gov.

|                                   |  |                        |             |
|-----------------------------------|--|------------------------|-------------|
| <b>Title</b>                      | FY 2025 EPA Annual Assessment of the Jurisdictions' Progress toward Meeting the Chesapeake Bay Total Maximum Daily Load (Bay TMDL) |                        |             |
| <b>Lead Office</b>                | Office of Water / Region 3   |                        |             |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.2: Protect and restore waterbodies and watersheds.         |                        |             |
| <b>Start Date</b>                 | December 2023  | <b>Completion Date</b> | August 2026 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.  |                        |             |

**Purpose and brief description:** Through the *2014 Chesapeake Bay Watershed Agreement*, the Chesapeake Bay Program has committed to having 100 percent of pollution-reducing practices in place that would achieve all the nitrogen, phosphorus, and sediment reductions necessary to meet the goals outlined in the Bay TMDL by 2025. These estimates are generated by the Chesapeake Bay Watershed Model and are derived from land use data, implementation and effectiveness of best management practices and the most up-to-date water quality monitoring data. The Chesapeake Bay Program assesses water quality by the amount of dissolved oxygen in the Bay, chlorophyll *a* (a measure of algae growth) and water clarity (using underwater grass acreage).

**Question(s) to be addressed:** The seven watershed jurisdictions, in coordination with local governments, businesses, non-governmental organizations and individuals, have installed pollution-reducing best management practices to lower the amount of nitrogen, phosphorus and sediment entering tributaries of the Chesapeake Bay. The conservation practices reported by the seven watershed jurisdictions, along with land use, manure, and fertilizer information, are entered into a sophisticated suite of modeling tools to estimate the progress that each jurisdiction is making in meeting their individual nitrogen, phosphorus, and sediment goals as outlined in the Bay TMDL. This project will incorporate the best available data into the computer simulations and pollution load estimates and will seek to give EPA and the larger partnership a more holistic view of how conservation practice installation and improved management actions are helping to improve Bay water quality. Questions to be addressed include:

- To what extent have different jurisdictions made progress toward their pollution reduction goals?

- What is progress that each jurisdiction is making toward reducing nitrogen, phosphorus and sediment pollution entering not only the Chesapeake Bay, but also their local waterways?

### **Methodological and Analytical approach:**

**Data collection methods:** Data solicitation and mining from the seven Bay watershed jurisdictions (Delaware, District of Columbia, Maryland, New York, Pennsylvania, Virginia, West Virginia).

**Data sets:** Best Management Practice data (created by the state agencies and made available to EPA), agricultural data (created by state and federal agencies and used by EPA), monitoring data (created by state and federal agencies and made available to EPA), and land use information created by state and federal agencies and made available to EPA).

**Analytic approaches:** Statistical regression and trend analysis will be used.

**Tools and/or equipment:** Chesapeake Assessment Scenario Tool, National Environmental Information Exchange Network, and Land Use Change Model.

**Anticipated challenges and proposed solutions:** Anticipated challenges include late submission of data by the state agencies to EPA, incorrect data received, and processing errors. To address these challenges, EPA has developed Quality Assurance/Quality Control procedures and protocols for the submission and processing of data inputs and outputs and has established deadlines for the submission and release of progress and verification data to the public.

**Dissemination of findings:** Findings will be made publicly available on EPA.gov.

|                                   |  |                        |                       |
|-----------------------------------|--|------------------------|-----------------------|
| <b>Title</b>                      | FY 2025 Program Evaluation of Habitat Restoration Practices and Tools in the Gulf of Mexico Watershed                      |                        |                       |
| <b>Lead Office</b>                | Office of Water / Region 4   |                        |                       |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.2: Protect and restore waterbodies and watersheds. |                        |                       |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | No projected end date |
| <b>Note</b>                       | This project will be conducted over multiple fiscal years  |                        |                       |

**Purpose and brief description:** The purpose of the evaluation is to assess progress made toward restoring, enhancing, or protecting habitats in the Gulf of Mexico watershed. The evaluation of progress is examined through outputs reported from recipients of assistance agreements and staff led efforts centered around projects or activities on agricultural lands and on watershed-based non-agricultural approaches supporting the use of nutrient management and reduction practices and tools. To quantifiably assess progress, habitat acres restored, enhanced, or protected will be reported quarterly and tracked on the Gulf of Mexico SharePoint page. Staff led or supported efforts yielding restored, enhanced, or protected habitat acres contribute to the overall reporting of data.

**Question(s) to be addressed:** By tracking habitats restored, enhanced, or protected, the Gulf of Mexico will be able to respond to the following:

- Are quantifiable goals attained?
- If not, why not?
- What adjustments to action plans are needed to achieve the goals?

### Methodological and analytical approach

**Data collection method:** To quantifiably collect data, outputs derived from assistance agreements and staff led efforts will be reported on quarterly basis and tracked on the Gulf of Mexico SharePoint site. The methodology for computation of habitats that are restored, enhanced, and/or protected is:

- once a reporting year no matter how many activities are done to enhance the same acreage.
- each reporting year when management activities are completed annually on the same acreage.
- as acres; however, it may be reported in another measurement and converted to acres.

**Data sets:** The Gulf of Mexico will rely primarily on data submitted in required assistance agreement progress reports and numbers attained through staff led efforts. The assistance agreements progress and staff led efforts are tracked and reported every three months. All assistance agreement reports are stored on EPA’s Next Generation Grants System. In addition to official electronic grant file, data are stored on the Gulf of Mexico SharePoint, where the staff led efforts; results are tracked as well. This data allows EPA to assess what federal investments are accomplishing. EPA also will evaluate progress in attaining habitat targets, quantifiable outcomes from actions.

**Analytic approaches:** The data will be consolidated on the Gulf of Mexico SharePoint. Project data will be aggregated, allowing a cumulative analysis of what specific actions investments are contributing to and what is being accomplished within each action.

**Tools and/or equipment:** The Gulf of Mexico has a StoryMap providing a depiction of financial investments, regional expanse of projects, and the varied project types underway to restore, enhance or protect habitats. This information will be located at [EPA Gulf of Mexico Division StoryMap \(arcgis.com\)](#).

**Anticipated challenges and proposed solutions:** The Gulf of Mexico has a history of awarding projects that yield acres associated with habitat restoration, enhancement, or protection. Inclement weather conditions may impact projects and delay outputs. This is remedied by extending project end dates. Recipients of assistance agreements and staff report on acres restored, enhanced, or protected quarterly. This data resides on the Gulf of Mexico SharePoint and is found in the EPA Next Generation Grants System. The public may submit a FOIA request to see data and some project information is located on the [Gulf of Mexico StoryMap website](#).

**Dissemination of findings:** This information will be available on the [Gulf of Mexico StoryMap](#) on an annual basis.

|                                   |  |                        |               |
|-----------------------------------|--|------------------------|---------------|
| <b>Title</b>                      | FY 2025 Program Implementation Evaluations in response to GAO 18-410: Long Island Sound Restoration: Improved Reporting and Cost Estimates Could Help Guide Future Efforts |                        |               |
| <b>Lead Office</b>                | Office of Water / Regions 1 and 2  |                        |               |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.2: Protect and restore waterbodies and watersheds.   |                        |               |
| <b>Start Date</b>                 | October 2023   | <b>Completion Date</b> | December 2025 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.  |                        |               |

**Purpose and brief description:** The purpose of the evaluation is to assess progress made toward meeting the goals, actions, and schedules of the Long Island Sound Comprehensive Conservation and Management Plan (CCMP), including quantifiable targets of ecosystem condition. The evaluation is conducted through an EPA SharePoint Power Business Intelligence (BI) application reporting and tracking system. Data will be added to the online tracking and reporting system to show progress in implementing the CCMP. EPA also will evaluate progress in attaining ecosystem targets, quantifiable outcomes from individual actions. Data on ecosystem targets will be collected from several sources, including environmental monitoring and project assessments. In combination, these assessment efforts will evaluate progress to actions funded with FY 2024 appropriations and before. Work funded with FY 2025 appropriations will be assessed in FY 2026.

**Question(s) to be addressed:** The Long Island Sound online reporting and tracking system is completed and in full use by the Study. Data are added to the system approximately every six months to allow the Study to evaluate progress toward goal implementation. The online reporting

and tracking system addresses the leading practice of reporting recommended by the GAO, which is to evaluate actions to support outcome goals. By tracking ecosystem targets and implementation actions, the Study will be able to respond to the following questions:

- Are goals being met?
- If not, why not?
- What adjustments to action plans are needed to achieve the goals?

### **Methodological and Analytical approach:**

**Data collection methods:** The purpose of this evaluation is for EPA to meet the statutory requirement under the Clean Water Act Section 119 for the Long Island Sound Office to issue biennial reports to Congress summarizing the progress made in implementing the CCMP, any modifications to the CCMP, and recommendations concerning the CCMP. To accomplish this, the Program will use grant progress report data that is entered into an internal EPA SharePoint site. That data is used to compare intended to actual performance in accomplishing the targets and actions in the CCMP. EPA also will evaluate progress in attaining ecosystem targets, quantifiable outcomes from individual actions. Data on ecosystem targets will be collected from a number of sources, including monitoring and project assessments.

**Data sets:** EPA will rely primarily on data submitted in required grant and interagency assistance agreement progress reports. The reports are required every six months. All reports are stored in EPA's official electronic grant file system. Data from the reports includes what CCMP actions are being implemented, costs, output metrics, and project status. This data allows EPA to assess what federal investments are accomplishing. EPA also will evaluate progress in attaining ecosystem targets, quantifiable outcomes from individual actions. Data on ecosystem targets will be collected from a number of sources, including monitoring and project assessments. All ecosystem target reporting is documented and available to the public at [LISS Ecosystem Targets and Supporting Indicators – Long Island Sound Study](#).

**Analytic approach:** EPA will consolidate data on an EPA SharePoint Power BI application. Project data will be linked and aggregated to specific implementation actions in the CCMP, allowing a cumulative analysis of what specific actions investments are contributing to and what is being accomplished within each action.

**Tools and/or equipment:** EPA will consolidate data on an EPA SharePoint Power BI application. This application is accessible to EPA staff. The public version of the LISS online reporting and tracking system is available at: <https://longislandsoundstudy.net/program-implementation-and-progress/>.

**Anticipated challenges and proposed solutions:** The Long Island Sound online reporting and tracking system was developed in response to *GAO 18-410: Long Island Sound Restoration: Improved Reporting and Cost Estimates Could Help Guide Future Efforts*. One of the report recommendations was that EPA should develop a reporting format that fully incorporates leading practices of performance reporting. The overall evaluation system fulfills that requirement by showing past conditions and progress over time toward ecosystem targets in the recovery plan. The online reporting and tracking system addresses the leading practice of reporting recommended by the GAO, which is to evaluate actions for unmet goals. By tracking implementation actions, the Study will be able to provide suggestive evidence about why goals are not being met and create plans and schedules to achieve the goals. The key challenge is to work with program partners to

develop appropriate metrics for progress reports and work with partners to have them develop complete and timely reports.

**Dissemination of findings:** The public version of the LISS online reporting and tracking system is available at: <https://longislandsoundstudy.net/program-implementation-and-progress/>. All ecosystem target reporting is documented and available to the public at [LISS Ecosystem Targets and Supporting Indicators - Long Island Sound Study](#). In addition, “Reports to Congress” summarizing evaluations are made available to the public.



## FY 2025 Annual Plan for Evidence-Building Activities

EPA's *FY 2025 Annual Plan for Evidence-Building Activities* describes agency plans for significant evidence-building across a range of program areas. In this section EPA describes evidence-building activities other than program evaluations, such as data analysis, foundational fact finding, research, statistical analysis, continuous process improvement, and performance measurement. This document shares examples of evidence-building that supports EPA's decision-making in response to Administration priorities, Congressional mandates, and management priorities.

The first section presents a summary of EPA's evidence-building activities in support of the Agency's Learning Agenda. The subsequent sections summarize the evidence-building activities planned by each national program office.

### EPA Learning Agenda

The Evidence Act provides a framework to promote a culture of evaluation, continuous learning, and decision-making using the best available evidence. EPA's FY 2022 – FY 2026 Strategic Plan incorporates learning priority areas for the first time as required by the Evidence Act, which is a significant part of developing this culture.

EPA has identified four learning priority areas:

1. **Drinking Water Systems Out of Compliance** – What EPA/state drinking water program policies (tools, guidance, training, funding mechanisms) are most effective in increasing system compliance?
2. **Expanding EPA's Toolkit of Air Benefits Assessment Methodologies and Practices** – How can EPA more comprehensively characterize the health benefits associated with improved air quality and improve approaches for quantifying and valuing air pollution effects among populations most susceptible and vulnerable to poor air quality?
3. **Workforce** – How can EPA ensure it has employees with the competencies needed to achieve its mission now and in the future, including identifying or developing leading practices in recruitment, retention, succession planning and knowledge management?
4. **Grant Commitments Met** – How can EPA assess the extent to which commitments achieve the intended environmental and/or human health results and identify possible next steps in establishing a comprehensive grant reporting system?

This section summarizes the planned evidence-building activities in FY 2025 that will support the Agency's learning agenda.

|                                   |   |                        |                |
|-----------------------------------|---|------------------------|----------------|
| <b>Priority Area</b>              | Drinking Water Systems out of Compliance  |                        |                |
| <b>Lead Office</b>                | Office of Enforcement and Compliance Assurance  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 3: Enforce environmental laws and ensure compliance<br>Objective 3.2: Detect violations and promote compliance |                        |                |
| <b>Start Date</b>                 | FY 2022   | <b>Completion Date</b> | September 2026 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.   |                        |                |

**Purpose and brief description:** The Office of Enforcement and Compliance Assurance (OECA), Office of Water (OW), and the Drinking Water Systems Out of Compliance learning priority workgroup are assessing drinking water data reported to EPA to determine whether it accurately measures national compliance and substantiates EPA policy decisions; considering noncompliance root causes and corresponding technical/managerial/financial (TMF) factors; and testing efficacy of technical assistance, enforcement, and state oversight. The assessments, once complete, will identify key water system characteristics for which EPA and states should focus its policies and the most effective way to apply compliance assurance tools for increasing compliance in the drinking water program.

Through FY 2025, OECA will continue evaluations and other empirical analyses for Question 2 (root causes of noncompliance), Question 3 (efficacy of enforcement on compliance), and Question 5 (Oversight). In FY 2023, EPA continued its work on Question 1 (data availability and reliability), continued its work on Question 2 (root cause of noncompliance in Public Water Systems (PWSs)), and initiated work to evaluate Question 3 (how and under what conditions do inspections and enforcement help water systems achieve compliance).

**Programmatic or policy decisions this activity will inform:** Applying compliance assurance tools to effectively increase drinking water compliance rates.

**Questions to be addressed:**

- Does increased use of compliance assurance tools (inspections and enforcement) improve system compliance, and if so under what circumstances?
- How can EPA determine if a system has the TMF capacity to provide safe water on a continuous basis to its customers?

**Methodological and analytical approach**

**Data collection methods:** EPA anticipates using several different tools for the evaluation of Questions 3 (Efficacy of enforcement), 4 (TMF), and 5 (EPA oversight) including survey instruments, literature reviews, data mining, and advanced statistical analysis such as machine learning and other regression approaches.

**Data sets:** For evaluation of potential technical, managerial, and financial metrics (Question 4) the Agency anticipates needing to pull from various places such as federal databases at EPA (SDWIS), Department of Commerce Census Bureau, and USDA Rural Utilities Service (RUS) loan program data and information gleaned from the State Revolving Fund work, state Capacity Development annual reports, and sanitary survey checklists.

**Analytic approaches:**

- Question 2 Root Cause Analysis: Preliminary analyses were conducted in FY 2023. Predictive tools developed by regions and/or states that were able to identify systems of risk of noncompliance in tests included in common the following systems characteristics: sources of water, financial questions, system size, presence of violations and significant deficiencies, presence of certified operators, source water quality, and presence of management plan. These analyses will continue and may be expanded upon in FY 2024. The expanded analysis could include looking further into drinking water systems “defying the odds,” systems which despite their predicted noncompliance status have continued to remain in compliance, to determine if EPA can garner further insight into best practices of system compliance, as well as what managerial structures and other factors may be influencing the degree to which each factor effects system compliance/noncompliance.
- Question 3 on Enforcement and Inspection Efficacy: The Agency plans to empirically test the impact of increased use of compliance monitoring inspections. This priority question complements the Drinking Water National Enforcement Compliance Initiative (NECI). While the Agency determined it could not plan inspections such that those activities could form the basis of a prospective study to inform the overall evaluation process, the Agency is considering a retroactive analysis of inspections already completed. Additionally, the use of OECA’s Enforcement and Compliance History Online database will be used to do a retrospective analysis of enforcement activity.

**Tools and/or equipment:** Statistical software

**Anticipated challenges and proposed solutions:** Data availability may slow and/or limit progress on analytical activities that need to be carried out to conduct planned evaluations and other empirical studies. For example, the volume of compliance assurance work may be too low to support methodologies that use a randomization approach to Question 3 (efficacy of enforcement). States and water systems may not agree to participate in a survey study to identify attitudes on enforcement actions. Since the Agency does not collect TMF information in a consistent format, there is no national data set on these system characteristics, insufficient TMF data could limit our ability to identify effective metrics for TMF capacity. Ongoing work to modernize SDWIS should address some of these issues.

**Dissemination of findings:** Final evaluation reports and other empirical analyses for this learning priority area will be made available on EPA’s [evaluation website](#). Quarterly data reports are shared publicly via the [SDWIS FED Data Warehouse](#).

|                                   |  |                        |                    |
|-----------------------------------|--|------------------------|--------------------|
| <b>Priority Area</b>              | Expanding EPA’s Toolkit of Air Benefits Assessment Methodologies and Practices   |                        |                    |
| <b>Lead Office</b>                | Office of Air and Radiation  |                        |                    |
| <b>Link to EPA Strategic Plan</b> | Goal 4: Ensure clean and healthy air for all communities<br>Objective 4.1: Improve air quality and reduce localized pollution and health impacts |                        |                    |
| <b>Start Date</b>                 | Subject to funding   | <b>Completion Date</b> | Subject to funding |
| <b>Note</b>                       | This project is subject to funding availability and will be conducted over multiple fiscal years.  |                        |                    |

**Purpose and brief description:** EPA uses well-established methods for estimating the health benefits associated with reductions in criteria and air toxic pollutants. However, as noted by scientific bodies including the U.S. EPA Science Advisory Board (SAB)<sup>1</sup>, opportunities exist for EPA to improve its approach for quantifying the number and economic value of air pollution-related health effects; this includes estimating benefits that EPA does not currently quantify and monetize.

**Question(s) to be addressed:**

- What are the health benefits of reducing human exposures to air pollutants not currently quantified, particularly those related to hazardous air pollutants (HAPs)?
- What are the health benefits of reducing the risk of air pollution-related effects that are challenging to quantify but nonetheless important to the exposed populations?
- What are the benefits of health outcomes that cannot yet be valued using Willingness-to-Pay or other measures of economic value?
- How can EPA account for sequelae and the progression of disease when quantifying benefits?

**Methodological and analytical approach**

**Data collection methods:** EPA will use well-established methods for estimating the health benefits associated with reductions in criteria and air toxic pollutants, including the use of the newly revised cloud-based version of the environmental [Benefits Mapping and Analysis Program – Community Edition \(BenMAP-CE\)](#).

**Data sets:** EPA will use economic and health datasets providing information on the incidence of adverse health effects, novel health outcomes not previously quantified, and health care expenditures. Such datasets may include those published by the U.S. Small-Area Life Expectancy Estimates Project (USA-LEEP), the Healthcare Cost and Utilization Project (HCUP), the U.S. Census and data reported in epidemiologic studies. Information reported in publicly available datasets (USA-LEEP, HCUP, Census) must be adapted for use in EPA health benefits analyses. For example, USA-LEEP reports life tables, but death rates must first

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<sup>1</sup> National Research Council. 2002. Estimating the Public Health Benefits of Proposed Air Pollution Regulations. Washington, DC: The National Academies Press. <https://doi.org/10.17226/10511>. National Research Council. 2008. Estimating Mortality Risk Reduction and Economic Benefits from Controlling Ozone Air Pollution. Washington, DC: The National Academies Press. <https://doi.org/10.17226/12198>.

be calculated from these tables before they may be used in a health benefits analysis. EPA will separately draw upon results reported in peer-reviewed epidemiologic studies (e.g., Odds Ratios and Hazard Ratios).

**Analytic approaches:** When adapting data for use in EPA health benefits analyses, relatively simple calculations will be performed to quantify death rates and the Cost of Illness (COI) for adverse effects. When extracting Odds Ratios and Hazard Ratios from published epidemiologic studies, EPA commonly converts these measures of association to a beta coefficient.

**Tools and/or equipment:** EPA will use existing agency tools, including the cloud-based version of the environmental Benefits Mapping and Analysis Program-Community Edition (BenMAP-CE).

**Anticipated challenges and proposed solutions:** Addressing questions of the scope and complexity of this project will require significant contract resources and additional FTE (in particular, economists, biostatisticians, and air pollution epidemiologists).

**Dissemination of findings:** EPA anticipates working collaboratively with NAS in developing this project. Any NAS reports will be disseminated by the NAS, although EPA will provide links to those reports through EPA’s website, as appropriate. Information and any findings also will be shared with EPA staff and management through other venues (e.g., meetings, presentations, etc.).

|                                   |   |                        |                |
|-----------------------------------|---|------------------------|----------------|
| <b>Priority Area</b>              | Workforce Planning  |                        |                |
| <b>Lead Office</b>                | Office of Mission Support   |                        |                |
| <b>Link to EPA Strategic Plan</b> | Cross-Agency Strategy 3: Advance EPA’s organizational excellence and workforce equity |                        |                |
| <b>Start Date</b>                 | FY 2023   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.                           |                        |                |

**Purpose and description:** EPA identified Human Capital Management as an Enterprise Risk due to the high number of staff eligible for retirement and EPA’s aging workforce. The Workforce learning priority area in EPA’s Learning Agenda will develop an evidence-based roadmap for how EPA can ensure it has employees with the competencies needed to achieve its mission now and in the future. It also will help determine the overall processes required to cultivate and manage the workforce, while anticipating internal and external changes, and continuously maximizing the efficiency and effectiveness of the Agency’s workforce.

**Programmatic or policy decisions this activity will Inform:** Near and long-term strategies to attract, recruit, train and retain a diverse and effective workforce.

**Question(s) this activity will address:**

- What key factors contribute to EPA’s organizational health and how do those metrics impact the best strategies to attract, recruit, train and retain a diverse workforce?
- What makes people stay in the Agency long-term?

## **Methodological and analytical approach**

**Data collection methods and data sets:** EPA has various data sets and dashboards to capture employee demographic, hiring and attrition data. EPA will continue compiling information from these and other sources to create an even more robust body of evidence aligned with OMB’s new Organizational Health and Organizational Performance initiative (M-23-15). This data will greatly enhance our understanding of what are the best strategies to attract, recruit, train and retain a diverse workforce and what makes people stay in the Agency long-term.

EPA’s current measures of organizational health include, among others, metrics covering recruitment and staffing, well-being, learning and development and succession management. Examining recruitment metrics, such as percent of positions available for entry-level talent and number of entry level positions hired, will provide background on how EPA is able to attract and recruit a diverse workforce. Other metrics, such as the Employee Viewpoint Survey, internal pulse surveys on work-life flexibility and exit survey data, will support understanding of EPA’s ability to attract and retain a diverse workforce.

**Analytic approach:** Implementing recommendations in a forthcoming white paper focused on preventing burnout prepared by the Office of Human Resources also will support EPA’s efforts to bolster the retention, as well as wellbeing, of the workforce. EPA will examine a variety of training metrics including hours of discretionary training completed, investment in training dollars and participation in leadership training programs such as the Leaders and Learners Program. Examining these metrics will supply a foundation for understanding employee development and its possible effects on retaining the Agency’s diverse workforce. Additionally, EPA will analyze and compile regional and program office succession management plans completed over FY 2023 into a comprehensive agency succession management plan. This will allow EPA to align agency strategy with implementation, to maintain EPA’s most critical positions, enhancing our understanding of critical skills and EPA’s overarching succession management needs.

**Anticipated challenges and proposed solutions:** There might be low participation among stakeholders in the assessment and analysis of the workforce priority questions. This possible challenge is being mitigated by continuing to enlist the buy-in and support of senior leaders and other key stakeholders to help promote the importance of our processes prior to their start and keeping in constant contact with those stakeholders during the evaluation and analysis process.

**Dissemination of findings:** The identified workforce activities are considered key components of management’s strategic decision-making process; findings will be shared consistent with requirements related to privileged information. It is anticipated relevant results will be shared with internal stakeholders, including senior leaders and EPA’s Human Resource Officer/Program Management Officer community. Aggregate information on findings might be shared with other federal agencies and/or publicly.

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Priority Area</b>              | Grant Commitments Met  |                        |                |
| <b>Lead Office</b>                | Office of the Administrator and Office of the Chief Financial Officer                            |                        |                |
| <b>Link to EPA Strategic Plan</b> | Cross-Agency Strategy 4: Strengthen tribal, state, and local partnerships and enhance engagement |                        |                |
| <b>Start Date</b>                 | FY 2021  | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.                                      |                        |                |

**Purpose and brief description:** Grant Commitments Met is one of the Learning Priorities in the [EPA Learning Agenda](#). EPA awards over \$5 billion in annual funding to grants and other assistance agreements. New agency funding provided by the [American Rescue Plan](#),<sup>2</sup> the [Bipartisan Infrastructure Law](#),<sup>3</sup> and [Inflation Reduction Act](#)<sup>4</sup> to fund grants and other assistance agreements underscores the importance of this Learning Priority.<sup>5</sup> EPA helps to protect human health and the environment through these grants and the work of its grantees. The management and tracking of the individual grant awards are dispersed amongst staff at EPA headquarters and EPA’s ten regional offices, which makes tracking results at the national level challenging.

The Grant Commitments Met work is guided by the overarching learning question: *How can EPA assess the extent to which commitments achieve the intended environmental and/or human health results and identify possible next steps in establishing a comprehensive grant reporting system?*

In the initial phase (Year 1 / FY 2021) of work, EPA addressed the question: *How do EPA’s existing grant award and reporting systems identify and track grant commitments?* EPA organized an extensive survey that gathered 462 responses from grant programs across the Agency. The survey responses were analyzed to identify what data (e.g., outputs and outcomes) are being collected and how programs are reporting on grant activities across EPA. Year 1 also included a request for National Program Managers (NPMs) to provide background information on EPA’s grant programs. EPA analyzed the survey responses and other documents to identify what data grant programs collect and how programs report on activities across EPA. The effort culminated in the [Year 1 Report](#), published in September 2022.

In the second year of the project (Year 2 / FY 2022), EPA addressed the question: *What EPA practices and tools (1) effectively track grantee progress towards meeting workplan grant commitments including outputs and outcomes, and/or (2) support communication of national program level outputs and outcomes?* Year 2 data efforts included approximately 30 in-depth interviews and some additional analysis of data previously collected in the Year 1 survey. Grant programs were selected with pre-defined considerations for individual or small group interviews with project officers or NPMs. This process built upon previous efforts as an in-depth study of a

<sup>2</sup> H.R.1319: American Rescue Plan Act of 2021.

<sup>3</sup> H.R.3684: Infrastructure Investment and Jobs Act.

<sup>4</sup> H.R.5375: Inflation Reduction Act of 2022.

<sup>5</sup> The American Rescue Plan, Bipartisan Infrastructure Law, and Inflation Reduction Act provide around \$100 million, \$60.89 billion, and \$350 million in additional EPA funding, respectively, for a total of around \$61.34 billion in additional funding. See <https://www.epa.gov/arp/about-epas-american-rescue-plan-arp-funding>, <https://www.epa.gov/infrastructure/explore-epas-bipartisan-infrastructure-law-funding-allocations>, <https://www.epa.gov/inflation-reduction-act/inflation-reduction-act-programs-fight-climate-change-reducing-embodied>, accessed January 23, 2023.

smaller number of programs to understand what the data can tell us about the effectiveness of EPA grant programs. The effort resulted in a [Year 2 Report](#), published in March 2023.

In the third year of the project (Year 3 / FY 2023), EPA addressed the question: *What could EPA do to prepare grant programs to report on consistently defined outputs and outcomes?* To address this question, EPA developed draft standard agencywide definitions for outputs, a potential list of standard behavioral change outcomes and environmental human health outcomes (including climate and equity related metrics), and standard approaches for collecting output and outcome data. To accomplish this, EPA relied on the Strategic Plan, additional analysis of survey data and national program documents collected in Year 1, Year 2 interview data, and feedback from an advisory group comprised of key EPA staff including representatives from all ten region and all program offices. This culminated in a list for use in a pilot study, in the fourth year of the project (Year 4/ FY 2024) with four EPA grant programs to test the application of the definitions and approaches.

In the fifth year of the project (Year 5/ FY 2025), EPA will address the question: *To what extent do the EPA's grant programs have measures that support the reporting of intended results?* EPA expects to use a methodology that relies on document review, and analysis of quantitative and qualitative data focused on a subset of agency grant programs to review for environmental, human health, or other priority strategic programmatic outcomes. EPA expects to use the cumulative information from the studies and pilots conducted from FY 2021 through FY 2024 in addition to FY 2025 analysis to address the overarching learning agenda question and to inform executive-level decisions about grants management, including improvement to processes, guidance and implementation of data and reporting.

**Programmatic or policy decisions this activity will inform:** Practices and tools to effectively assess the extent to which commitments achieve the intended environmental and/or human health results and identify possible next steps in establishing a comprehensive grant reporting system. Outcomes from the first three years of this work will inform the Agency's overarching efforts to improve enterprise-wide grant management and reporting.

**Questions to be addressed:** The Grant Commitments Met work is guided by the overarching learning question (in the [EPA Learning Agenda](#)): *How can EPA assess the extent to which commitments achieve the intended environmental and/or human health results and identify possible next steps in establishing a comprehensive grant reporting system?*

**Progress, results, and interim findings:** The [Year 1](#) and [Year 2](#) reports are currently available on EPA's website.

**Methodological and analytical approach:** EPA expects to use a methodology that relies on document review, and analysis of quantitative and qualitative data focused on a subset of agency grant programs to review for environmental, human health, or other priority strategic programmatic outcomes. EPA plans to use the cumulative information from the studies and pilots conducted from FY 2021 through FY 2024 in addition to FY 2025 analysis to address the overarching learning agenda question "How can EPA assess the extent to which commitments achieve the intended environmental and/or human health results and identify possible next steps in establishing a comprehensive grant reporting system?" and to inform executive-level decisions about grants management, including improvements to processes, guidance, and implementation of data and reporting.



**Anticipated challenges and proposed solutions:** Success depends on high stakeholder engagement and participation, including that of regional and NPM staff and management. EPA will address these challenges by relying on a group of regional and NPM points of contact and leveraging access to senior leadership calls. It will be challenging to keep up with the rapidly changing landscape regarding grant funding at EPA. Grant programs at EPA continue to expand in size and number. The high visibility of this additional funding further highlights the importance of accountability in grant reporting.

**Partnerships supporting this evidence-building effort:** EPA will continue to engage with and inform states and tribes of EPA efforts through ECOS, the e-Enterprise Leadership Council (EELC), and other appropriate fora.

**Dissemination of findings:** All final reports for the Grant Commitments Met learning priority work can be found on [EPA's Evidence Act website](#). The [Year 1](#) and [Year 2](#) reports are currently available.

## Office of the Administrator

|                                   |  |                        |               |
|-----------------------------------|--|------------------------|---------------|
| <b>Title</b>                      | Estimating the Social Cost of Greenhouse Gases (SC-GHG)  |                        |               |
| <b>Lead Office</b>                | Office of the Administrator  |                        |               |
| <b>Link to EPA Strategic Plan</b> | Goal 1: Tackle the climate crisis.<br>Objective 1.1: Reduce emissions that cause climate change. |                        |               |
| <b>Start Date</b>                 | January 2024   | <b>Completion Date</b> | December 2028 |
| <b>Note</b>                       | This assessment is being conducted over multiple fiscal years.                                   |                        |               |

**Purpose and brief description:** A robust and scientifically founded assessment of the positive and negative impacts that an action can be expected to have on society facilitates evidence-based policy making. Estimates of the social cost of carbon (SC-CO<sub>2</sub>), social cost of methane (SC-CH<sub>4</sub>), and social cost of nitrous oxide (SC-N<sub>2</sub>O) allow analysts to incorporate the net social benefits of reducing emissions of each of these greenhouse gases, in benefit-cost analysis, and when appropriate, in decision making and other contexts. Collectively, these values are referred to as the “social cost of greenhouse gases” (SC-GHG). The SC-GHG is the monetary value of the future stream of net damages associated with adding one ton of that GHG to the atmosphere in a given year. The SC-GHG, therefore, also reflects the societal net benefit of reducing emissions of the gas by one ton.

The academic literature has published estimates of the social cost of carbon and other GHGs since at least the early 1990s. As early as 2002 researchers began conducting reviews that combined lines of evidence across early SC-CO<sub>2</sub> estimates (Clarkson and Deyes 2002). The EPA began regularly incorporating SC-CO<sub>2</sub> estimates in regulatory impact analyses following a 2008 court ruling in which an agency was ordered to consider the SC-CO<sub>2</sub> in the rulemaking process. The SC-CO<sub>2</sub> estimates initially presented in EPA analyses in 2008 and early 2009 were derived from the academic literature. Beginning in September 2009, EPA’s regulatory impact analyses applied SC-CO<sub>2</sub> estimates that were developed through a U.S. Government interagency working group (IWG) process, supported by EPA analysis. In January 2017, the National Academies released a report, *Valuing Climate Damages: Updating Estimation of the Social Cost of Carbon Dioxide*, that recommended specific criteria for future updates to the SC-CO<sub>2</sub> estimates, a modeling framework to satisfy the specified criteria, and research needs pertaining to various components of the estimation process (National Academies 2017).

In the regulatory impact analysis of EPA’s November 2022 Supplemental Notice of Proposed Rulemaking, “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review,” in addition to using the current recommended interim SC-GHG estimates from the IWG process, EPA included a sensitivity analysis of the climate benefits of the proposed rule using a new set of SC-GHG estimates. These new estimates incorporate recent research addressing near term recommendations in the National Academies report (2017). EPA solicited public comment on the sensitivity analysis and the external review draft of the accompanying technical report, “Report on the Social Cost of Greenhouse Gases: Estimates Incorporating Recent Scientific Advances,” that

explains the methodology underlying the new set of SC-GHG estimates, in the docket for the proposed Oil and Gas rule. EPA also conducted an external peer review of the report.

As noted in EPA's technical report containing the updated SC-GHG estimates numerous categories of climate change damages are not currently quantified. The EPA is committed to expanding lines of evidence, including more robust methodologies for estimating the magnitude of the various direct and indirect damages from GHG emissions and addressing long term recommendations from the National Academies (2017), that could further improve SC-GHG estimation going forward. In FY 2025, EPA plan to continue its efforts to develop and implement new damage categories and modeling improvements that will allow for more fulsome estimates of the SC-GHG in future updates.

**Question to be addressed:** What are the benefits of incremental reductions in GHG emissions?

### **Methodological and Analytical approach**

**Data collection methods:** Literature reviews, acquisition and processing of administrative data, and modeling.

**Data sets:** The specific data set used will depend on the damage categories and modeling improvements selected.

**Analytic approach:** The specific analytic approaches will depend on the damage categories and modeling improvements selected but are likely to include econometric analysis and structural modeling.

**Tools and/or equipment:** The specific tools will depend on the damage categories and modeling improvements selected but are likely to include the R, python, and julia programming languages consistent with current tools used to develop the SC-GHG estimates.

**Anticipated challenges and proposed solutions:** As is usual in scientific research, there are always some risks. However, EPA has a rich experience leading the Federal government's efforts on the SC-GHG, and EPA knows the data and modeling challenges that need to be overcome to develop more complete estimates of the SC-GHG. We have sought to mitigate those risks through engagement with a robust group of experts with opportunities for cross-fertilization and scientific dialogue through the 2017 National Academies report and recent SC-GHG peer review that provide thoughtful and reasoned direction for future research and advancements.

**Dissemination of findings:** The technical report describing the methodology and SC-GHG estimates, along file replication files and source code, are posted on EPA's [website](#).

## Office of Air and Radiation

|                                   |  |                        |            |
|-----------------------------------|--|------------------------|------------|
| <b>Title</b>                      | Inventory of U.S. Greenhouse Gas Emissions and Sinks   |                        |            |
| <b>Lead Office</b>                | Office of Air and Radiation  |                        |            |
| <b>Link to EPA Strategic Plan</b> | Goal 1: Tackle the climate crisis<br>Objective 1.1: Reduce emissions that cause climate change                           |                        |            |
| <b>Start Date</b>                 | May 2024   | <b>Completion Date</b> | April 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year. The start and completion dates indicate the timeframe for the annual report. |                        |            |

**Purpose and brief description:** EPA has prepared the official Inventory of U.S. Greenhouse Gas Emissions and Sinks since the early 1990s. This annual report provides a comprehensive accounting of total greenhouse gas (GHG) emissions from all man-made sources in the United States over time. The gases covered by the Inventory include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride. The Inventory also calculates carbon dioxide removal from the atmosphere by “sinks” (e.g., through the uptake of carbon and storage in forests, vegetation, and soils) from management of lands in their current use and as lands are converted to other uses. The national greenhouse gas inventory is submitted to the United Nations in accordance with the Framework Convention on Climate Change. Starting in 2022, EPA also has released the Inventory of U.S. Greenhouse Gas Emissions and Sinks by State (hereafter referenced as the Inventory), which provides state-by-state data consistent with the national greenhouse gas inventory and with international standards. As with the national inventory, the state-level greenhouse gas inventory provides the latest annual data and will be updated each year.

### Question(s) to be addressed:

- How does EPA provide comprehensive accounting of total greenhouse gas emissions from all man-made sources in the United States?
- How does data regarding national GHG emissions and sinks contribute to discussions regarding climate change?
- How does the Inventory support U.S. obligations to the United Nations Framework Convention on Climate Change?

### Methodological and analytical approach

**Data collection methods:** This inventory adheres to both: (1) a comprehensive and detailed set of methodologies for estimating sources and sinks of anthropogenic greenhouse gases; and (2) a common and consistent format that enables Parties to the United Nations Framework Convention on Climate Change (UNFCCC) to compare the relative contribution of different emission sources and greenhouse gases to climate change.

**Data sets:** In following the UNFCCC requirement under Article 4.1 and related decisions to develop and submit annual national greenhouse gas emission inventories, the emissions and

sink categories are calculated using internationally accepted methods provided by the Intergovernmental Panel on Climate Change (IPCC) in the 2006 IPCC Guidelines for National Greenhouse Gas Inventories and where appropriate, its supplements and refinements.

In applying methods, the Inventory makes use of data submitted to EPA's Greenhouse Gas Reporting Program (GHGRP) as well as data from other federal agencies, such as fuel consumption data published in the Energy Information Administration's (EIA) Monthly Energy Review and the U.S. Department of Defense data on military fuel consumption and use of bunker fuels. EPA collects greenhouse gas emissions data from individual facilities and suppliers of certain fossil fuels and industrial gases through its [Greenhouse Gas Reporting Program](#) (GHGRP), which is complementary to the U.S. Inventory. The GHGRP requires reporting by over 8,000 sources or suppliers in 41 industrial categories and applies to direct greenhouse gas emitters, fossil fuel suppliers, industrial gas suppliers, and facilities that inject carbon dioxide (CO<sub>2</sub>) underground for sequestration or other reasons. Annual reporting is at the facility level, except for certain suppliers of fossil fuels and industrial greenhouse gases, with a threshold of 25,000 metric tons or more of CO<sub>2</sub> equivalent per year. Methodologies used in EPA's GHGRP are consistent with the 2006 IPCC Guidelines however, it does not provide full coverage of total annual U.S. greenhouse gas emissions and sinks (e.g., the GHGRP excludes emissions from the agricultural, land use, and forestry sectors), yet it does provide an important input to the calculations of national-level emissions in the Inventory. The GHGRP dataset provides annual emissions information, annual information such as activity data and emission factors that can improve and refine national emission estimates, as well as trends over time. GHGRP data also allows EPA to disaggregate national inventory estimates in new ways that can highlight differences across regions and sub-categories of emissions, along with enhancing application of Quality Assurance/Quality Control (QA/QC) procedures and assessments of uncertainties. Further, the Inventory also makes use of data from research studies and trade publications as described in detail within the report.

**Analytic approaches:** Emissions and sink categories are calculated using internationally accepted methods provided by the IPCC using the 2006 IPCC Guidelines. Additionally, under this international agreement, the calculated emissions and removals in a given year for the United States are presented in a common manner in line with the UNFCCC reporting guidelines for the reporting of inventories. The use of consistent methods to calculate emissions and removals by all nations providing their inventories to the UNFCCC ensures that these reports are comparable. The presentation of emissions and removals provided in this Inventory does not preclude alternative examinations, but rather this Inventory presents emissions and removals in a common format consistent with how countries are to report inventories under the UNFCCC.

**Tools and/or equipment:** EPA will use existing data collection methodologies and the GHGRP.

**Anticipated challenges and proposed solutions:** At this time, EPA does not anticipate any major challenges in completing this project.

**Dissemination of findings:** The findings are published annually on EPA's [website](#) in report format. Data from each report is made available through the GHG Data Explorer and supplemental CSV files. Future [data and reporting will be published on the EPA website](#).

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Climate Change Indicators in the United States   |                        |                |
| <b>Lead Office</b>                | Office of Air and Radiation  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 1: Tackle the climate crisis<br>Objective 1.1: Reduce emissions that cause climate change |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** The EPA’s Climate Change Indicators in the United States, was created with the primary goal of informing readers’ understanding of climate change. It also is designed to be useful for the public, scientists, analysts, decision-makers, educators, and others who can use climate change indicators as a tool for communicating climate change science. EPA partners with more than 50 data contributors from various government agencies, academic institutions, and other organizations to compile a key set of indicators related to the causes and effects of climate change. These indicators also provide important input to the quadrennial National Climate Assessment and other efforts to understand and track the science and impacts of climate change.

**Question(s) to be addressed:**

- How do the indicators help to increase understanding of the impacts of climate change?
- How do the indicators help to track trends?
- How can the indicators be used to help inform science-based decision making in the Office of Air and Radiation?

**Methodological and analytical approach**

**Data collection methods:** EPA partners with more than 50 data contributors from various U.S. and international government agencies, academic institutions, and other organizations to compile these key indicators of climate change.

**Data sets:** EPA chooses indicators that meet a set of 10 criteria that consider data quality, transparency of analytical methods, and relevance to climate change. Based on the availability of these data, some indicators present a single measure or variable while others have multiple measures, reflecting different data sources or different ways to group, characterize, or zoom in on the data. The criteria EPA uses to select indicators are:

1. **Trends over time:** Data are available to show trends over time. Ideally, these data will be long-term, covering enough years to support climatically relevant conclusions. Data collection must be comparable across time and space. Indicator trends have appropriate resolution for the data type.
2. **Actual observations:** The data consist of actual measurements (observations) that are representative of the target population.
3. **Broad geographic coverage:** Indicator data are national in scale or have national significance that are representative of the region/area.

4. **Peer-reviewed data:** The quality of underlying source data sound, credible, reliable, and have been peer-reviewed and published.
5. **Uncertainty:** Information on sources of uncertainty is available and evaluations of the indicators have been made that clearly address both variability and limitations.
6. **Usefulness:** The indicator informs issues of national importance, addresses issues important to human or natural systems, and complements existing indicators.
7. **Connection to climate change:** The relationship between the indicator and climate change is supported by published, peer-reviewed science and data. A climate signal is evident among stressors, even if the indicator itself does not yet show a climate signal and the relationship to climate change is easily explained.
8. **Transparency, reproducibility, and objectivity:** The data and analysis are scientifically objective, methods are transparent, and biases, if known, are documented, minimal, or judged to be reasonable.
9. **Understandability by the public:** The data provide a straightforward depiction of observations and are understandable to the average reader.
10. **Feasibility to construct:** The indicator can be constructed or reproduced within a reasonable timeframe, and data sources allow for routine updates of the indicator.

**Analytic approaches:** EPA ensures the scientific integrity of the climate change indicators through a rigorous development process. For every indicator, EPA also develops technical documentation that describes the data sources, analytical methods used, and ensures the information is accessible [each indicator](#).

**Tools and/or equipment:** Existing data is pulled from 50 data contributors to compile the key indicators previously identified.

**Anticipated challenges and proposed solutions:** At this time, the Office of Air and Radiation does not anticipate any major challenges in completing this project.

**Dissemination of findings:** These indicators characterize observed changes from long-term records related to the causes and effects of climate change; the significance of these changes; and their possible consequences for people, the environment, and society. Examples of indicators include:

- *Heat waves:* trends in the number of heat waves per year (frequency); the average length of heat waves in days (duration); the number of days between the first and last heat wave of the year (season length); and how hot the heat waves were, compared with the local temperature threshold for defining a heat wave (intensity).
- *Coastal flooding:* tracks periodic inundation based on measurements from tide gauges at locations along U.S. coasts.
- *Glaciers:* examines the balance between snow accumulation and melting in glaciers, and it describes how glaciers in the United States and around the world have changed over time.
- *Growing season:* looks at the impact of temperature on the length of the growing season in the contiguous 48 states, as well as trends in the timing of spring and fall frosts.
- *Wildfire:* tracks four aspects of wildfires over time: the total number of fires (frequency), the total land area burned (extent), the degree of damage that fires cause to the landscape (severity), and the acreage burned by fires starting in each month of the year (seasonal patterns).

Future updates will be posted to the EPA website: <https://www.epa.gov/climate-indicators>.

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Power Sector Programs – Progress Report  |                        |                |
| <b>Lead Office</b>                | Office of Air and Radiation  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 4: Ensure clean and healthy air for all communities<br>Objective 4.1: Improve air quality and reduce localized pollution and health impacts |                        |                |
| <b>Start Date</b>                 | October 2023   | <b>Completion Date</b> | September 2024 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years, with an update each year.  |                        |                |

**Purpose and brief description:** Under the Clean Air Act, EPA implements regulations to reduce emissions from power plants, including the Acid Rain Program (ARP), the Cross-State Air Pollution Rule (CSAPR), the CSAPR Update, the Revised CSAPR Update, and the Mercury and Air Toxics Standards (MATS). These programs require fossil fuel-fired electric generating units to reduce emissions of sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and hazardous air pollutants including mercury (Hg) to protect human health and the environment. This reporting year marks the seventh year of CSAPR implementation, the fifth year of the CSAPR Update implementation, the first year of Revised CSPAR Update implementation, the 27th year of the ARP, and the fifth year of MATS implementation. This report summarizes annual progress through 2021, highlighting data that EPA systematically collects on emissions for all five programs and on compliance for the ARP and CSAPR. Commitment to transparency and data availability is a hallmark of these programs and a cornerstone of their success.

**Question(s) to be addressed:**

This annual activity assesses implementation of multiple regulations to reduce air pollution from power plants. Specific questions of interest include:

- Have the regulations met their emission reduction goals?
- What is the compliance record of air pollution sources controlled under these regulations?
- What is the air quality and environmental response of implementing these regulations?

**Methodological and analytical approach**

**Data collection methods:** EPA’s [Clean Air Markets Division](#) (CAMD) systematically collects emissions data for the [Acid Rain Program](#), [Cross-State Air Pollution Rule](#) (CSAPR), [CSAPR Update](#), and the [Mercury and Air Toxics Standards](#) (MATS). Transparency and data availability are a hallmark of these programs, and a cornerstone of their success. CAMD provides an array of reports, resources, and tools, to access and understand these data and environmental results of emission reductions at varying levels of detail.

**Data sets:** Accurate and consistent emissions monitoring data are critical to ensure program results and accountability. Most emissions from affected sources are measured by continuous emission monitoring systems (CEMS).



**Analytic approaches:** Compliance for the Acid Rain Program (ARP) and each of the Cross-State Air Pollution Rule (CSAPR) trading programs is assessed on an annual basis. Each regulated facility must hold an amount of allowances equal to or greater than its emissions for the relevant compliance period<sup>6</sup>. Historically, these programs have had exceptionally high rates of compliance. This performance continued in 2021 as 100 percent of the facilities in each of these programs held sufficient allowances to cover their emission obligations. In contrast to the ARP and CSAPR, the Mercury and Air Toxics Standards (MATS) rule is issued under section 112 of the Clean Air Act and is not an emissions trading program.

**Tools and/or equipment:** EPA will use existing tools for each program identified above.

**Anticipated challenges and proposed solutions:** At this time, EPA does not anticipate any major challenges in completing this project.

**Dissemination of findings:** Future information will be published on the EPA [website](#).

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<sup>6</sup> These emissions trading programs also are known as “allowance trading programs” or “cap-and-trade” programs.

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Title V Permitting Program Reviews   |                        |                |
| <b>Lead Office</b>                | Office of Air and Radiation  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 4: Ensure clean and healthy air for all communities<br>Objective 4.1: Improve air quality and reduce localized pollution and health impacts |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** EPA periodically assesses state and local permitting programs, including the sufficiency of fees collected, under Title V of the Clean Air Act as part of its responsibility to oversee delegated and approved air permitting programs.

**Question(s) to be addressed:**

- What are some good practices and areas of improvement in state and local permitting programs under Title V of the Clean Air Act?
- How can EPA help the permitting agencies improve their performance?
- Are fees collected sufficient to ensure effective operation of the Program?

**Methodological and analytical approach**

**Data collection methods:** In general, EPA uses a questionnaire to gather preliminary information, reviews files maintained on permits, conducts site visits, and follows up with the permitting program to clarify information in conducting a Title V program assessment.

**Data sets:** EPA uses preliminary information gathered from questionnaires to conduct a Title V program assessment. This data is created and available to EPA.

**Analytic approaches:** N/A

**Tools and/or equipment:** N/A

**Anticipated challenges and proposed solutions:** The Agency conducts these analyses annually and does not anticipate challenges.

**Dissemination of findings:** The Title V Permit analyses are posted on EPA’s website. Information and any findings also will be shared with appropriate EPA staff and management.

|              |  |
|--------------|--|
| <b>Title</b> | Our Nation’s Air: Status and Trends Through 2024 |
|--------------|--|

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Lead Office</b>                | Office of Air and Radiation  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 4: Ensure clean and healthy air for all communities<br>Objective 4.1: Improve air quality and reduce localized pollution and health impacts |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** EPA is committed to protecting public health and the environment by improving air quality and reducing air pollution. This annual report presents the trends in the nation’s air quality and summarizes the detailed information found at EPA’s Air Trends website and other air quality and emissions data.

**Question(s) to be addressed:**

- Where are areas experiencing air quality above the national ambient air quality standards?
- Are these areas trending toward improving air quality?

**Methodological and analytical approach**

**Data collection methods:** EPA will use the National Emission Inventory (NEI) and Air Quality System (AQS) to gather data.

**Data sets:** EPA pulls existing data from several sources to generate the report, such as the National Emission Inventory (NEI) and Air Quality System (AQS), both of which EPA created and can access.

**Analytic approaches:** In addition to relying on existing publicly available analyses, this report will use trends analyses for air quality and emissions information.

**Tools and/or equipment:** This report uses SAS and a variety of data visualization software.

**Anticipated challenges and proposed solutions:** The Agency produces this report annually and does not anticipate challenges. This activity is contingent upon air quality data availability from state, local, and tribal air pollution control agencies.

**Dissemination of findings:** EPA will share the results of these efforts on EPA’s website, <https://www.epa.gov/air-trends>.

## Office of Chemical Safety and Pollution Prevention

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Reducing Use of Animals in Chemical Testing in FY 2025   |                        |                |
| <b>Lead Office</b>                | Office of Chemical Safety and Pollution Prevention   |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 7: Ensure safety of chemicals for people and the environment.<br>Objective 7.1: Ensure chemical and pesticide safety. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project builds on workshops and reports developed in FY 2022 and FY 2023.   |                        |                |

**Purpose and brief description:** The Office of Chemical Safety and Pollution Prevention (OCSPP) and the Office of Research and Development (ORD) have been world leaders in advancing the science for moving away from the use of animals for toxicity testing. In December 2021, EPA released the updated “New Approach Methods Work Plan: Reducing Use of Animals in Chemical Testing” which provides a workplan to develop metrics for reducing the use of mammalian laboratory animals in both research and for safety evaluations for pesticides and industrial chemicals.

Additionally, the U.S. Government Accountability Office (GAO) released a [report](#) to Congress in 2019 recommending that Federal agencies develop metrics to assess the progress made toward reducing, refining, and replacing animal use in testing. EPA implemented activities and policies over the past several years that demonstrate significant reductions in the number of animals used in testing and saving resources for the Agency and stakeholders. In March 2021, in response to the GAO report, the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) published its report entitled “Measuring U.S. Federal Agency Progress Toward Implementation of Alternative Methods in Toxicity Testing.”

**Question(s) to be addressed:** EPA has funded a report by the U.S. National Academies of Sciences, Engineering, and Medicine study that will assess the variability and relevance of existing mammalian toxicity tests and reviews frameworks for validation and establishing scientific confidence in testing methods. In FY 2022, two public workshops were held by the NAS in support of this work. In 2023, the NAS released its report, “Building Confidence in New Evidence Streams for Human Health Risk Assessment: Lessons Learned from Laboratory Mammalian Toxicity Tests.”

There are two additional milestones for FY 2025. EPA is nearing completion of a report of existing statutes, programmatic regulations, policies, and guidance that relate to vertebrate animal testing and the implementation and use of appropriate NAMs for regulatory purposes. As started in 2022, EPA will continue to provide progress and summary metrics on reducing vertebrate animal testing requests and use across ORD and OCSPP.

## Methodological and analytical approach

**Data collection methods:** OCSPP tracks the reduction and replacement metrics through internal committees, primarily the Hazard and Science Policy Council (HASPOC) and the Chemistry and Acute Toxicology Science Advisory Council (CATSAC) and division-level processes.

**Data sets:** For OPP, critical data sets are created by EPA using the number of waivers considered and recommended for through internal committees, such as HASPOC and CATSAC. The number of submissions for particular study types also are compiled through the division.

**Analytic approach:** OCSPP is nearing completion of the development of a new process (including baseline ranges) that will provide the foundation for animal reduction metrics for TSCA-specific activities in this area.

**Anticipated challenges and proposed solutions:** Under TSCA, there is no defined set of toxicology data requirements which makes establishing baselines difficult. Accelerating progress towards adopting new approach methods requires the availability of approaches that are “equal to or better than” the typically used animal studies. Other activities described in the updated 2021 workplan will address this challenge.

**Dissemination of findings:** EPA efforts to reduce use of animals in chemical testing is reported in the Annual Reports on PRIA Implementation (<https://www.epa.gov/pria-fees/annual-reports-pria-implementation>). OPP publishes metrics on its website (<https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/strategic-vision-adopting-new-approach>). OPPT expects to begin publishing this information in 2024.

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Pesticide Registration Review in FY 2025   |                        |                |
| <b>Lead Office</b>                | Office of Chemical Safety and Pollution Prevention   |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 7: Ensure safety of chemicals for people and the environment.<br>Objective 7.1: Ensure chemical and pesticide safety. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** Review will assess the degree of progress and timely completion of docket openings, draft risk assessments, and case completions for the second cycle of pesticide registration review.

**Question(s) to be addressed:** Whether OCSPP’s suite of pesticide registration review performance measures and processes for meeting pesticide registration review statutory timeframes warrant further revision.

### Methodological and analytical approach

**Data collection method:** Data will be collected from quarterly reports of registration review actions completed, and registration review action tracking databases maintained by the program.

**Data sets:** Critical data sets include performance metric targets and results and any other data sets that could point to a need for operational improvements.

Tools and analytical methods would not be needed for this exercise.

**Anticipated challenges and proposed solutions:** OCSPP does not anticipate any major challenges in gathering performance data currently. Expert input will be brought to bear on any challenges and possibility that solutions will be needed.

**Dissemination of findings:** Indicate whether the findings will be made publicly available on EPA.gov. The expectation is that EPA’s program evaluation findings will be available to the public, in line with [EPA’s Policy on Evaluations and Other Evidence-Building Activities](#). If you anticipate not sharing the findings publicly, please explain your rationale.

OCSPP intends to make performance results publicly available. Under GPRA, any measures considered external will be transmitted to OMB and the Congress and made public. OCSPP will publish quarterly updates to the pesticide registration review schedule (<https://www.epa.gov/pesticide-reevaluation/upcoming-registration-review-actions>).

|                    |  |  |  |
|--------------------|--|--|--|
| <b>Title</b>       | IT Modernization of EPA pesticide tracking system in FY 2025 |  |  |
| <b>Lead Office</b> | Office of Chemical Safety and Pollution Prevention           |  |  |

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Link to EPA Strategic Plan</b> | Goal 7: Ensure safety of chemicals for people and the environment.<br>Objective 7.1: Ensure chemical and pesticide safety. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project builds on activities conducted between April 2019 and September 2024.   |                        |                |

**Purpose and brief description:** In April 2019, EPA kicked off Phase 1 of a multi-year digital transformation to create a fully electronic workflow for EPA registration and reevaluation activities. This effort builds on the 2016 launch of the Pesticide Submission Portal, a secure, web-based portal in EPA’s Central Data Exchange (CDX) environment through which the public can electronically submit applications for EPA evaluation. In early 2020, in advance of the launch of the new system, EPA developed performance metrics and established baselines of performance using the current agency systems for review of applications. These metrics will allow EPA to measure the impact of the digital transformation on meeting the targets and objectives described in the EPA Strategic Plan. Performance measures were developed addressing 1) timeliness of review, 2) efficiencies realized as a result of the transformation effort, and 3) employee engagement. In FY 2020, a pilot of the new system went live for one of the three regulatory divisions within OPP, as well as the Information Technology, and Resource Management Division (ITRMD) which in-processes all applications. In FY 2021, a second regulatory division in OPP entered the pilot. The pilot is specific to registration application workflows under the Pesticide Registration Improvement Act (PRIA) and its reauthorizations. Full expansion to all registering divisions and workflows will occur by the end of FY 2023, as well as some development to additional divisions in the Office of Pesticide Programs that support reevaluation regulatory activities.

In FY 2024 and FY 2025 there will be expansion to the outward-facing aspects of the digital transformation effort, improving the ability of the regulated community, other stakeholders, partners, and the American public to directly engage with the regulatory and science efforts. Improvements to the front-end portal by which companies submit applications also will occur in FY 2024/25.

**Question(s) to be addressed:** Potential for mission transformation through digitalization is enormous. Having a single system through which all data are captured, both for workflow and information needed for work, is a game changer. Managers will be able to see who is working on what task throughout their organizational unit while leaders will be able to see how all registrations and registration review cases are progressing and whether the overall trajectory is predictive of completion on time or not. Predictive algorithms will help determine where skills gaps lie so targeted hiring decision can be applied to remove bottlenecks. Employees will have access to all data they need to work on an assessment at their fingertips and won’t have to go searching for data needed for work.

Digital transformation is expected to improve employee job satisfaction significantly. By having access to quality information instantaneously available to assess the risk will enhance productivity and allow for a better work-life balance. Augmented intelligence tools being built into the new system will eventually automate administrative tasks allowing staff to focus on tasks more that bring a higher efficiency and rigor to the science. Surveys conducted one year after the launch of

the pilot that included three divisions is already showing a significant savings of time and thereby a better work-life balance.

## **Methodological and analytical approach**

**Data collection method and datasets:** Information from EPA's PRISM and OPPIN systems will allow EPA to establish baselines for how much time is spent at each stage of risk assessment and assess improvement in the overall review processes for registration and registration review cases. The Salesforce interface currently being piloted for antimicrobial and biopesticide applications will allow EPA to establish baselines for how much time is spent at each stage and assess improvement in review processes supporting new active ingredients registration determinations. The Employee Engagement metric will be tracked by evaluating results to specific questions and focus areas on the EPA Employee Viewpoint Survey and comparing responses from OPP staff before and after implementation of the IT-modernization effort.

**Analytic approach and tools:** In addition, the augmented intelligence and advance data analytics within Salesforce will allow EPA to identify stages in the review process that present bottlenecks, allowing further system development and/or resource allocation to address identified concerns. Robotic Process Automation (RPA) will enable automation of many routine tasks allowing the scientists and regulatory specialists to focus on higher value work.

**Anticipated challenges and proposed solutions:** OCSPP is currently awaiting award of the Mission Support IT Contract to continue work on the Digital Transformation. Current contracts supporting development and operations & Maintenance of systems expire in November thereby making the award of the new contract urgent. Office of Acquisition Services (OAS) is currently projecting an award date of September 15.

**Dissemination of findings:** Process improvements relating to pesticide registration and registration review activities, as well as information technology improvements, are described annually in the PRIA annual report (<https://www.epa.gov/pria-fees/annual-reports-pria-implementation>).



|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | ESA Effects Determinations for Listed Species in FY 2025   |                        |                |
| <b>Lead Office</b>                | Office of Chemical Safety and Pollution Prevention   |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 7: Ensure safety of chemicals for people and the environment.<br>Objective 7.1: Ensure chemical and pesticide safety. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted every fiscal year.   |                        |                |

**Purpose and brief description:** The Endangered Species Act (ESA) requires that the actions of federal agencies do not jeopardize the continued existence of federally threatened or endangered species or destroy or adversely modify their critical habitat. EPA is developing a process to incorporate ESA determinations into its new active ingredient registration process and to work towards more routine considerations of ESA determinations for registration review decisions. EPA anticipates increasing ESA considerations into its registration and registration review decisions at an increasing frequency over the next 5 years. In FY 2022, EPA posted the ESA workplan-[https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use\\_final.pdf](https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use_final.pdf) - to provide to the public the framework for ESA implementation into pesticide regulatory activities

**Question(s) to be addressed:** Whether OCSPP’s suite of performance measures and processes for developing ESA effects determinations warrant further revision.

### Methodological and analytical approach

**Data collection method:** EPA solicits input, data, and general comments from stakeholders and the general public on its ESA activities as they are developed and each time they are incorporated into a pesticide registration or registration review decision.

**Data set:** Critical data sets include EPA workflow tracking systems and stand-alone reports on ESA-related risk assessment activity and label mitigation as well as public comments EPA receives on its ESA activities.

Tools and analytical methods would not be needed for this exercise.

**Anticipated challenges and proposed solutions:** Describe any anticipated challenges and how they will be addressed. Include discussion of challenges to making new tools or data developed publicly available where appropriate. Identify any other activities this activity is contingent on. At this time, OCSPP does not anticipate any major challenges in gathering performance data. Expert input will be brought to bear on any challenges and possibility that solutions will be needed.

**Dissemination of findings:** OCSPP intends to make performance results publicly available. Under GPRA, any measures considered external will be transmitted to OMB and the Congress and made public.

|                    |  |  |  |
|--------------------|--|--|--|
| <b>Title</b>       | Safer Choice Consumer Survey in FY 2025            |  |  |
| <b>Lead Office</b> | Office of Chemical Safety and Pollution Prevention |  |  |

|                                   |  |                        |            |
|-----------------------------------|--|------------------------|------------|
| <b>Link to EPA Strategic Plan</b> | Goal 7: Ensure safety of chemicals for people and the environment.<br>Objective 7.1: Promote Pollution Prevention – Encourage the adoption of pollution prevention and other stewardship practices that conserve natural resources, mitigate climate change, and promote environmental sustainability. |                        |            |
| <b>Start Date</b>                 | April 2023   | <b>Completion Date</b> | March 2025 |
| <b>Note</b>                       | This project is conducted over multiple fiscal years, with repeated surveys.   |                        |            |

**Purpose and brief description:** As part of EPA’s Strategic Plan, EPA will implement the Safer Choice Program and will conduct outreach to communicate the benefits of Safer Choice. To assess the effects of these outreach activities and the Program more broadly, the Agency will conduct an annual survey of consumers to determine the awareness and perception of Safer Choice-certified products. Data from this survey also will be used to support additional goals in EPA’s Strategic Plan such as increasing the number of Safer Choice-certified products.

OPPT/Safer Choice will conduct an annual survey of 2,000 consumers to assess their awareness and perceptions of Safer Choice-certified products. Data from this survey will help assess the implementation of Safer Choice outreach efforts and increase interest in product certification.

**Question(s) to be addressed:**

- What are the awareness levels and consumer perception of the primary Safer Choice label, alternate labels (i.e., fragrance-free Safer Choice label) and Design for the Environment logo (used on antimicrobial products that meet the Safer Choice Standard)?
- How have OPPT/Safer Choice program implementation and outreach activities contributed to changes in awareness and perceptions of Safer Choice over time?

**Methodological and analytical approach**

**Data collection method:** Online survey of 2,000 consumers.

**Data set:** Existing OPPT/Safer Choice Consumer Survey data, which has been created by and is available to EPA.

**Analytic approaches:** Descriptive statistics (e.g., percentages) and potentially trend analysis with previous FY survey data.

**Anticipated challenges and proposed solutions:** Though unlikely, there may be concerns with publishing the survey results, but OPPT/Safer Choice will work to address them as appropriate, for example by only including high-level data points.

**Dissemination of findings:** Safer Choice plans to make findings publicly available on EPA.gov.

## Office of Enforcement and Compliance Assurance

|                                   |   |                        |                 |
|-----------------------------------|---|------------------------|-----------------|
| <b>Title</b>                      | Identifying interventions that are effective at overcoming the impediments to municipal compliance FY 2025  |                        |                 |
| <b>Lead Office</b>                | Office of Enforcement and Compliance Assurance  |                        |                 |
| <b>Link to EPA Strategic Plan</b> | Goal 3: Improve compliance with the nation’s environmental laws and hold violators accountable<br>Objective 3.2: Ensure high levels of compliance with federal environmental laws and regulations through effective compliance tools – including inspections, other monitoring activities, and technical assistance supported by evidence and advanced technologies |                        |                 |
| <b>Start Date</b>                 | FY 2023   | <b>Completion Date</b> | Through FY 2025 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.   |                        |                 |

**Purpose and brief description:** This project is a part of OECA’s Compliance Learning Agenda (CLA) which collaborates with states, tribes, and academics to identify the most pressing programmatic questions, and create a venue for EPA, states, tribes, and territories to collaborate in the development of evidence-based enforcement tools and techniques that will ensure the biggest impact on environmental compliance. EPA has heard about causes of noncompliance for small municipal systems from many sources over some time. Through this research, EPA hopes to identify the root causes that lead to noncompliance and that also render agency interventions (enforcement, technical assistance, etc) unsuccessful at returning systems to compliance. We anticipate this effort to involve multiple research projects under both the NPDES and SDWA programs.

**Questions to be addressed:** In addition to furthering the efforts of OECA’s Compliance Learning Agenda, the results of this activity will be used to improve agency efforts and interventions to ensure that they are effective at returning systems to compliance. The following questions will be addressed:

1. What are the Root Causes of Municipal (Wastewater Treatment Plants and Drinking Water systems) Noncompliance that Can Render EPA and State Enforcement and Technical/Financial Assistance Efforts Unsuccessful?
2. Considering the root causes of municipal noncompliance, what are the impediments to compliance that prevent technical assistance/financial assistance/enforcement tools from being effective in producing compliance?
3. What Alternate or Supportive Interventions are effective in producing compliance?
4. What is the effectiveness of the application of various compliance tools to municipal noncompliance, *e.g.*, enforcement actions, technical assistance, etc. in producing compliance – or improved compliance?

### **Methodological and analytical approach**

**Data collection methods:** Methods used include data analysis, survey, and follow-up interviews.

**Data sets:** The state/EPA inspection data, enforcement data, and state violation data from ECHO, ICIS-NPDES, SDWIS, and other government databases is created and available to EPA. Population and inequality data will be obtained from an external party and be made available to the Agency. The data from state associations, academic databases, and survey responses has or will be created by an external party who will make it available to the Agency.

**Analytic approach:** Statistical analysis will be used, and EPA will continue to work with academic partners to uncover which, if any, other analytical method might be used on this project.

**Tools and/or equipment:** We will continue to work with academic partners to uncover which, if any, tools and/or equipment will be use.

**Anticipated challenges and proposed solutions:**

1. Effectiveness of enforcement (and other compliance tools) in producing compliance may vary state to state for various reasons. We will make every effort to account for this in the study.
2. There are multiple likely drivers of noncompliance and variations of the drivers of noncompliance between states. We will likely need a large study dataset to analyze the associations between these drivers of noncompliance and the effectiveness of enforcement actions to become evident.
3. There is uncertainty about ease of obtaining reliable information about the drivers of noncompliance for individual enforcement action. To help overcome this challenge, EPA has partnered with the E-Enterprise Leadership Council and have invited ECOS, states, and tribes to participate in the workgroup to complete learning agenda projects.

**Dissemination of findings:** We anticipate making project findings public on EPA.gov.

## Office of Land and Emergency Management

|                                   |  |                        |              |
|-----------------------------------|--|------------------------|--------------|
| <b>Title</b>                      | FY 2025 Redevelopment economics at federal facilities  |                        |              |
| <b>Lead Office</b>                | Office of Land and Emergency Management  |                        |              |
| <b>Link to EPA Strategic Plan</b> | Goal 6: Safeguard and revitalize communities<br>Objective 6.1: Clean up and restore land for productive uses and healthy communities |                        |              |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | January 2025 |
| <b>Note</b>                       | The Economic Analysis commenced in 2016 and is updated/expanded annually. Start and end dates are for expected FY 2025 activities.   |                        |              |

**Purpose and brief description:** Cleaning up contaminated sites at federal facilities can serve as a catalyst for economic growth and community revitalization. The Superfund Federal Facilities Program facilitates the redevelopment of federal facility sites across the country by assisting other federal agencies (OFAs) expedite activities related to CERCLA response actions, while protecting human health and the environment. Collaborative efforts among OFAs; developers; and state, local, and tribal partners encourage restoration of sites. Since federal facility Superfund sites often encompass thousands of acres with buildings, roads, and other infrastructure, their effective and efficient cleanup and reuse can play a pivotal role in a community's economic growth. EPA has initiated efforts to collect economic data at a subset of federal facility Superfund sites.

**Question(s) to be addressed:** The analysis will provide current, reliable business-related information for a subset of federal facility Superfund sites in reuse and continued use.

- What information can EPA provide about federal facility Superfund sites in reuse and continued use, including the variety of purposes that some innovative business owners and organizations reuse Superfund sites?
- How these uses help economically revitalize communities near Superfund sites?

### Methodological and analytical approach

**Data collection method:** The FY 2025 Federal Facilities Superfund Economic Analysis is an update and expansion of research efforts in 2016, 2018, 2019, 2020, 2021 and 2022. These efforts provide current, reliable business-related information for a subset of federal facility Superfund sites in reuse and continued use. The research process uses the following methodology:

- Verification and/or update of economic information for previously identified site businesses.
- Discovery of new active businesses that may not have been operating previously at sites, or that may not have been identified previously, and collection of economic information for those newly identified site businesses.
- Discovery of previously identified site businesses that may have closed or moved off site.
- Quality control/quality assurance (QA/QC) review of economic data collected during the update.

**Data sets:**

- Hoovers/Dun & Bradstreet (external party data set) is used to obtain data on businesses, jobs, and annual sales.
- ReferenceUSA (external party data set) is used to obtain data on businesses, jobs, and annual sales.
- Manta database (external party data set) is used to obtain data on businesses, jobs, and annual sales.
- The Bureau of Labor Statistics (BLS) Quarterly Census of Employment and Wages (external party data set) is used to estimate annual income based on the number of jobs identified at the business and the average weekly wage reported by BLS for each business's primary NAICS code and location.

**Analytic approach:** The study estimates economic activity at federal facilities Superfund sites based on methodology developed by EPA's Superfund Redevelopment Program. Data on businesses, jobs and annual sales were obtained from Hoovers/Dun & Bradstreet, Reference Solutions, Manta.com and other published reports identified online. These databases and reports include data reported by businesses. Accordingly, some reported values might be underestimates or overestimates. In general, economic information gathered for sites in reuse is conservative, as it is not always possible to identify all businesses on site. Wage data are from the Bureau of Labor Statistics (BLS) Quarterly Census of Employment and Wages and are used to estimate annual income based on the number of jobs identified at the business and the average weekly wage reported by BLS for each business's primary NAICS code and location.

**Tools and/or equipment:** Excel

**Anticipated challenges and proposed solutions:** The Economic Analysis commenced in 2016 and is updated/expanded annually. The Economic Analysis is an established activity that provides valuable metrics for the Program and is expected to continue without challenges.

**Dissemination of findings:** The summary of the results will be shared on [Redevelopment Economics at Federal Facilities](#) website. In addition, economic data are included in budget justifications to Congress and are used in general communication with other Federal agencies and the public.

|                                   |  |                        |              |
|-----------------------------------|--|------------------------|--------------|
| <b>Title</b>                      | FY 2025 Redevelopment economics at remedial sites (non-federal facility)   |                        |              |
| <b>Lead Office</b>                | Office of Land and Emergency Management  |                        |              |
| <b>Link to EPA Strategic Plan</b> | Goal 6: Safeguard and revitalize communities<br>Objective 6.1: Clean up and restore land for productive uses and healthy communities |                        |              |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | January 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |              |

**Purpose and brief description:** Cleaning up contaminated sites can serve as a catalyst for economic growth and community revitalization. The Superfund Redevelopment Program (SRP) facilitates the redevelopment of sites across the country while protecting human health and the environment. Collaborative efforts among state, local, and tribal partners, redevelopers, and other federal agency programs encourage restoration of sites.

Since Superfund sites often encompass buildings, roads, and other infrastructure, their effective and efficient cleanup and reuse can play a pivotal role in a community's economic growth. EPA has initiated efforts to collect economic data at a subset of Superfund sites. Each year, the data collected is made available on EPA's webpages as part of the Redevelopment Economics at Superfund Sites StoryMap webpage and corresponding pages on National Beneficial Effects and related topics. EPA has created a Superfund Redevelopment Economics Notebook that provides a general overview of EPA's efforts to quantify some of the economic benefits associated with the cleanup and reuse of Superfund sites.

In addition, Regional Economic Profiles summarize economic data collected for Superfund sites within an EPA region. They also highlight successes and put them in the context of aggregated data within the state and EPA region. Economic data are updated annually; regions receive a full regional economic profile or a data supplement to update the prior year's full regional economic profile on alternate years.

Economic data are included in budget justifications to Congress and are used in general communication with key stakeholders and the public.

**Questions to be addressed:** The analysis will provide current, reliable business-related information for a subset of Superfund sites in reuse and continued use:

- What information can EPA provide about Superfund sites in reuse and continued use, including the variety of purposes that some innovative business owners and organizations reuse Superfund sites?
- How does this use help economically revitalize communities near Superfund sites?

### **Methodological and analytical approach**

**Data collection methods:** Each year, SRP collects the following types of economic information for site businesses: the names of businesses operating at sites, the number of

people employed at site businesses, wage and income information, and annual business sales. During each update, referred to as the Annual National Economic Information Update, SRP gathers economic information from high-quality, online economic databases. Economic information also comes from site stakeholders and businesses, local media, and online resources. Wage values come from the U.S. Bureau of Labor Statistics' Quarterly Census of Employment and Wages. SRP uses those wage values to calculate estimated annual income for each site business based on North American Industrial Classification System (NAICS) codes. To identify new sites that may potentially support revenue-generating businesses, the annual update includes a review of sites in commercial, industrial, recreational, agricultural, and residential reuse, as well as sites in planned reuse. SRP uses the information from the Annual National Economic Information Update to track progress in returning sites to beneficial use and to respond to federal and Congressional information requests. At the end of each Annual National Economic Information Update, SRP compiles all site-level economic information and calculates the estimated beneficial effects of site reuse at the national level. In 2022, SRP gathered economic information for 671 sites in reuse.

**Data sets:**

- EPA information on site reuse collected through Annual National Economic Information Update (it will be created by EPA).
- Dun & Bradstreet Hoovers platform (external party data).
- U.S. Bureau of Labor Statistics' Quarterly Census of Employment and Wages (external party data).

**Anticipated challenges and proposed solutions:** The Economic Analysis commenced in 2011 and is updated/expanded annually. The Economic Analysis is an established activity that provides valuable metrics for the Program and is expected to continue without challenges.

**Dissemination of findings:** Each year, the data collected is made available on EPA's webpages as part of the Redevelopment Economics at Superfund Sites page and corresponding pages, as well as the Putting Sites to Work - How Superfund Redevelopment is Making a Difference in Communities Across the United States: Compendium of 2021 Economic Data. Economic data are included in budget justifications to Congress and are used in general communication with key stakeholders and the public.



|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | FY 2025 Planned analyses of economic benefits at Resource Conservation and Recovery Act (RCRA) corrective action facilities          |                        |                |
| <b>Lead Office</b>                | Office of Land and Emergency Management,<br>Office of Resource Conservation and Recovery   |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 6: Safeguard and revitalize communities<br>Objective 6.1: Clean up and restore land for productive uses and healthy communities |                        |                |
| <b>Start Date</b>                 | November 2020  | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years and may recur annually after FY 2025 depending on resource availability.  |                        |                |

**Purpose and brief description:** Cleaning up contaminated facilities serves as a catalyst for economic growth and community revitalization and can help to preserve existing business operations. The Resource Conservation and Recovery Act (RCRA) economic benefits study provides information on currently active businesses now operating at former RCRA Corrective Action (CA) facilities that are now in reuse after cleanup and remediation. Economic impacts associated with facilities in reuse highlight how cleanup performed under RCRA CA can set the stage for a wide range of new development. These developments can often attract new businesses and bolster local economies. In some cases, reuse priorities are incorporated into the remedial design process, resulting in cleanups that directly facilitate future reuse. Such facilities can serve as models of what is possible when EPA and RCRA-authorized states, other state and local entities, and facility stakeholders work together to address cleanup and consider reuse priorities early in the cleanup process. Since RCRA facilities often encompass buildings, roads, and other infrastructure, their effective and efficient cleanup for continued use and/or reuse/redevelopment can play a pivotal role in a community's economic growth. Additionally, this study reveals how cleanup performed under RCRA CA also can facilitate safe, continued operations of long-time facility businesses, while also protecting human health and the environment through remediation. EPA has initiated efforts to collect economic data at a subset of RCRA facilities to gain evidence of such economic benefits.

**Questions to be addressed:** The ongoing analysis of economic benefits provides current, reliable business-related information for a subset of RCRA Corrective Action Facilities now in reuse after they have been cleaned up. The study helps to highlight the significant economic benefits that can occur when such facilities are remediated. The analyses furthermore help the RCRA cleanup program characterize the many types of redevelopment that can occur at RCRA Corrective Action facilities. To leverage these economic findings, the Program also is producing facility case studies that showcase the cleanup and current uses so that they may be used as examples of what may be replicable at other RCRA cleanups.

### **Methodological and analytical approach**

**Data collection methods:** The 2021 RCRA economic benefits study involves the collection and research of current, reliable, publicly available business-related information for businesses that are currently operating in the footprint of a subset of RCRA Corrective Action (CA)

facilities that are now either in reuse or continued use after cleanup and remediation.

**Data sets:** Information on the number of employees and sales volume for on-site businesses typically comes from the “Hoovers/Dun & Bradstreet” (D&B) database. When D&B database research is not able to identify employment and sales information for on-site businesses, EPA uses the “Reference Solutions” and “Manta” databases. These databases include data reported by businesses. In some instances where necessary, business and employment information come from publications such as company annual reports, business websites, and news media reports. Finally, employee income is estimated using average wages from the Bureau of Labor Statistics for the specific industries at each site.

**Analytic approach:** This project primarily focuses on the collection of business-related economic data for purposes of aggregation, and basic comparative analyses so that it can be made publicly available for the Program.

**Tools and/or equipment:** Only very common data collection and statistical software applications such as MS EXCEL are necessary for this project.

**Anticipated challenges and proposed solutions:** As this research is 100 percent reliant on the availability of facility boundary maps, the research cannot be conducted when such maps don't exist. A second limitation can sometimes also be the lack of publicly available data for some facilities and businesses. In these circumstances, such facilities are simply excluded from the study at this time. A complete report of all findings and the underlying research methodology also is made available on our [webpage](#). Our office is dedicated to conducting this data collection and disseminating it to the public on an annual basis, with the only contingency being the availability of funding for the study.

**Dissemination of findings:** Economic data findings are included in budget justifications to Congress and are used in general communication with key stakeholders and the public. A webpage was launched to make these findings and associated facility case studies broadly available to the public. All past and future economic benefit findings will be made publicly available on the RCRA Hazardous Waste and Corrective Action [webpage](#).

|                                   |  |                        |           |
|-----------------------------------|--|------------------------|-----------|
| <b>Title</b>                      | FY 2025 OLEM near site population analysis   |                        |           |
| <b>Lead Office</b>                | Office of Land and Emergency Management  |                        |           |
| <b>Link to EPA Strategic Plan</b> | Goal 6: Safeguard and revitalize communities<br>Objective 6.1: Clean up and restore land for productive uses and healthy communities |                        |           |
| <b>Start Date</b>                 | April 2025   | <b>Completion Date</b> | July 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |           |

**Purpose and brief description:** This is a descriptive study. The purpose is to conduct a bi-annual analysis to support evidence-based descriptions of who benefits from EPA’s cleanup and prevention work, by collecting data on the population living within three miles and within one mile of a Superfund site, Brownfields site, Resource Conservation and Recovery Act (RCRA) Corrective Action (CA) site, Leaking Underground Storage Tank (LUST) site, and Underground Storage Tank (UST) facility that exist in thousands of communities across the United States ranging from remote to large urban settings.

This analysis also supports EPA’s [America’s Children and the Environment Report](#),<sup>7</sup> by estimating the number of children and their socioeconomic/demographic characteristics who live within one mile of a RCRA CA or Superfund site that may not have had all human health protective measures in place at the time of the analysis.

Aspects of these results are included in EPA’s annual budget reviews and are included in the annual President’s Budget submitted to Congress. Results also are used in general communications with press, other government agencies, and the public.

**Question(s) to be addressed:** This analysis estimates the population living within three miles and within one mile of a Superfund site, Brownfield site, RCRA CA site, removal site, LUST site and UST facility by:

- *Race:* people who self-identify as white, black, Asian, Native American, Hawaiian/pacific islander, or other.
- *Ethnicity:* people of all races who self-identify as Hispanic or non-Hispanic.
- *Minority:* all race and ethnicity combinations except “non-Hispanic whites.”
- *Income:* below poverty level, and incomes twice or more above poverty level.
- *Education:* less than high school education.
- *Age:* Under 5, Under 18, over 64.
- *Linguistically isolated:* households where all members do not speak English as a first language or “very well.”

Populations that are more minority, low income, linguistically isolated, or less likely to have a high school education than the U.S. population as a whole, may have fewer resources with which to address concerns about their health and environment. EPA includes these factors in population analyses to understand the potential for these vulnerabilities in relation to cleanup sites at the national level.

<sup>7</sup> The Report may be accessed here: [www.epa.gov/americaschildrenenvironment](http://www.epa.gov/americaschildrenenvironment).

## Methodological and analytical approach

**Data collection methods:** The population data will be downloaded from the US Census's American Community Survey 5-Year Estimates and the site location data will be downloaded from the EPA datasets listed below.

### Data sets:

- Site location and status data from the Assessment, Cleanup and Redevelopment Exchange System (ACRES), Superfund Enterprise Management System (SEMS) and RCRA Info for Brownfields, Superfund and RCRA CA, respectively. (EPA dataset).
- Site location and status data for LUST sites and UST facilities from ORD's state LUST/UST database (EPA dataset).
- Population data from the most recent American Community Survey 5-Year Estimates (external party dataset).

### Analytic approaches:

- Latitude and longitude coordinates are used to map site locations. Then 1- and 3- mile buffers are drawn from the site location. Depending on data availability, the site location is either a point, a modeled circular site boundary based on site acreage around a point, or the actual site boundaries.
- Using census block group centroids and the 1- and 3- mile buffers, the population and characteristics are estimated. If the census block centroid falls within the buffer, then the population of that census block is included in the estimation of the near site population.
- EPA compares the near site populations to the overall U.S. population to identify differences in the characteristics listed above.
- EPA follows the methods used in the America's Children and the Environment Report Indicators E10 and E11.<sup>8</sup>

**Tools and/or equipment:** ArcGIS, R, and Excel will be used for this analysis.

**Anticipated challenges and proposed solutions:** Geospatial data available to map site boundaries is limited. EPA continues to work to improve geospatial data on Superfund and RCRA Corrective Action site boundaries. The LUST/UST data used was obtained from the [USTFinder](#). The *USTFinder* is a new web map application containing a comprehensive, state-sourced national map of underground storage tank (UST) and leaking UST (LUST) data. *USTFinder* was made possible by a large ORD data collection effort. Ability to update estimates for LUST/UST in the future depends on whether ORD updates data in the *USTFinder*.

**Dissemination of findings:** EPA will share the results of these analyses on EPA's OLEM [program benefits website](#) and include the information in agency documents that are available to the public.

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<sup>8</sup> For more details on the methods, see <https://www.epa.gov/americaschildrenenvironment/ace-environments-and-contaminants-contaminated-lands#Methods>.

## Office of Research and Development

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Environmental Justice, Cumulative Impacts, and Vulnerable Populations  |                        |                |
| <b>Lead Office</b>                | Office of Research and Development   |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 2: Take decisive action to advance environmental justice and civil rights<br>Objective 2.1: Promote environmental justice efforts at the federal, Tribal, state, and local levels |                        |                |
| <b>Start Date</b>                 | October 2022   | <b>Completion Date</b> | September 2026 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.  |                        |                |

**Purpose and brief description:** Environmental justice (EJ) is an integral part of EPA’s mission to protect human health and the environment. EJ is achieved when all people are fully protected from environmental and health hazards and have equitable access to decision-making processes to maintain a healthy environment in which to live, learn, play, and work. Low-income communities, disadvantaged groups, and indigenous peoples are often more vulnerable to environmental health challenges due to heightened exposure to pollutants, historical inequities, and social stressors, and limited adaptive capacity to address emerging stressors such as climate change. Similarly, cumulative health impacts from these chemical and nonchemical stressors vary with lifestyles, as well as inherent sensitivities. Children, older persons, and people with disabilities or pre-existing health conditions may be most susceptible and vulnerable to climate changes and associated environmental stressors. Coordinating research across the six National Research Programs (NRP) will lead to a better understanding of how cumulative impacts (exposure and health effects) and health disparities can arise from unequal environmental conditions, including impacts from climate change and exposures to pollution, and inequitable social and economic conditions.

ORD research efforts will be designed to strengthen the scientific foundation and generate evidence for actions at the Agency, state, tribal, local, and community levels to address cumulative impacts and environmental and health inequalities in vulnerable populations, lifestyles, and communities with environmental justice and equity concerns. ORD’s FY 2023 – FY 2026 Strategic Research Action Plans (StRAP 4) include focus on six cross-cutting research priorities, two of which are environmental justice and cumulative impacts. For cumulative impacts, EPA published the peer-reviewed *Cumulative Impacts: Recommendations for ORD Research*<sup>9</sup> to guide development of StRAP 4 research. Researchers responded and are currently working on over 90 research products that address the recommendations included in that report. There are a total of nearly 200 unique products being developed for cumulative impacts and environmental justice combined.

**Question(s) to be addressed:** ORD's research will address multiple questions related to understanding and addressing cumulative and disproportionate impacts and environmental justice concern. These include expanding scientific understanding and generating evidence on

<sup>9</sup> For more details on the methods, see <https://www.epa.gov/system/files/documents/2023-05/CUMULATIVE%20IMPACTS%20RESEARCH-FINAL%20REPORT-EPA%20600-R-22-014A%20%2812%29.PDF>.

environmental health disparities resulting from exposure to chemical and non-chemical stressors. Research also investigates intertwined social and environmental variables affecting community resilience and vulnerability across population groups and lifestyles to inform development of policy solutions. The research also includes characterizing and assessing disproportionate exposures, risks, and impacts across media and considering climate change. ORD will use methods such as cumulative impact assessments to identify, compare, and evaluate evidence-based solutions. These solutions aim to reduce impacts and improve health and environmental equity with communities that historically have been underserved and overburdened.

## **Methodological and analytical approach**

**Data collection methods:** A variety of methods and approaches will be used across the cumulative impacts and environmental justice research portfolios to assess who, where, and how environmental health and wellbeing are disproportionately affected and identify tools, approaches, and potential solutions for reducing these cumulative and disproportionate impacts. These methods include systematic literature reviews and meta-analyses, surveys, primary data collection, health/ecological/environmental impact assessments related to specific decisions, clustering analyses, multiple regressions and other statistical approaches, biomonitoring, biological aging, allostatic load, and analysis of large datasets. Where appropriate, models, such as EJScreen, may be used.

**Data sets:** EPA will use existing and new data sets to carry out the environmental justice and cumulative impacts research. Any datasets EPA creates or have created for us that underly publications on these topics will be made publicly available through Science Hub. For example, states maintain health databases which may prove useful for cumulative impacts and environmental justice research. Additionally, as EPA becomes aware of large datasets, EPA will explore what is in those datasets and whether the Agency can obtain those datasets for scientific study.

**Analytic approaches:** Multiple scientific and statistical approaches will be used for the cumulative impacts and environmental justice research. These include development of indicators and indices, epidemiological and toxicology-based studies examining, for example, allostatic load and biological aging, and exploration of the effects of non-chemical stressors on health and wellbeing. Other statistical approaches may include clustering analyses and multiple regressions.

**Tools and/or equipment:** A variety of tools and equipment will be used to carry out this research. These include statistical software, geospatial tools, scientific equipment, and low-cost community sensors (*e.g.*, Purple Air).

**Anticipated challenges and proposed solutions:** This research area will produce many scientific deliverables which required complex research planning and connection with internal partners (*e.g.*, OLEM, OEJECR, OCHP, Regional Offices) and external partners and stakeholders. Throughout the ongoing implementation of the research, varying levels of coordination, cooperation, and collaboration have been and will be needed, which requires commitment on the part of our partners and stakeholders. This is necessary to ensure deliverables/products address partner needs. In FY 2025, ORD will continue to develop more efficient and effective methods of project implementation and tracking.

**Dissemination of findings:** Environmental Justice and cumulative impacts research findings will take a variety of publicly available forms including journal publications, open-access web-based tools and models, data sets, webinars, and technical fact sheets. EPA makes these available to the public via Science Inventory, the GeoPlatform, and on topical epa.gov webpages.

|                                   |   |                        |                |
|-----------------------------------|---|------------------------|----------------|
| <b>Title</b>                      | Climate Change Research   |                        |                |
| <b>Lead Office</b>                | Office of Research and Development  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 1: Tackle the climate crisis<br>Objective 1.1: Reduce emissions that cause climate change<br>Objective 1.2: Accelerate resilience and adaptation to climate change impacts |                        |                |
| <b>Start Date</b>                 | October 2022  | <b>Completion Date</b> | September 2026 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.   |                        |                |

**Purpose and brief description:** Climate change is impacting public and environmental health and these impacts are likely to increase and compound over time. Changing climate patterns exacerbate the frequency, duration and intensity of wildland fires, extreme heat, flooding, drought, and harmful algal blooms; and change transportation and energy usage, for example increases in air conditioner use. These climate related events adversely impact air and water quality, availability of clean water, and infrastructure among other consequences. ORD’s FY 2023 – FY 2026 Strategic Research Action Plans (StRAP 4) include focus on six cross-cutting research priorities including climate change. Coordinating research across the six National Research Programs (NRP), this research will improve understanding of these climate-driven changes, developing knowledge to support science-based decision making, and supporting climate induced disaster preparation, response and recovery, resiliency of ecosystems and the services they provide, community resilience and sustainability, and protection of human health and the environment. ORD research will generate evidence on the impacts of climate change on human health and ecosystems and societal responses, evaluate the effectiveness of greenhouse gas (GHG) mitigation approaches and strategies, and identify and evaluate adaptation and resilience approaches. This evidence can inform mitigation, adaptation, and resilience decisions at multiple levels of governance including local, tribal, state, regional, and national.

**Question(s) to be addressed:** ORD climate change research will address questions related to GHG mitigation technologies and strategies (e.g., emissions reductions and carbon removal and sequestration) alternative sources of water for safe reuse, coastal acidification and hypoxia, forecasting and early detection of harmful algal blooms, natural infrastructure for coastal adaptation, and building community and infrastructure resilience to climate related extreme events and longer term stressors. In addition, ORD research will provide tools and data to assist EPA, state, tribal, local government, and communities in predicting how air quality, water quality, ecosystems, and human health will change as a result of the changing climate and the potential mitigation strategies that are adopted. ORD research will address questions related to the disproportionate impacts of climate change to inform decisions, sustainable transitions, and efforts

to decrease disparities. ORD research also will address questions related to EPA responses to climate-related disasters, including public drinking water supply, drinking and wastewater infrastructure recovery, debris management, and environmental contamination cleanup (oil spill, pesticide, hazardous waste, mold, etc.). Many of these response activities benefit from capabilities developed from research supporting disaster response and recovery.

## **Methodological and analytical approach**

**Data collection methods:** This research area will use multiple quantitative and qualitative methods to produce data, methods, and tools to advance the understanding of adverse health impacts among people, changes to air quality, changes to water quality and quantity, changes to contaminant loading in sediments and soils, and changes to ecosystem functions and services that are associated with changing climate. This research area also will produce methods and tools to improve community preparation for, response to, and recovery from climate induced disasters, as well as to improve the long-term resilience of communities to climatic change with respect to human health and welfare. Methods used in this research area may include but are not limited to literature reviews, computer modeling, environmental monitoring, health data collection, clinical studies, toxicological studies, statistical analyses, text analysis, surveys, interviews, and focus groups.

**Data sets:** EPA will use existing and new data sets to carry out the climate change research. Any datasets EPA creates or has created for us that underly publications on these topics will be made publicly available through the EPA [Science Inventory](#). Examples of data sets to be used include observational data used for epidemiological studies, results of toxicological studies, air emissions data, environmental measurements, and downscaled climate modeling outputs.

**Analytic approach:** Multiple scientific and statistical approaches will be used for climate change research. These include development of indicators and indices, epidemiological and toxicology-based studies examining, for example, interactions of climate change and air pollution and impacts of wildland fire smoke on health, and ecological studies, including for example place-based studies of strategies to adapt to increased risks of flooding using nature-based solutions.

**Tools and/or equipment:** Multiple tools and equipment will be used for climate change research. These include but are not limited to climate change models and outputs, air quality models, water distribution system models, systems models, ecological models, water quality and air sensors, satellite and other remote sensing data, and geographic information systems.

**Anticipated challenges and proposed solutions:** This research area will produce scientific deliverables which will require complex research planning, facilitation, review coordination, task prioritization, and regular interactions with the program and regional partners (*e.g.*, AO, OAR, OW, OLEM, OHS, Regional Offices) to ensure deliverables/products address partner's needs. In FY 2025, ORD will continue to develop more efficient methods of project implementation and tracking.

**Dissemination of findings:** Research area findings will take a variety of publicly available forms such as technical reports, journal publications, open-access web-based tools and models, data sets, webinars, and technical fact sheets aimed at promoting translation of results to inform solutions.



Findings will be made publicly available through the [Science Inventory](#). Tools also will be available through the [Global Change Explorer](#).

## Office of Water

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Public Water System Supervision (PWSS) Program Reviews and Drinking Water State Revolving Fund State Reviews                             |                        |                |
| <b>Lead Office</b>                | Office of Water  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.1: Ensure safe drinking water and reliable water infrastructure. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** EPA annually conducts reviews of agencies with Public Water System Supervision (PWSS) primacy (55 reviews) and reviews of each state Drinking Water State Revolving Fund program (51 reviews).

**Questions to be addressed:** These reviews assess if primacy entities are effectively implementing the PWSS program to oversee community water system compliance with the Safe Drinking Water Act and evaluate if states are effectively implementing the Drinking Water State Revolving Fund program to facilitate public water system compliance with the Safe Drinking Water Act (SDWA). Questions addressed include:

- Are primacy entities effectively implementing the range of activities in the PWSS program to oversee community water system compliance with the Safe Drinking Water Act?
- Are states effectively implementing the Drinking Water State Revolving Fund program to facilitate public water system compliance with the Safe Drinking Water Act, addressing public health protection and affordability, assisting disadvantaged communities with access to funding, applying fiscal integrity and controls, effectively using Bipartisan Infrastructure Law funds, and complying with the EPA's State and Tribal Assistance Grant program requirements?

**Data collection methods:** EPA PWSS review results are reported annually in each of the individual 55 primacy agency Performance Evaluation Reports. In addition, the EPA DWSRF review results are reported out in each individual state specific Performance Evaluation Reports annually. The reports function similarly to base line monitoring reports for grant programs. Because reports are state specific, there is not a national report of overall program performance. Examples of items included in the review include:

- The results of reviews of state program files for system compliance with PWSS and DWSRF rules and cross cutting requirements.
- The results of regional transaction testing for federal cash draws.
- State performance in key PWSS and DWSRF program metrics, such as funding to disadvantaged communities and using Bipartisan Infrastructure Law funds.
- Success (or lack of success) in addressing past issues raised.

**Anticipated challenges and proposed solutions:** Not applicable.

**Dissemination of findings:** EPA PWSS review results are reported annually in each of the individual 55 primacy agency Performance Evaluation Reports. In addition, EPA DWSRF review results are reported out in each individual state specific Performance Evaluation Reports annually. EPA shares PWSS information on water system compliance rates across and within states. EPA makes publicly available an annual report on the status of the national DWSRF program. EPA also shares project and financial data at the national and state level.

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Title</b>                      | Public Water System Supervision (PWSS) National Community Water System Non-Compliance Review   |                        |                |
| <b>Lead Office</b>                | Office of Water  |                        |                |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.1: Ensure safe drinking water and reliable water infrastructure. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** EPA conducts a review quarterly of the PWSS National Community Water System (CWS) health-based non-compliance data.

**Question(s) to be addressed:** This review assesses the trends and causes of non-compliance. This assessment is used to inform technical, managerial, and financial state and public water system capacity building training or future drinking water regulation needs, in support regulatory drinking water compliance. The question addressed was:

- What are the barriers and challenges of CWS systems maintaining compliance with health-based drinking water standards?

**Data collection method and data set:** Data are provided from the EPA’s Safe Drinking Water Information System (SDWIS) database. There is a non-compliance review of CWS systems with health-based violations by regulation type, geographical distribution, and system source type.

**Anticipated challenges and proposed solutions:** At this time, EPA does not anticipate any major challenges in completing this project.

**Dissemination of findings:** The findings from the program reviews will be publicly shared. Quarterly data reports are shared publicly via the SDWIS FED Data Warehouse.

|                    |  |
|--------------------|--|
| <b>Title</b>       | Clean Water State Revolving Fund State Reviews |
| <b>Lead Office</b> | Office of Water                                |

|                                   |  |                        |                |
|-----------------------------------|--|------------------------|----------------|
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.1: Ensure safe drinking water and reliable water infrastructure. |                        |                |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | September 2025 |
| <b>Note</b>                       | This project is conducted each fiscal year.  |                        |                |

**Purpose and brief description:** EPA conducts annual reviews of each state Clean Water State Revolving Fund program (51 reviews).

**Question(s) to be addressed:** The reviews assess if states are effectively implementing the Clean Water State Revolving Fund program in compliance with the Clean Water Act (CWA).

Questions these reviews address include: Are states effectively implementing the Clean Water State Revolving Fund program in compliance with the Clean Water Act, addressing water quality priorities and affordability, assisting disadvantaged communities with access to funding, applying fiscal integrity and controls, effectively using Bipartisan Infrastructure Law funds, and complying with the EPA’s State and Tribal Assistance Grant program requirements?

**Data collection methods and data sets:** EPA CWSRF review results are reported out in 51 state specific Performance Evaluation Reports annually. The reports function similarly to base line monitoring reports for grant programs. Because reports are state specific, there is not a national report of overall program performance. Examples of items included in the review include:

- The results of reviews of state program files for compliance with CWSRF rules and cross cutting requirements.
- The results of regional transaction testing for federal cash draws.
- State performance in key CWSRF program metrics, such as funding to disadvantaged communities and using Bipartisan Infrastructure Law funds.
- Success (or lack of success) in addressing past issues raised.

**Anticipated challenges and proposed solutions:** At this time, EPA does not anticipate any major challenges in completing this project.

**Dissemination of findings:** EPA CWSRF review results are reported out in 51 state specific Performance Evaluation Reports annually. EPA makes publicly available an annual report on the status of the national CWSRF program. EPA also shares project and financial data at the national and state level.

|                                   |  |                        |            |
|-----------------------------------|--|------------------------|------------|
| <b>Title</b>                      | FY 2025 Lake Pontchartrain Basin Restoration Program (PRP) program assessment report                                       |                        |            |
| <b>Lead Office</b>                | Office of Water / Region 6   |                        |            |
| <b>Link to EPA Strategic Plan</b> | Goal 5: Ensure clean and safe water for all communities.<br>Objective 5.2: Protect and restore waterbodies and watersheds. |                        |            |
| <b>Start Date</b>                 | October 2024   | <b>Completion Date</b> | March 2026 |
| <b>Note</b>                       | This project is being conducted over multiple fiscal years.  |                        |            |

**Purpose and brief description:** EPA will assess (1) the suitability of the Management Conference and the program’s organizational structure in achieving the program's objectives; (2) the grantee's performance related to PRP grants; and (3) the program’s progress toward achieving the PRP equity strategy goals.

**Question(s) to be addressed:**

- Is the Management Conference performing the required program actions?
- Are work plan commitments under the PRP grants being met?
- What percentage of BIL funds are being applied towards disadvantaged communities?

**Methodological and analytical approach**

**Data collection method:** EPA will upload the program documents (or grant deliverables) received from the grantee into internal shared folders. EPA will review the grant deliverables and communicate any deficiencies to the grantee. EPA will manage record keeping spreadsheets.

**Data sets:**

Question No 1: *Is the Management Conference performing the required program actions?*

To answer question number 1, EPA will evaluate meeting notes and will develop an EPA spreadsheet to track action items from the Management Conference meetings.

Question No 2: *Are work plan commitments under the PRP grants being met?*

To answer question number 2, EPA will review the PRP Annual Evaluation Report.

Question No 3: *What percentage of BIL funds are being applied towards disadvantaged communities?*

To answer question 3, EPA will develop a spreadsheet and track PRP tracking Justice40 investments.

**Analytic method and tool:** EPA will use Microsoft Excel to compare the data and will report in Microsoft Word.

**Anticipated challenges and proposed solutions:** At this time, EPA does not anticipate any major challenges in completing this project.

**Dissemination of findings:** EPA will upload significant program fundings and reports to the Lake Pontchartrain Basin Restoration Program's public [website](#).

## FY 2025 Evaluation and Evidence-Building Activities – Supplemental Funds

### Bipartisan Infrastructure Law

The Bipartisan Infrastructure Law (BIL) expanded EPA’s historic role as a regulatory and scientific agency to be a large-scale funder of critical infrastructure. In FY 2022 and FY 2023 BIL programs at EPA designed and planned a series of evidence-building projects that address four priority areas:

- **Identification of program investments.** This priority area assesses the extent to which funds are being distributed to disadvantaged and underserved communities, including people of color, low-income groups, Tribes, and rural communities. This data will document EPA’s progress in reversing decades of underinvestment in communities most impacted by environmental hazards, pollution, and climate change.
- **Examination of how well programs are being implemented.** This priority area identifies program implementation with a focus on target schedules and milestones, including the development of deliverables such as products (e.g., reports), services (e.g., technical assistance), and events (e.g., community meetings). This data can help identify inconsistencies, bottlenecks, and gaps in the process of carrying out programs, which can then be targeted for improvement. More broadly, understanding a program’s implementation enables EPA to identify the reasons *why* a program is successful.
- **Documentation of program outcomes.** As a priority, BIL programs seek to deliver outcomes across various important dimensions: environmental (e.g., number of acres of coastline restored); community-level health indicators (e.g., child asthma rates); behavior change (e.g., individual or organizational recycling behaviors); social and economic benefits (e.g., access to green spaces, job creation); climate change mitigation (e.g., diesel emissions reduction); and climate change adaptation (e.g., flood risk reduction). Collecting data about these outcomes over the next few years will enable programs to assess their longer-term effects.
- **Identification of key stakeholders and their environmental priorities.** Stakeholder engagement is prioritized to ensure that programs are involving communities and groups who are most affected by activities and decisions of the program. Working with stakeholders helps programs harness valuable insights and experiences about local priorities and creates a shared vision for identifying and solving problems; such collaborations increase the likelihood of program success.

Each BIL program has developed an evidence-building strategy to systematically collect data that will address one or more of these priority areas, using different methods such as document reviews, interviews, surveys, and focus groups. In FY 2024 and FY 2025, programs will collect data to build an evidence base that can be used to improve their effectiveness, efficiency, and equity. EPA will share summary results and information in subsequent [Annual Performance Reports](#) and will post related evaluation reports on the Agency’s [evaluation website](#). Furthermore, significant evaluations will be included in future Annual Evaluation Plans.

## Inflation Reduction Act

The Inflation Reduction Act (IRA) enables EPA to take aggressive action in tackling the climate crisis. EPA's IRA-funded programs are being designed and launched during FY 2023 and FY 2024, during which time the Agency is identifying and implementing appropriate evaluation and evidence-building activities to support program implementation and assess results. In FY 2025, EPA will continue its efforts to use evaluation and evidence-building for IRA programs with the following goals in mind: executing programs efficiently and effectively; promoting transparency and building trust; maintaining accountability to taxpayers; and advancing equity priorities. EPA will share information and results for these activities in subsequent [Annual Performance Reports](#) and will post evaluation reports on the Agency's [evaluation website](#). Furthermore, significant evaluations will be included in future Annual Evaluation Plans.



**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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# FY 2023 Annual Performance Report

## Introduction

EPA's *FY 2023 Annual Performance Report* (APR) describes the second year of progress toward the [FY 2022-2026 EPA Strategic Plan](#). This APR presents results—the reliability and completeness of which are attested to by the EPA Administrator—against the annual performance goals and targets in the Agency's *FY 2023 Annual Performance Plan (APP) and Congressional Justification (CJ)* as updated in the *FY 2024 APP and CJ*. For the first time, this report also presents an appendix on the results of work to date funded by supplemental resources, specifically the American Rescue Plan (ARP) Act. Please also refer to EPA's [FY 2023 Agency Financial Report \(AFR\)](#) for information on financial performance results.

### *Organization of the FY 2023 APR*

EPA's FY 2023 performance results and trend data are integrated throughout the FY 2025 APP and the CJ in the Budget Introduction, Cross-Agency Strategy and Goal Overviews, and Program Project Fact Sheets. The Program Performance and Assessment section (Tab 15) is the primary component of EPA's FY 2023 APR. This section also includes EPA's FY 2025 annual performance goal targets and any revisions to FY 2024 targets. EPA's FY 2023 performance results and trend data are organized by strategic goal and objective and cross-agency strategy. Results are presented in detailed multiyear tables with targets, actuals, graphs, and key takeaways for the Agency's annual performance goals. This section adopts the terminology and color coding used to measure progress under the EPA Continuous Improvement System, a set of practices and tools that supports Agency employees in identifying and solving problems for optimal performance results.

### *FY 2023 Highlights*

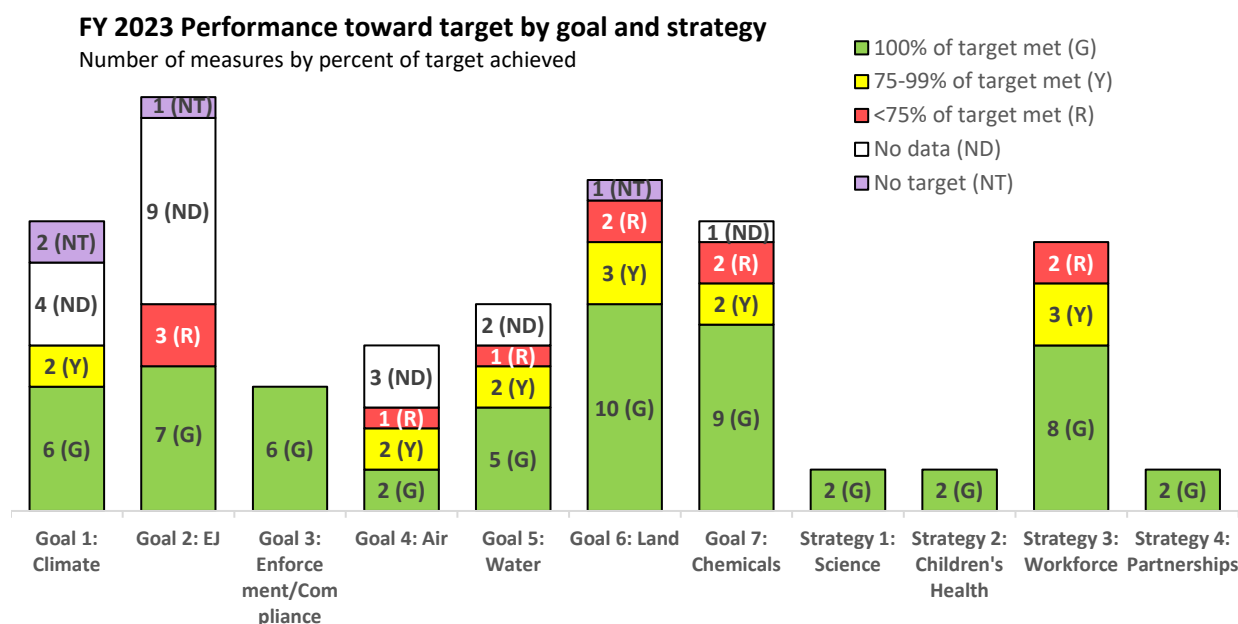
EPA continued its work with state, tribal and local partners throughout FY 2023 to further the Agency's mission to protect human health and the environment. Examples include:

- Developed a final rule under the American Innovation and Manufacturing Act to facilitate the transition to next-generation technologies by restricting the use of hydrofluorocarbons in the foams, aerosols, and refrigeration and air conditioning sectors.
- Proposed vehicle emissions standards anticipated to avoid 10 billion tons of carbon dioxide (CO<sub>2</sub>) emissions, equivalent to more than two times the total US CO<sub>2</sub> emissions in 2022.
- Proposed new carbon pollution standards for coal and natural gas-fired power plants that will reduce harmful pollutants and deliver up to \$85 billion in climate and public health benefits over the next two decades.
- Provided over 7,000 hours of assistance to help communities recover/rebuild after climate-related disasters.

- Established a Direct Implementation (DI) Center of Excellence to support actions that ensure EPA's implementation of federal environmental laws in Indian Country is as robust as implementing those laws outside of Indian Country.
- Deployed a holistic grant and technical assistance program to support community-based organizations, which will allow EPA to align investments and efforts to better meet the needs of communities.
- Selected 16 Environmental Justice Thriving Communities Technical Assistance Centers. Each of these centers will receive at least \$10 million to remove barriers and improve accessibility to federal funds for communities with environmental justice concerns.
- Revitalized enforcement, with significant increases in on-site inspections, new criminal investigations, civil settlements, and cleanup enforcement. For example, concluded 1,791 civil judicial and administrative cases, the highest number of conclusions since 2018, with 55% addressing facilities in areas with potential EJ concerns.
- Issued 203 Safe Drinking Water Act (SDWA) orders, protecting more than 1.9 million people, including eight emergency orders protecting about 2,000 people in small, overburdened communities.
- Finalized plan for 22 states to reduce transported air pollution. In the first summer of the program, power plants in the 10 currently participating states decreased smog-forming emissions of nitrogen oxides by 18%.
- Proposed national drinking water standard for six per- and polyfluoroalkyl substances (PFAS). When fully implemented, the rule will prevent thousands of deaths and reduce tens of thousands of serious PFAS-attributable illnesses.
- Proposed first-time Clean Water Act (CWA) baseline water quality standards protections for over half a million people living on over 250 Indian reservations. This proposal will safeguard water quality on Indian reservations until tribes are able to adopt their own water quality standards for their water bodies.
- Completed 49 Superfund cleanup projects that address lead as a contaminant. Issued 36 Superfund federal facility decision documents; completed 24 remedial actions.
- Cleaned up 169 brownfields, completed 1,894 brownfield site assessments, made 736 brownfield sites ready for anticipated use, and leveraged 17,441 jobs and \$3.76B at brownfield sites.
- Carried out emergency response efforts across the country, including in East Palestine, Ohio, and on Maui, Hawaii.
- Under the Toxic Substances Control Act, advanced rules to better protect communities from harmful chemicals like perchloroethylene and methylene chloride.
- Made significant contributions in PFAS research, air quality standards, and climate adaptation strategies, underlining the agency's role in leading environmental science.
- Established a first of its kind National Environmental Youth Advisory Council.
- Received 24th consecutive clean financial audit opinion, highlighting the EPA's commitment to responsible and transparent financial management.
- Received more than 6,600 Freedom of Information Act (FOIA) requests, closed more than 6,800 requests, and released more than 153,000 records. Reduced backlog of FOIA requests by nearly 26%, from 950 to 704.

## FY 2023 Annual Performance Goal Results

For FY 2023, EPA focused on a set of 107 annual performance goals, including annualized long-term performance goals to achieve ambitious targets set in the *FY 2022-2026 EPA Strategic Plan* and measures representing key work areas that support those long-term performance goals. EPA met or exceeded 70% of the targets in their entirety for annual performance goals with FY 2023 targets and data available (58 of 84). For 14 of its annual performance goals with FY 2023 targets and data available (17%), the Agency achieved between 75-99% of the target (including 10 where the Agency achieved between 90-99% of the target). For 11 of its annual performance goals with FY 2023 targets and data available (13%), EPA achieved less than 75% of the target. Reasons for missed targets include the complexity of environmental challenges, workload issues, resource/staffing challenges, and delays in program implementation. EPA will continue to make progress toward its performance targets by applying Lean management principles to improve the efficiency and cost effectiveness of its operations. More detail is available throughout the report.



FY 2023 results were not available for 19 of the Agency's annual performance goals at the time of publication of this report. Most of these measures track progress on air quality and EPA's expanding work on environmental justice. Reasons for missing data include reporting lags due to grant reporting cycles, additional time needed to collect and provide quality assurance of data from external sources, and measures and measurement methods under development. As additional results data are received for FY 2023 annual performance goals, the Agency will include the results in future APRs. Finally, FY 2023 results are reported for four of the Agency's annual performance goals for which no targets were established.<sup>1</sup>

<sup>1</sup> (PM RUL) Number of final rules issued that will reduce GHG emissions from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry, (PM AD12) Hours of appropriate subject matter expert time provided by EPA to help communities adapt to climate impacts, build long-term resilience, and support the most underserved and vulnerable communities after federally declared disasters, (PM EJCR15) Percentage of EPA programs and

## ***Fiscal Year 2022 Data Now Available***

EPA received final results for eight of the 15 annual performance goals that had insufficient data for results reporting at the end of FY 2022. EPA met or exceeded targets for four of the eight<sup>2</sup>, which support EPA's goals on climate and air quality. For three of the eight—tracking progress on EPA's work in the areas of climate, air quality, and chemical safety—the Agency achieved between 75-99% of the target<sup>3</sup>.

## **Verification/Validation of Performance Data**

The Agency developed [Data Quality Records \(DQRs\)](#) for the long-term performance goals in the *FY 2022-2026 EPA Strategic Plan*. EPA maintains the DQRs to ensure consistency and quality of data used for assessing and reporting progress towards annual performance goals that support the long-term performance goals. The DQRs describe the results being measured; data sources and limitations; methods for calculating results; and controls to ensure good data quality.

## ***FY 2022-2023 Agency Priority Goals***

EPA met targets for two of the three FY 2022-2023 Agency Priority Goals (APGs) (Reducing Hydrofluorocarbons, Communities Technical Assistance) and missed targets for one of the three APGs (Environmental Justice/Civil Rights).

- **Phase down the production and consumption of hydrofluorocarbons (HFCs).** *By September 30, 2023, annual U.S. consumption of HFCs will be 10% below the baseline of 303.9 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) consistent with the HFC phasedown schedule in the American Innovation and Manufacturing (AIM) Act and codified in the implementing regulations. A 10% reduction would decrease the U.S. consumption limit to less than 273.5 MMTCO<sub>2e</sub> in 2023.*

Met FY 2023 target. EPA completed 13 of 14 milestones for FY 2022-2023 with one milestone continuing into FY 2024-2025 APG implementation; and made significant progress towards the FY 2023 target to decrease the U.S. HFC consumption limit to less

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regions that have implemented program and region-specific disability access plans, and (PM CO1) Percentage of technical assistance projects in support of environmentally sustainable and community-driven revitalization that support or expand upon previous or ongoing federal investments.

<sup>2</sup> (PM HFC) Remaining U.S. consumption of hydrofluorocarbons (HFCs), (PM AD09) Cumulative number of federally recognized tribes assisted by EPA to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change, (PM NAAQS) Percentage of air quality improvement in counties not meeting current NAAQS, and (PM HCFC) Remaining U.S. consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, in ozone depletion potential (ODP)-weighted metric tons.

<sup>3</sup> (PM AD10) Cumulative number of states, territories, local governments, and communities (*i.e.*, EPA partners) assisted by EPA to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change, (PM NAAQS2) Percentage of people with low SES living in areas where the air quality meets the PM<sub>2.5</sub> NAAQS, and (PM P2mtc) Reductions in million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) released per year attributed to EPA pollution prevention grants.

than 273.5 MMTCO<sub>2</sub>e in 2023 with the latest data (FY 2022) showing the consumption limit at 253.4 MMTCO<sub>2</sub>e<sup>4</sup>.

The AIM Act dictates a rigorous schedule for actions to be taken, including promulgating rules to facilitate the transition to next-generation technologies and the management of HFCs, while simultaneously implementing and revising existing rules to phase down HFC production and consumption. EPA began implementing the first final rule under the AIM Act to phase down U.S. production and consumption of HFCs to 85% by 2036, which is estimated to cumulatively reduce GHG emissions by 4,600 MMTCO<sub>2</sub>e between 2022 and 2050. The Agency continued implementation of the AIM Act by managing the HFC allowance allocation program in 2022 and 2023 and preparing for the HFC phasedown in 2024 and beyond by publishing final rules to amend the production and consumption baselines and methodology to issue allowances for 2024 through 2028. The Agency also issued HFC production and consumption allowances for calendar year 2022 and 2023; and retired calendar year 2022 and 2023 consumption allowances using administrative consequences provisions in HFC Allocation Framework rule. EPA launched and co-chaired the Interagency Task Force on Illegal HFC Trade with the Department of Homeland Security. EPA reviewed petitions under AIM Subsection (i) within the statutory deadline of 180 days from receipt.

- **Deliver tools and metrics for EPA and its Tribal, state, local, and community partners to advance environmental justice and external civil rights compliance.** *By September 30, 2023, EPA will develop and implement a cumulative impacts framework, issue guidance on external civil rights compliance, establish at least 10 indicators to assess EPA's performance in eliminating disparities in environmental and public health conditions, and train staff and partners on how to use these resources.*

Missed FY 2023 target. EPA completed 13 of 32 milestones for FY 2022-2023 missing the overall target in terms of milestone completion. However, foundational progress was made on all three strategies setting the stage for significant advancement of each strategy as EPA continues this work with FY 2024-2025 APG implementation.

EPA has made significant progress in advancing its approach to assessing and addressing cumulative impacts during the two-year goal period. A few examples of the Agency's achievements include the following: EPA convened an agency-wide workgroup on cumulative impacts. EPA's Office of Research and Development (ORD) developed a research recommendations report and 94 research projects on cumulative impacts under its Strategic Research Action Plans. The Office of General Counsel issued a Cumulative Impacts Addendum to the EPA Legal Tools to Advance Environmental Justice document. EPA's Office of Environmental Justice and External Civil Rights (OEJECR), ORD, and respective EPA Regions have initiated place-based demonstration efforts in seven communities. OEJECR conducted monthly webinars on cutting-edge development in cumulative impacts tools and practice.

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<sup>4</sup> Reflects data reported through September 27, 2023. All reported data are certified by the reporter to be true, accurate and complete. EPA continues to review and verify these data and may revise and update these data, as appropriate. EPA considers it likely that these numbers will change as companies and EPA continue to review and verify the data.

EPA experienced challenges with limited resources and competing priorities throughout FY 2022-2023 for drafting and finalizing the draft procedural safeguards and legal standards guidances. Delays were also experienced due to intra- and inter-agency review on the guidances.

EPA made significant progress on its commitment to establish at least 10 indicators to assess EPA's performance in reducing disparities in environmental and public health conditions and engaged closely with internal and external partners such as the National Environmental Justice Advisory Committee, federal and state governmental partners, and communities and tribes. EPA also began development and/or confirmation of data sources, reporting, and analysis for the indicators, and ensuring that tools were in place for operationalizing this work.

- **Clean up contaminated sites and invest in water infrastructure to enhance the livability and economic vitality of overburdened and underserved communities.** *By September 30, 2023, EPA will provide technical assistance to at least 10 communities to help achieve clean and safe water and reduced exposures to hazardous substances.*

Met FY 2023 target. EPA completed all milestones for FY 2022-2023 and met all key indicator targets resulting in overall achievement of this APG.

Over the past two years, EPA's Office of Water (OW) and Office of Land and Emergency Management (OLEM) have been collaborating to pilot a holistic, cross-media approach to providing technical assistance to 10 communities. The intent was to leverage multiple programs, legal authorities, and funding sources, and apply them in a way that provides each community meaningful input into the planning decisions and investment of resources for remediation and/or water infrastructure projects. Another goal was to help communities better understand opportunities available to assist them in their environmental challenges. Each EPA regional office selected an overburdened, underserved, or tribal community to pilot this cross-media approach.

Through these efforts, EPA developed an online mapping application that brought together over 40 OW and OLEM programmatic datasets for use by EPA regions to initially identify selected communities. The community multi-media projects include activities such as addressing lead threats in resident's yards, identifying and promoting actions to reduce lead exposure in drinking water and addressing lead-based paint and/or engaging with a tribal government and community to enhance their understanding and confidence in cleanup decisions, while at the same time providing technical assistance to support key decisions related to their long-term stability in water infrastructure.

While EPA's Water and Land staff have worked together on certain issues in the past, this APG gave both program offices the opportunity to collaborate more closely and build stronger lines of communication that will serve EPA better going forward. The APG has demonstrated the value of listening and asking questions to help determine how EPA can best assist communities, as opposed to starting off their interactions with each other by

giving presentations or explaining EPA programs. This approach will be helpful in future community-based work, particularly with communities who have faced long-standing environmental challenges. It also highlighted the importance of involvement of and coordination with community representatives and other internal and external partners and stakeholders.

### ***Evidence and Evaluation***

Summaries of FY 2023 program evaluations and contributions to EPA's portfolio of evidence are available at <https://www.epa.gov/planandbudget/results>. EPA uses program evaluations and other evidence-building activities to assess the effectiveness, efficiency, and/or equity of programs' work in meeting Agency goals; identify ways to improve mission delivery; and build an evidence base to improve decision making. This is particularly important for fostering transparency and accountability. For example, the Office of Chemical Safety and Pollution Prevention (OCSPP) evaluated the effectiveness of the pesticide safety training that EPA offers to farmworkers in accordance with the Agricultural Worker Protection Standard (WPS) rule, and the results of this evaluation will be used to make improvements to the training program. As another example, every five years, each location within the National Estuary Program (NEP) is evaluated for progress in achieving programmatic and environmental results, producing recommendations for improvement on areas including administration and governance, healthy ecosystems, and communication and stakeholder engagement.

### ***Supplemental Resources***

The American Rescue Plan (ARP) Act, Infrastructure Investment and Jobs Act (IIJA) also known as the Bipartisan Infrastructure Law, and the Inflation Reduction Act (IRA) collectively provide EPA with more than \$100 billion in supplemental funding over multiple years for a wide range of programs. EPA is supporting the Administration's Justice40 initiative by prioritizing benefits to underserved communities in developing requests for grant applications and in making grant award decisions, to the extent permitted by law. Supplemental investment information including current funding opportunities can be found at: <https://www.epa.gov/invest>.

The American Rescue Plan Act provided EPA with \$100 million dollars to address health outcome disparities from pollution and the COVID-19 pandemic, with which EPA is funding environmental justice initiatives and enhanced air quality monitoring. The FY 2023 APR includes an appendix with performance results to date. For additional information, refer to: <https://www.epa.gov/arp>.

The Infrastructure Investment and Jobs Act provides EPA with over \$60 billion and represents the largest increment of funding EPA has ever received. This law more than doubles the Agency's annual budget each year over five years to fund water infrastructure, environmental cleanups, and electric school buses. It also provides funding to improve recycling programs and prevent pollution. Most of the funding in this law is being implemented through existing programs such as the State Revolving Funds in the Office of Water and the Superfund Program in the Office of Land and Emergency Management. Future APRs will include an appendix of IIJA results to date. For additional information, refer to <https://www.epa.gov/infrastructure>.



The Inflation Reduction Act provides roughly \$41 billion in resources to the Agency. These resources fund efforts such as a national-scale clean energy financing network, a climate pollution reduction grant program, and investments to reduce air pollution at ports. Most of this funding is being implemented through new programs in the Administrator's Office, the Office of Air and Radiation, and the Office of Chemical Safety and Pollution Prevention. Future APRs will include an appendix of IRA results to date. For additional information, refer to <https://www.epa.gov/inflation-reduction-act>.

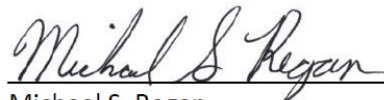


**THE ADMINISTRATOR**  
WASHINGTON, D.C. 20460

February 27, 2024

**Reliability of EPA's Performance Data**

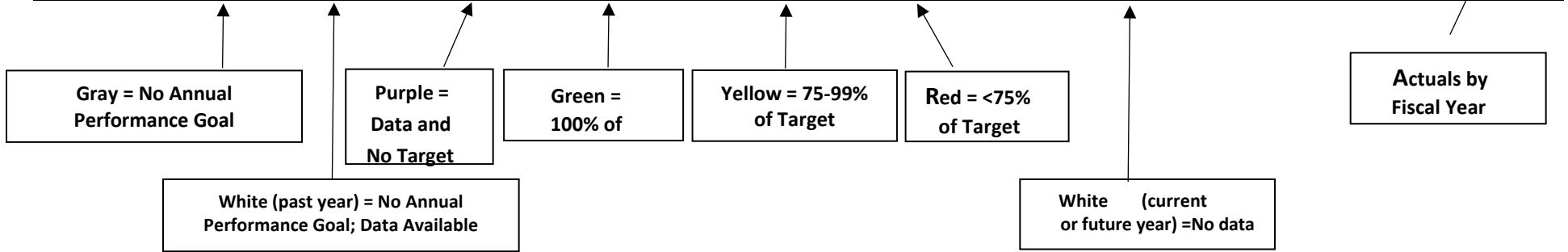
I attest to the reliability and completeness of the performance data presented in the U.S. Environmental Protection Agency's Fiscal Year 2023 Annual Performance Report. Because improvements in human health and the environment may not become immediately apparent, there might be delays between the actions we have taken and results we can measure. Additionally, we cannot provide results data for 19 out of 107 of our performance measures for this reporting year. Reasons for missing data include reporting lags due to grant reporting cycles, additional time needed to collect and provide quality assurance of data from external sources, and measurement methods under development. When possible, however, we have portrayed trend data to illustrate progress over time. We also report FY 2022 final performance results for eight measures that became available in FY 2023.

  
\_\_\_\_\_  
Michael S. Regan

**Key to Multiyear Table Annual Performance Goal Data Presentation**

(PM #) Annual performance goal language here.\*

|               | FY 2018 | FY 2019 | FY 2020               | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |  |
|---------------|---------|---------|-----------------------|---------|---------|---------|---------|---------|-------|---------------------|--|
| <b>Target</b> |         |         | No Target Established | 13      | 13      | 12      | 11      | 9       | Sites | Increase            |  |
| <b>Actual</b> |         | 12      | 11                    | 13      | 10      | 9       |         |         |       |                     |  |



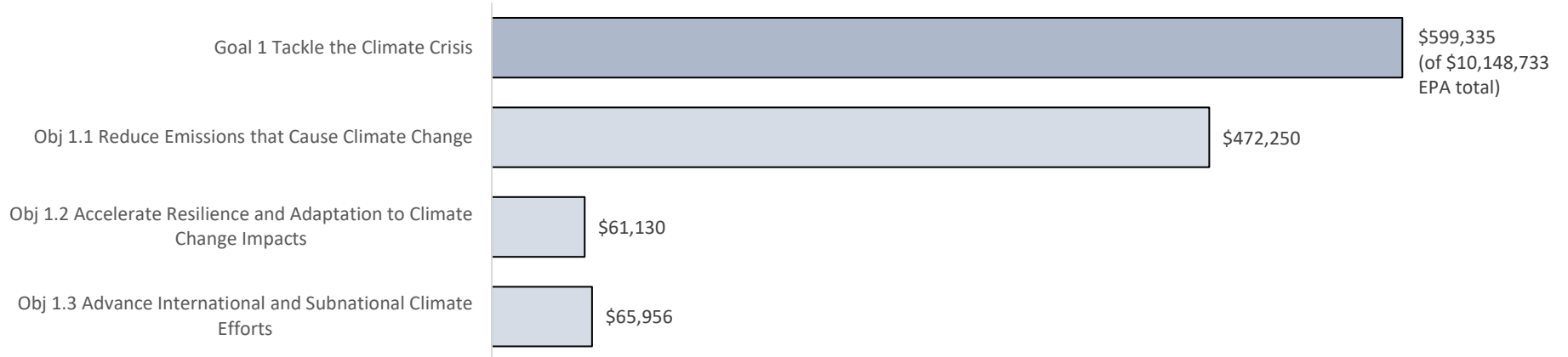
\* This character indicates a measure is also used to track progress in implementing the Infrastructure Investment and Jobs Act.

GOAL 1: Tackle the Climate Crisis

Goal 1 at a Glance

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

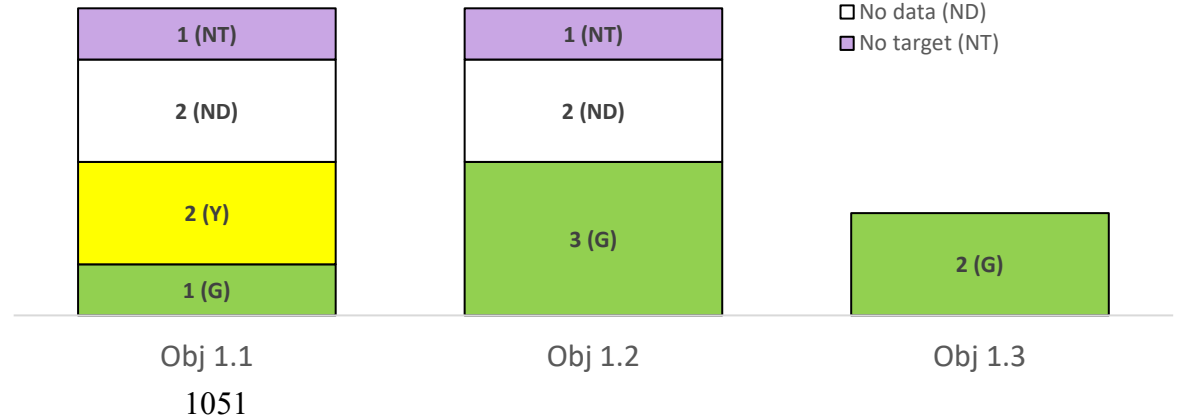
**FY 2023 Enacted Budget (in thousands) by goal and objective**



**FY 2023 Performance toward target by objective**

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)

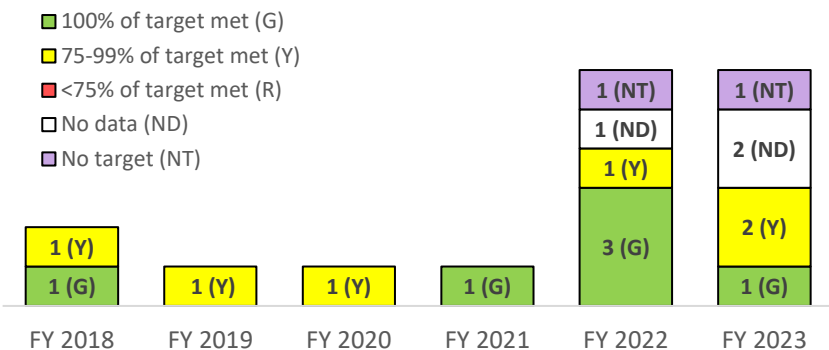


## GOAL 1: Tackle the Climate Crisis

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

#### Performance toward target over time

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Summary of progress toward strategic objective:

- Continued implementation of the American Innovation and Manufacturing (AIM) Act, which will phase down U.S. production and consumption of hydrofluorocarbons (HFCs) 85% by 2036. Developed final rule to facilitate transition to next-generation technologies by restricting use of HFCs in the foams, aerosols, and refrigeration and air conditioning.
- Helped save 520B kWh electricity and avoid \$42B in energy costs through ENERGY STAR, resulting in emission reductions of ~400M metric tons of greenhouse gases (GHGs) (~5% of U.S. total GHG emissions) and ~440K tons of criteria air pollutants in 2020.
- Issued Supplemental Notice of Proposed Rulemaking to revise the Greenhouse Gas Reporting Program, including updates to Global Warming Potentials of GHGs.
- Ensured availability of AirNow during wildfire season despite increased demand, including a new single-day record of more than 10 million page views, making it the most-visited federal government website.
- Proposed rules to limit GHG emissions from new and existing power plants under section 111(b) and (d) of the Clean Air Act (CAA).
- Proposed a rule to update, strengthen, and expand the FY 2021 proposal to reduce emissions of methane and other harmful air pollution from both new and existing sources in the oil and natural gas industry.
- Proposed emissions standards for light-, medium-, and heavy-duty vehicles (phase 3) for model year 2027 and beyond to avoid nearly 10 billion tons of carbon dioxide (CO<sub>2</sub>) emissions through 2055, equivalent to more than twice total U.S. CO<sub>2</sub> emissions in 2022.
- Issued final rule under the Renewable Fuel Standard (RFS) Program that establishes the biofuel volume requirements for 2023 to 2025.
- Published the 1990–2021 U.S. Inventory of Greenhouse Gas Emissions and Sinks and the third GHG Inventory by state, along with new clickable map user interface tool.

## GOAL 1: Tackle the Climate Crisis

### **Challenges:**

- The AIM Act and the Executive Order on Strengthening American Leadership in Clean Cars and Trucks have rigorous schedules for actions to be taken to reduce emissions across Illegal HFC imports that will undermine the environmental benefits and integrity of the HFC phasedown, and disadvantage companies complying with the requirements. It is important that EPA continues to support the HFC taskforce with U.S. Customs and Border Protection.
- Limited resources for federal and state activities to support GHG emission reductions and other climate goals continue to pose program delivery challenges.

GOAL 1: Tackle the Climate Crisis

Annual performance goal:

**(PM HFC) Remaining U.S. consumption of hydrofluorocarbons (HFCs).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units                | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|----------------------|---------------------|---------------|
| <b>Target</b> |         |         |         |         | 273.5   | 273.5              | 181.5   | 181.5   | MMTCO <sub>2</sub> e | Below Target        |               |
| <b>Actual</b> |         |         |         |         | 253.4   | Data Avail 11/2024 |         |         |                      |                     |               |

**Key Takeaways:**

- The FY 2022 result reflects data reported through September 27, 2023. All reported data are certified by the reporter to be true, accurate and complete. EPA continues to review and verify these data and may revise and update these data, as appropriate.
- Continued implementing the final rule under the AIM Act to phase down U.S. production and consumption by 85% over the next 15 years. Prepared for the HFC phasedown in 2024 and beyond by publishing final rules to amend the production and consumption baselines and methodology to issue allowances for 2024 through 2028. For more information, see the FY 2022-2023 Agency Priority Goal (APG) results at <https://www.performance.gov/agencies/epa/apg/goal-1/>.


**Metric Details:** This measure tracks U.S. consumption of HFCs in million metric tons of carbon dioxide equivalent (MMTCO<sub>2</sub>e). One MMTCO<sub>2</sub>e is numerically equivalent to the metric required under the AIM Act. HFCs are potent greenhouse gases, many of which have global warming potentials hundreds to thousands of times that of CO<sub>2</sub>. The American Innovation and Manufacturing (AIM) Act of 2020 provides EPA the domestic authority to phase down production and consumption of HFCs. HFCs are commonly used in many sectors of the economy, including in refrigeration and air conditioning, aerosols, solvents, fire suppression, and as foam blowing agents. The AIM Act provides the legal framework to phase down HFC production and consumption consistent with the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer that was ratified on October 31, 2022. Phasing down HFCs globally is expected to avoid up to 0.5° Celsius of global warming by 2100. The baseline is 302.5 tons of MMTCO<sub>2</sub>e. The FY 2022 and 2023 targets are based on the HFC consumption baseline of 303.9 MMTCO<sub>2</sub>e as established in a final rule published on October 5, 2021, “Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program Under the American Innovation and Manufacturing Act.” Subsequently, in a final rule published on July 20, 2023, “Phasedown of Hydrofluorocarbons: Allowance Allocation Methodology for 2024 and Later Years,” EPA amended the consumption baseline based on corrected data. The revised consumption baseline is 302.5 MMTCO<sub>2</sub>e. Beginning in 2024, the phasedown consumption steps will be measured from this HFC consumption baseline. For more information, see: <https://www.epa.gov/climate-hfcs-reduction>. This measure tracked progress toward a FY 2022–2023 APG and tracks progress toward a FY 2024–2025 APG.

**Long-Term Performance Goal - By September 30, 2026, promulgate final rules to reduce greenhouse gas (GHG) emissions from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry.**

GOAL 1: Tackle the Climate Crisis

Annual performance goal that supports this long-term performance goal:

**(PM RUL) Number of final rules issued that will reduce GHG emissions from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023               | FY 2024               | FY 2025               | Units | Preferred Direction |  |
|---------------|---------|---------|---------|---------|-----------------------|-----------------------|-----------------------|-----------------------|-------|---------------------|---|
| <b>Target</b> |         |         |         |         | No Target Established | No Target Established | No Target Established | No Target Established | Rules | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 1                     | 1                     |                       |                       |       |                     |   |

**Key Takeaways:**

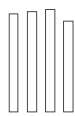
- Finalized a rulemaking that sets new, more stringent standards to reduce pollution from heavy-duty vehicles and engines starting in model year 2027.
- This final rule will reduce NO<sub>x</sub> emissions from the in-use fleet of heavy-duty trucks by almost 50% in 2045 and will result in widespread air quality improvements across the U.S., especially in areas already overburdened by air pollution and diesel emissions.

**Metric Details:** This measure tracks the number of final rules that will reduce GHG emissions published in the *Federal Register*. EPA will reduce emissions that cause climate change through regulations on GHG emissions including CO<sub>2</sub> and methane from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry.

**Long-Term Performance Goal - By September 30, 2026, EPA’s climate partnership programs will reduce expected annual greenhouse gas (GHG) emissions by 545 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>). EPA’s climate partnership programs reduced 518.6 MMTCO<sub>2e</sub> of annual GHG emissions in 2019.**

Annual performance goal that supports this long-term performance goal:

**(PM CPP) Million metric tons of carbon dioxide equivalent reduced annually by EPA’s climate partnership programs.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022            | FY 2023            | FY 2024 | FY 2025 | Units               | Preferred Direction |  |
|---------------|---------|---------|---------|---------|--------------------|--------------------|---------|---------|---------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 486.9              | 500.7              | 513.9   | 509.3   | MMTCO <sub>2e</sub> | Above Target        |   |
| <b>Actual</b> | 505.6   | 518.6   | 529.6   | 469.9   | Data Avail 11/2024 | Data Avail 11/2025 |         |         |                     |                     |   |

**Key Takeaways:**

- In FY 2021 (latest available data), EPA’s climate partnership programs reduced 469.9 MMTCO<sub>2e</sub>.



## GOAL 1: Tackle the Climate Crisis

- In 2022, with the passage of the Inflation Reduction Act (IRA), EPA transitioned the Natural Gas Star Partnership, ending the partnership agreements and annual reporting elements of the program, while retaining a focus on technology transfer and stakeholder engagement. The sunset of the Natural Gas Star Partnership resulted in lower actuals and targets summed across the methane programs. EPA continues to partner with operators making ambitious voluntary commitments to methane emissions mitigation and transparency through the Methane Challenge Partnership.
- Over 30 years, EPA's climate partnership programs have helped Americans save more than \$500 billion and achieve more than 6 billion metric tons of GHG emissions reductions.

***Metric Details:*** This measure tracks GHG reductions from EPA's climate partnership programs. The programs included are: ENERGY STAR Products, Residential, Commercial Buildings, and Industrial programs; Green Power Partnership; AgSTAR Program; Coalbed Methane Outreach Program; Landfill Methane Outreach Program; Methane Challenge Programs; SF<sub>6</sub> Emission Reduction Partnerships for Electric Power Systems; Responsible Appliance Disposal; GreenChill; and SmartWay. These programs work hand-in-hand with the private sector and others to achieve more GHG reductions than would be possible through federal regulations alone. These programs seek out and overcome market barriers, drive policy at the state and local level, and capture and channel marketplace ingenuity towards climate action. Note: In 2022, with the passage of the IRA, EPA transitioned the Natural Gas Star Partnership, ending the partnership agreements and annual reporting elements of the program, while retaining a focus on technology transfer and stakeholder engagement. The sunset of the Natural Gas Star Partnership resulted in lower actuals and targets summed across the methane programs. EPA continues to partner with operators making ambitious voluntary commitments to methane emission mitigation and transparency through the Methane Challenge Partnership. For more information, see: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>.

GOAL 1: Tackle the Climate Crisis

Other Core Work

Annual performance goals:

**(PM CRT) Number of certificates of conformity issued that demonstrate that the respective engine, vehicle, equipment, component, or system conforms to all applicable emission requirements and may be entered into commerce.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|
| <b>Target</b> | 5,200   | 5,000   | 5,000   | 4,700   | 4,700   | 4,900   | 4,900   | 4,900   | Certificates | Above Target        |
| <b>Actual</b> | 4,869   | 4,711   | 4,843   | 5,351   | 5,196   | 4,844   |         |         |              |                     |

**Key Takeaways:**

- The total number of certificates issued by EPA in FY 2023 was nearly at the target, missing the goal by less than 60 certificates.
- EPA continues to issue vehicle and engine certificates of conformity in a timely manner and on pace with the number of requests received.

**Metric Details:** This measure tracks the number of certificates of conformity issued in a given year. The Clean Air Act requires that engines, vehicles, equipment, components, or systems receive a certificate of conformity which demonstrates compliance with the applicable requirements prior to introduction into U.S. commerce. EPA reviews all submitted requests and issues certificates of conformity when the manufacturer demonstrates compliance with all applicable requirements. This measure illustrates EPA’s annual certification workload. The number of certification requests is determined by the manufacturers’ product planning and will fluctuate from year to year. EPA strives to issue vehicle and engine certificates of conformity in a timely manner and on pace with the numbers of requests received.

**(PM REP) Percentage of Annual Greenhouse Gas Emission Reports verified by EPA before publication.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| <b>Target</b>      | 65      |         |         |         | 98      | 98      | 98      | 100     | Percent | Above Target        |
| <b>Actual</b>      | 97      | 96      | 95      | 99      | 97      | 97      |         |         |         |                     |
| <b>Numerator</b>   | 7,821   | 7,867   | 7,722   | 7,935   | 7,877   | 7,891   |         |         | Reports |                     |
| <b>Denominator</b> | 8,061   | 8,165   | 8,126   | 8,029   | 8,141   | 8,130   |         |         |         |                     |

**Key Takeaways:**

- EPA’s Greenhouse Gas Reporting Program (GHGRP) has consistently maintained a high percentage of verified reports prior to annual publication. While EPA did not meet the ambitious target in FY 2023, the result is in line with program expectations and will help advance the Agency’s understanding of GHG emissions.

GOAL 1: Tackle the Climate Crisis

- The quality of GHGRP data at time of submittal continues to improve due to the data system and verification process changes that have increased real-time data quality feedback to industry reporters over time.

**Metric Details:** The GHGRP, established in 2009, covers 41 sectors that account for more than 8,100 reports summarizing annual GHG emissions and supply. Both facilities and suppliers are required to report their data annually by March 31. After submission of the data, EPA conducts a verification review that lasts approximately 150 days and includes a combination of electronic checks, staff review, and follow-up with facilities to identify potential reporting errors that are corrected before publication. The 150-day period includes 60 days for EPA to review reports and identify potential data quality issues, 75 days for reporters to resolve these issues, and 15 days for EPA to review responses or resubmitted reports. EPA typically publishes the data by early October each year. These data support federal and state-level policy development and allow EPA to share GHG emissions and supply data with industry stakeholders, state and local governments, academia, the research community, and the public in general. There are no targets in FYs 2019–2021 because this measure was not included in these Annual Performance Plans. For more information, see: [www.epa.gov/ghgreporting](http://www.epa.gov/ghgreporting).

**(PM RD3) Percentage of ORD climate-related research products meeting partner needs.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 93      | 94      | 94      | 94      | Percent  | Above Target        |  |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |          |                     |  |
| <b>Numerator</b>   |         |         |         |         | 1       | 25      |         |         | Products |                     |  |
| <b>Denominator</b> |         |         |         |         | 1       | 25      |         |         |          |                     |  |

**Key Takeaways:**

- Met partner needs for 100% of climate-related research products included in the annual partner satisfaction assessment. A key driver behind this result was the high degree of partner involvement during the product development as stated by respondents in the survey.
- The report “*Managing Climate Refugia for Cold Water Fishes Under an Expanding Human Footprint*” performed the best of all climate products with ORD partners, having received a perfect score for the products quality, usability, and timeliness. (Report available at: <https://esajournals.onlinelibrary.wiley.com/doi/10.1002/fee.2206>).
- EPA’s Office of Research and Development (ORD) has increased the number of climate products assessed and will continue to do so as it implements the FY 2023-2026 Strategic Research Action Plan (available at: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>).

**Metric Details:** Partner satisfaction is assessed through a robust survey process. The annual survey engages key users of ORD products. Survey respondents assess the scientific rigor of research products (quality), product relevance (usability), and timeliness of product delivery. This measure assesses the subset of ORD’s research products specifically related to climate.

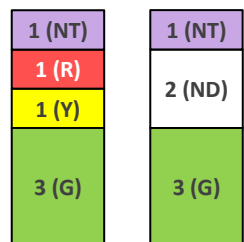
GOAL 1: Tackle the Climate Crisis

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

**Performance toward target over time**

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



FY 2018    FY 2019    FY 2020    FY 2021    FY 2022    FY 2023

Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Summary of progress toward strategic objective:**

- Completed 177 priority actions to integrate climate adaptation into core work, exceeding the target of 100. Significant accomplishments include:
  - The Office of Enforcement and Compliance Assurance (OECA) issued a new “Climate and Enforcement Strategy” to incorporate climate adaptation and resilience into all enforcement and compliance activities.
  - Programs are integrating climate adaptation into rulemaking processes.
  - Programs and regions are integrating climate adaptation into financial assistance agreements to ensure the outcomes of investments are resilient to the impacts of climate change, with an immediate focus on Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) funds.
  - EPA’s Supply Chain Risk Management Plan includes actions to protect against the risks posed by climate change.
- Provided financial and technical assistance to help tribal, state, community and other partners take action to adapt to climate change.
  - EPA’s “Schools as Community Cleaner Air and Cooling Centers” project is supporting upgrades to school facilities to make them safe spaces for students during extreme heat and wildfire smoke events.
  - In partnership with the Federal Emergency Management Agency (FEMA), EPA is supporting development of climate-disaster “resilience hubs” in communities to provide safe shelter, while upgrading the locations with solar panels and energy efficiency improvements.
  - A new Office of Research and Development Integrated Climate Sciences Division was established to provide place-based technical support to all 10 regional offices and the communities they serve.

## GOAL 1: Tackle the Climate Crisis

- Communities are using EPA's climate science and mapping tools to clean up long-standing pollution at Resource Conservation and Recovery Act (RCRA) and Superfund sites and to ensure cleanups are resilient to climate change impacts.
- Tribes use funds from the Tribal General Assistance Program (GAP) to develop climate change adaptation plans. EPA is working closely with the Bureau of Indian Affairs (BIA) to coordinate funding for adaptation plan implementation.

### **Challenges:**


- A major FY 2024 challenge is refining measures and approaches to more effectively tracking the *outcomes* of EPA's climate adaptation projects in communities.

GOAL 1: Tackle the Climate Crisis

**Long-Term Performance Goal: By September 30, 2026, implement all priority actions in EPA’s Climate Adaptation Action Plan and the 20 National Program and Regional Climate Adaptation Implementation Plans to account for the impacts of the changing climate on human health and the environment.**

Annual performance goals that support this long-term performance goal:

**(PM AD07) Number of priority actions completed in EPA’s Climate Adaptation Action Plan and Program and Regional Implementation Plans.**


|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 100     | 100     | 105     | 105     | Priority Actions | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 151     | 177     |         |         |                  |                     |   |

**Key Takeaways:**

- Programs and regions completed 177 priority actions to integrate climate adaptation into core work, including enforcement, rulemaking, and financial assistance.
- The Office of Children’s Health Protection has developed a plan and will begin reporting in FY 2024. This will increase the target by 5.

**Metric Details:** This measure tracks the number of priority actions implemented in support of EPA’s October 2021 Climate Adaptation Action Plan through the 20 Program and Regional Office Climate Adaptation Implementation Plans. The Action Plan commits EPA to five Priority Actions per year by 10 of EPA’s program offices and 10 regional offices. EPA projected 100 actions per year for FY 2022 and FY 2023, and 105 per year for FY 2024-2026 for a total of 515 actions by FY 2026. The Implementation Plans identify EPA’s specific Priority Actions to: 1) integrate climate adaptation planning into EPA programs, policies and rulemaking processes; 2) consult and partner with tribes, states, territories, local governments, environmental justice organizations, community groups, businesses and other federal agencies to strengthen adaptive capacity and increase the resilience of the nation, with a particular focus on advancing environmental justice; 3) implement measures to protect the Agency’s workforce, facilities, critical infrastructure, supply chains and procurement processes from the risks posed by climate change; and 4) modernize EPA financial assistance programs to encourage climate-resilient investments across the nation. The FY 2022 actual is corrected from 155 in the FY 2022 Annual Performance Report.

**(PM AD08) Number of EPA national program offices that have developed adaptation training for programs and staff.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---|
| <b>Target</b> |         |         |         |         | 4       | 10      |         |         | Offices | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 4       | 10      |         |         |         |                     |   |

GOAL 1: Tackle the Climate Crisis

**Key Takeaways:**

- Ten program and regional offices have completed 17 training events to build the capacity of EPA staff and partners to administer EPA programs. This training will help EPA staff and partners use climate data to improve program and community resilience.
- Beginning in FY 2024, this measure is replaced by PM AD13 which tracks an expanded set of training tools including videos, websites, and other interactive methods for increasing climate literacy and building capacity instead of tracking the EPA programs.

**Metric Details:** This measure tracked the development of training by EPA’s national program and regional offices on how current and future climate impacts should be considered in specific program activities, such as direct program implementation, regulation development, permitting, inspections, enforcement, partnerships, research, grants, loans, and technical assistance. EPA currently has an introductory training module for new employees which will be revised in FY 2024.

**(PM AD13) Number of capacity building trainings, tools, and events, developed or hosted by EPA, that serve a unique purpose, unique audience, and/or provide new or updated information.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| Target |         |         |         |         |         |         | 27      | 32      | Actions | Above Target        |               |
| Actual |         |         |         |         |         | 17      |         |         |         |                     |               |

**Metric Details:** This measure tracks the cumulative number of climate adaptation capacity building trainings, tools, and events (Climate Capacity Building Actions), developed or hosted by EPA, to address how current and future climate impacts should be considered in EPA or delegated program activities. Capacity building can be related to direct program implementation, regulation development, permitting, inspections, enforcement, partnerships, research, grants, loans, or technical assistance. The Climate Capacity Building Actions can be for internal staff or to build joint capacity with EPA’s state, local, and tribal co-regulators. The baseline is 17 Climate Capacity Building Actions completed in FY 2022-2023.

**Long-Term Performance Goal: By September 30, 2026, assist at least 400 federally recognized Tribes to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.**

Annual performance goal that supports this long-term performance goal:

**(PM AD09) Cumulative number of federally recognized tribes assisted by EPA to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023           | FY 2024 | FY 2025 | Units  | Preferred Direction | No Trend Data |
|--------|---------|---------|---------|---------|---------|-------------------|---------|---------|--------|---------------------|---------------|
| Target |         |         |         |         | 100     | 150               | 330     | 370     | Tribes | Above Target        |               |
| Actual |         |         |         |         | 110     | Data Avail 3/2024 |         |         |        |                     |               |

GOAL 1: Tackle the Climate Crisis

**Key Takeaways:**

- Preliminary data as of October 2023 show 289 tribal partners have taken action to increase their adaptive capacity and resilience to climate change after EPA assistance. Final data will be available in March 2024 when EPA receives grantees’ progress reports from partners.
- FY 2022 and FY 2023 investments in building tribal climate resilience are reflected in the number of tribes that have taken action to respond to the impacts of climate change. Investments from IJJA, IRA, ongoing appropriations, and focused staff efforts have all contributed to this progress.
- Through tribal discussions, EPA has learned from tribal leaders about barriers they face applying for and managing federal financial resources. Addressing these barriers will continue to be a priority for EPA and other federal agencies in FY 2024.
- Tribal and cross-agency partnerships are critical for continued progress. For example, EPA and BIA are coordinating and leveraging their tribal grants programs to strengthen the adaptive capacity of tribes while avoiding duplication of effort.

**Metric Details:** This measure tracks the cumulative number of federally recognized tribes EPA provides with financial assistance, technical assistance, or training that then take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change. Actions may include but are not limited to developing a climate adaptation plan; identifying potential impacts; assessing vulnerability; planning; applying for additional funding; adoption of adaptation measures such as green infrastructure; improved coordination with other key organizations (e.g., a state or federal partner); estimation of financial impacts; or more effective remedy selection in a hazardous waste cleanup program. Results are cumulative from a starting value of 0 on September 30, 2021.

**Long-Term Performance Goal: By September 30, 2026, assist at least 550 states, territories, local governments, and communities, especially communities that are underserved and disproportionately at risk from climate change, to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.<sup>5</sup>**

Annual performance goals that support this long-term performance goal:

**(PM AD10) Cumulative number of states, territories, local governments, and communities (i.e., EPA partners) assisted by EPA to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023           | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|--------|---------|---------|---------|---------|---------|-------------------|---------|---------|----------|---------------------|---------------|
| Target |         |         |         |         | 250     | 300               | 500     | 525     | Partners | Above Target        |               |
| Actual |         |         |         |         | 242     | Data Avail 3/2024 |         |         |          |                     |               |

**Key Takeaways:**

<sup>5</sup> Changed from “By September 30, 2026, assist at least 450 states, territories, local governments, and communities, especially communities that are underserved and disproportionately at risk from climate change, to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.”

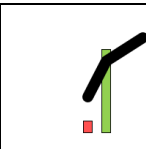


GOAL 1: Tackle the Climate Crisis

- Preliminary data as of October 2023 show 453 state, territorial, local government, and community partners have taken action to increase their adaptive capacity and resilience to climate change after EPA assistance. Final data will be available in March 2024 when grantees’ progress reports are received from partners.
- FY 2022 and FY 2023 investments in building climate resilience in communities are reflected in the number of communities that have taken action to respond to the impacts of climate change. Investments from IJA and IRA, ongoing appropriations, and focused staff efforts have all contributed to the Agency’s success.
- EPA is aware of the need to focus on building climate adaptation capacity in communities that currently have lower capacity to accept funding or manage programs. This will continue to be a priority in FY 2024.
- The Office of Water is driving many of these outcomes with investments in water infrastructure, wetland restoration, and green infrastructure.

**Metric Details:** This measure tracks the cumulative number of states, territories, local governments, and communities EPA provides with financial assistance, technical assistance, or training that then take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change. Actions may include but are not limited to: developing a climate adaptation plan; identifying potential impacts; assessing vulnerability; planning; applying for additional funding; adoption of adaptation measures such as green infrastructure; improved coordination with other key organizations (e.g., a state or federal partner); estimation of financial impacts; or more effective remedy selection in a hazardous waste cleanup program. Results are cumulative from a starting value of 0 on September 30, 2021.

**(PM AD11) Number of tribal, state, regional, and/or territorial versions of the Climate Change Adaptation Resource Center (ARC-X) or similar systems universities and other partners, with EPA support, have committed to develop.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|--|
| <b>Target</b> |         |         |         |         | 3       | 6       | 7       | 8       | Systems | Above Target        |  |
| <b>Actual</b> |         |         |         |         | 1       | 7       |         |         |         |                     |  |

**Key Takeaways:**


- An Indiana state-level version of the ARC-X system has already been launched by the University of Indiana. Commitments to develop state-level versions have also been made for Pennsylvania by Drexel University, Louisiana by Loyola University, and North Carolina by the North Carolina Office of Recovery and Resiliency.
- Commitments to develop international versions of the ARC-X system have been made for Sao Paulo, Brazil (by CETESB, the State of Sao Paulo Environmental Company), Sierra Leone (by Fourah Bay College), and Glasgow (by the University of Strathclyde).

**Metric Details:** This measure tracks the cumulative number of ARC-X or similar systems universities, or other parties, have committed to develop to support tribal, state, regional, international, and/or territorial partners. ARC-X is an interactive EPA online resource designed to help local

GOAL 1: Tackle the Climate Crisis

government officials in communities across the United States and internationally anticipate, prepare for, adapt to, and recover from the impacts of climate change. It also is a portal to EPA tools and resources on climate adaptation. ARC-X provides users with an integrated package of information tailored specifically to their needs, based on where they live and the issues of concern to them. The system is available at: <https://www.epa.gov/arc-x>. The information provided in these resource centers will help communities understand and prepare for the impacts of climate change. In addition, regional or local systems may expand resources to encompass the full breadth of climate adaptation issues, even those beyond EPA’s mission. Results are cumulative from a starting value of 0 on September 30, 2021.

**(PM AD12) Hours of appropriate subject matter expert time provided by EPA to help communities adapt to climate impacts, build long-term resilience, and support the most underserved and vulnerable communities after federally declared disasters.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023               | FY 2024               | FY 2025               | Units | Preferred Direction |  |
|---------------|---------|---------|---------|---------|-----------------------|-----------------------|-----------------------|-----------------------|-------|---------------------|---|
| <b>Target</b> |         |         |         |         | No Target Established | No Target Established | No Target Established | No Target Established | Hours | N/A                 |   |
| <b>Actual</b> |         |         |         |         | 9,763                 | 7,130                 |                       |                       |       |                     |   |

**Key Takeaways:**

- Ongoing work from Hurricane Maria in Puerto Rico and the U.S Virgin Islands (2017) continues to be a substantial investment of resources from EPA.
- Resources from EPA were required to support new and ongoing disaster recovery efforts. These included efforts to recover from Hurricane Ian, which hit Florida in September 2022, and the FY 2023 wildfires in Hawaii and New Mexico.
- While reduced from previous years, interagency coordination efforts from the recovery from Hurricane Sandy in the mid-Atlantic region (2012) are ongoing.

**Metric Details:** This measure tracks EPA contributions to supporting local communities’ efforts to rebuild in a manner that increases community resiliency and adaptive capacity as they recover from federally declared disasters. This does not include clean-up or immediate response activities, but rather supports communities to build back in ways that help anticipate, prepare for, and adapt to climate change. There are no targets for this measure as the number of federal declared disasters where EPA assistance is requested varies by year. As the number of climate disasters increases so do the demands on EPA time to assist in the recovery. Across the country, communities are experiencing more climate impacts and the communities increasingly look to EPA to ensure safe recovery of community health, infrastructure, and environmental systems. Recovery efforts for major disasters can extend for many years. This increases the number of hours EPA spends supporting communities as they recover and help the communities become more resilient to future climate-related disasters. The data on the number of hours spent post disaster will help EPA plan for and provide the support communities need to rebuild.

## GOAL 1: Tackle the Climate Crisis

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

#### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Summary of progress toward strategic objective:

- EPA secured agreement for new climate activities with Canada and Mexico at the 30<sup>th</sup> Council Session of the North American Commission for Environmental Cooperation (CEC) including: 1) a project on sharing approaches and best practices to adaptation planning and implementation; 2) a new initiative on fast mitigation strategies for short-lived climate pollutants, with a particular focus on addressing methane; 3) a third cycle of the EJ4Climate grant program to support underserved and vulnerable communities and Indigenous communities on the front lines of climate change and; 4) a new cycle of the North American Partnership for Environmental Community Action (NAPECA) grant program to engage and empower Indigenous communities in climate adaptation.
- Following three years of international cooperation that was launched by EPA, the International Standards Organization (ISO) completed a project to standardize greenhouse gas (GHG) accounting for freight and passenger transportation. This new standard provides a global framework for credible, accurate calculation and evaluation of transportation-related climate pollutants. Such transparency provides market leverage to reduce carbon from goods movement and informs national and international policy. The new ISO standard 14083, *Quantification and reporting of greenhouse gas emissions arising from transport chain operations*, is now available for global adoption (<https://www.epa.gov/vcs/using-international-standards-assess-greenhouse-gases-transportation>).
- EPA Administrator Regan represented the United States at the G20 Environment Ministers Meeting where a consensus agreement on High Level Principles for a Sustainable and Resilient Blue/Ocean-Based Economy was adopted. The document describes joint action on the ocean-climate nexus, climate adaptation and resilience, climate mitigation, and achieving successful outcomes at COP28 (<http://www.g20.utoronto.ca/2023/230728-environment.html#annex>).

**Challenges:**


- Multiple White House priorities on climate engagement and competing priorities for other issues, such as trade. EPA has had to rapidly shift efforts and in some instances is not able to provide follow on assistance.
- Inability to hire new EPA staff and/or not received Congressional requested funding.

GOAL 1: Tackle the Climate Crisis

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

Annual performance goal that supports this long-term performance goal:

**(PM E13a) Number of climate engagements that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, or improve resilience in a manner that promotes equity.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 8       | 10      | 10      | 10      | Engagements | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 8       | 10      |         |         |             |                     |   |

**Key Takeaways:**


- Many countries and organizations have reached out to EPA to partner on climate activities, showing strong international interest, such as with Egypt, Ghana, Sierra Leone, Mozambique, Philippines, Indonesia, Singapore, and Taiwan. Note, China activities are not included in EPA resources at present.

**Metric Details:** This measure tracks the number of senior level EPA international actions implemented annually that result in the provision of tools that when utilized by partners can result in equitable GHG emissions reductions, adaptation to climate change, or improvements in resilience. Climate change is a global issue that has far-reaching human health, social, economic, and biodiversity impacts on the planet, with direct adverse effects in the United States. EPA represents the U.S. Government in climate-related multilateral meetings and treaty negotiations, such as Montreal Protocol, United Nations Framework Convention on Climate Change (UNFCCC), G7 and G20 Environment Ministers meetings. EPA also works directly with other countries and stakeholders through bilateral agreements and work plans to share technical expertise, implement capacity building, and help countries address their climate gaps.

**Other Core Work**

Annual performance goal:

**(PM E13b) Number of Border 2025 actions implemented in the U.S.-Mexico Border area to improve water quality, solid waste management and air quality including those that address climate change, and advance emergency response efforts.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---|
| <b>Target</b> |         |         |         |         | 3       | 10      | 10      | 10      | Actions | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 6       | 10      |         |         |         |                     |   |

## GOAL 1: Tackle the Climate Crisis

### ***Key Takeaways:***

- EPA co-hosted a two-day exercise in Eagle Pass, Texas to help agencies in both countries jointly prepare for environmental emergencies. The event was co-hosted by EPA, Mexico's Federal Attorney of Environmental Protection (PROFEPA), Mexico's National Coordination for Civil Protection (CNPC), and the Cities of Eagle Pass, Texas and Piedras Negras, Coahuila, Mexico.
- EPA and Mexico's Secretariat for Environment and Natural Resources (SEMARNAT) co-hosted a webinar on e-Waste Recycling to discuss best practices for e-waste recycling and challenges with e-waste management.

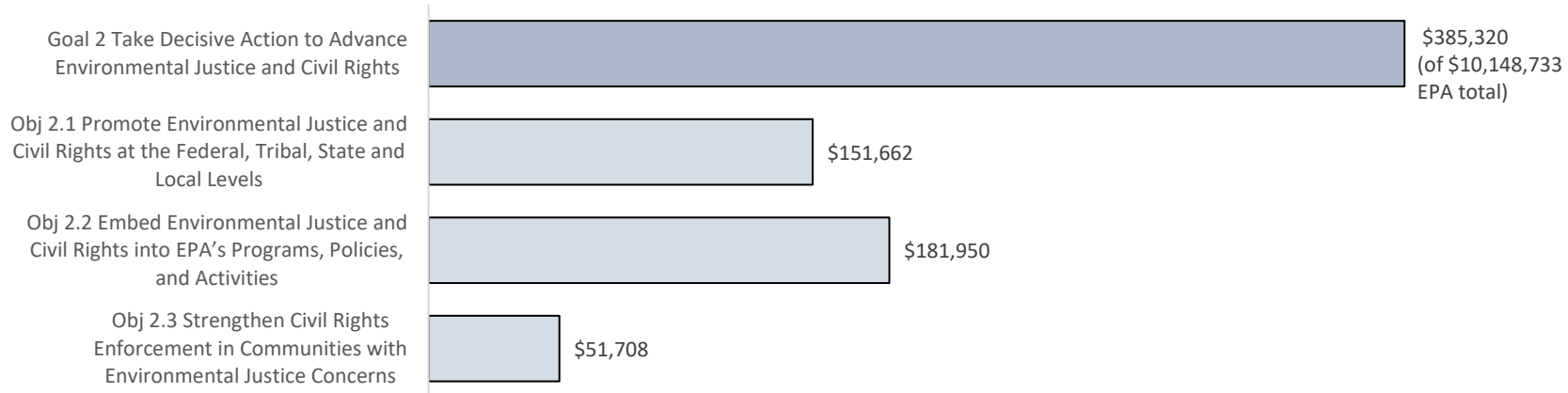
***Metric Details:*** This measure tracks EPA actions to provide tools and capacity building activities that when utilized by partners can result in improved water quality, solid waste management and air quality. These include actions to address climate change and advance emergency response efforts along the two-thousand-mile border between the United States and Mexico.

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

### Goal 2 at a Glance

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

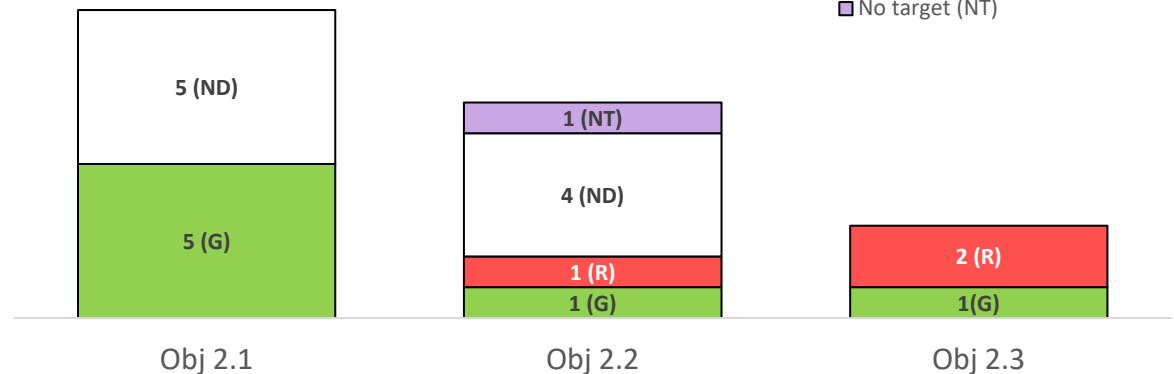
#### FY 2023 Enacted Budget (in thousands) by goal and objective



#### FY 2023 Performance toward target by objective

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



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

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

#### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Summary of progress toward strategic objective:

- EPA is now in the deployment stages of releasing all newly designed grant and technical assistance programs that will provide an array of options for communities to easily access technical and financial support matched to their needs and capacity.
- One of these new grant programs has established the national network of Thriving Community Technical Assistance Centers to provide foundational capacity building support to thousands of communities across the United States.
- Established a Direct Implementation (DI) *Center of Excellence* to support actions that ensure EPA's implementation of federal environmental laws in Indian Country is as robust as implementing those laws outside of Indian Country.
- Championed the release by the White House of the "Guidance for Federal Departments and Agencies on Indigenous Knowledge," recognizing Indigenous Knowledge as one of the many important bodies of knowledge that contribute to the scientific, technical, social, and economic advancements in EPA's collective understanding of the natural world.
- EPA's Office of Research and Development (ORD) is making steady progress toward the FY 2026 environmental justice Long-Term Performance Goal.

#### Challenges:

- Hiring sufficient staff across all headquarters and regional environmental justice units to support the implementation of all financial and technical assistance programs.
- Competing demands among multiple environmental justice initiatives, as well as Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) commitments.
- Although progress has been made in securing necessary software licenses, EPA still needs to rapidly develop use of the platform to support process



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

execution, stakeholder engagement, and coordination across EPA programs and regional offices.

- Tribes continue to request that EPA develop mechanisms to ensure that EPA funds build long-term programs for environmental protection, and not only fund immediate needs and short-term projects as the IJJA/IRA funding is currently designed.
- EPA continues to explore ways to make EPA direct implementation regulatory data and information available to tribes and the public. These efforts specifically refer to work benefitting tribes, tribal members, and others by carrying out EPA's obligations and responsibilities under EPA statutes in Indian Country.
- ORD research activities for the FY 2023-FY 2026 research cycle are in progress and cannot be counted until they are completed near the end of FY 2026.

GOAL 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

**Long-Term Performance Goal: By September 30, 2026, all EPA programs that seek feedback and comment from the public will provide capacity-building resources to communities with environmental justice concerns to support their ability to meaningfully engage and provide useful feedback to those programs.**

Annual performance goals that support this long-term performance goal:

**(PM EJCR01) Percentage of EPA programs and regional offices that provide capacity-building resources to communities with environmental justice concerns to improve how the public’s feedback and comments influence the Agency’s decision-making process.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| Target      |         |         |         |         |         | 25      | 50      | 75      | Percent  | Above Target        |               |
| Actual      |         |         |         |         |         | N/A     |         |         |          |                     |               |
| Numerator   |         |         |         |         |         |         |         |         | Programs |                     |               |
| Denominator |         |         |         |         |         |         |         |         |          |                     |               |

**Key Takeaways:**

- Refined the focus of this measure to resources that increase skills and abilities for communities with environmental justice concerns, rather than simple information sharing.
- Will begin implementation in early FY 2024 and will be able to make up ground in FY 2024 and FY 2025 to meet annual targets.

**Metric Details:** This measure tracks the percentage of EPA national program sub-offices (those that regularly seek feedback from the public) and regional offices that provide capacity-building resources to communities with environmental justice concerns. The purpose of the measure is to improve how the public’s feedback and comments influence the Agency’s decision-making process. A qualifying capacity-building resource is a product designed to develop or strengthen skills and abilities on the topic as it relates to EPA’s programs/policies/activities (e.g., training, workshops, handbooks, train-the-trainer sessions, dedicated technical assistance programs, grants). Simple knowledge transfer or providing information resources does not qualify for this measure. In FY 2024, EPA will establish the universe for this measure.

**(PM EJCR02) Percentage of EPA programs utilizing extramural vehicles to fund organizations and individuals providing environmental justice expertise and support to advance EPA priorities and activities.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| Target      |         |         |         |         |         | 50      |         |         | Percent  | Above Target        |               |
| Actual      |         |         |         |         |         | N/A     |         |         |          |                     |               |
| Numerator   |         |         |         |         |         |         |         |         | Programs |                     |               |
| Denominator |         |         |         |         |         |         |         |         |          |                     |               |

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**Key Takeaways:**

- Established a non-competitive grant program as the primary funding vehicle for providing financial resources to community-based non-profit organizations, other organizations, and individuals that provide environmental justice expertise in support of EPA’s priorities and activities.
- Unable to report data in FY 2023 due to staffing and workload challenges.

**Metric Details:** This measure tracked the percentage of EPA programs that provide financial resources to community-based non-profit organizations, other organizations, and individuals that provide environmental justice expertise in support of EPA’s priorities and activities. As part of EPA’s decision-making processes or other Agency work streams, EPA programs regularly rely upon the time, efforts, and expertise of community members, leaders, and organizations for a variety of activities/inputs. Examples of EPA activities that organizations or individuals could provide support for include organizing, educating, and engaging communities on environmental justice, climate justice, and other EPA priorities. EPA programs that rely on such community support will provide funding, as appropriate, to those community members/organizations for their time, efforts, and expertise just as they would if they needed the time, support, and expertise of a scientist or engineer. Providing funding can be achieved through use of financial assistance instruments such as grants and cooperative agreements, procurement vehicles, or interagency agreements, depending upon the principal purpose of the financial transaction.

**(PM EJCR03) Percentage of environmental justice grantees whose funded projects result in a governmental response.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023               | FY 2024 | FY 2025 | Units    | Preferred Direction |               |
|--------------------|---------|---------|---------|---------|---------|-----------------------|---------|---------|----------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | No Target Established |         |         | Percent  | Above Target        | No Trend Data |
| <b>Actual</b>      |         |         |         |         |         | N/A                   |         |         |          |                     |               |
| <b>Numerator</b>   |         |         |         |         |         |                       |         |         |          |                     |               |
| <b>Denominator</b> |         |         |         |         |         |                       |         |         | Grantees |                     |               |

**Key Takeaways:**

- Developed a logic model framework to track outputs and outcomes such as this one over the long-term for several environmental justice grant programs.
- Unable to report data in FY 2023 due to staffing and workload challenges.

**Metric Details:** This measure tracked the percentage of environmental justice grantees whose EPA-funded projects result in a governmental response (planned and/or actualized). The governmental response can range from on-the-ground response/activity to a policy change, and it may be at the local, state, tribal, or federal level. Tracking this measure would require incorporation of expectations for reporting into grant solicitations and agreements, and sufficient time post-award for results to materialize.

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**Long-Term Performance Goal: By September 30, 2026, include commitments to address disproportionate impacts in all written agreements between EPA and Tribes and states (e.g., grant work plans) implementing delegated authorities.**

Annual performance goals that support this long-term performance goal:

**(PM EJCR04) Percentage of new grant workplans submitted by states that include commitments to address disproportionate impacts.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|---------------|
| Target      |         |         |         |         |         | 5       | 25      | 50      | Percent    | Above Target        |               |
| Actual      |         |         |         |         |         | N/A     |         |         |            |                     |               |
| Numerator   |         |         |         |         |         |         |         |         | Agreements |                     |               |
| Denominator |         |         |         |         |         |         |         |         |            |                     |               |

**Key Takeaways:**

- In FY 2024, EPA will have additional staff available to coordinate the cross-agency work needed to prepare for and support implementation of this measure.
- EPA will also begin using a new grant implementation workflow platform that will greatly enhance transparency, accountability, and reporting on achievement of grant commitments.

**Metric Details:** This measure tracks the percentage of new grant workplans submitted by states in performance partnership agreements/performance partnership grants (PPAs/PPGs) that include commitments to address disproportionate impacts. EPA will partner with stakeholders to determine what qualifies as a commitment to address disproportionate impacts.

**(PM EJCR05) Percentage of state-issued permits reviewed by EPA that include terms and conditions that are responsive to environmental justice concerns and comply with civil rights obligations.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| Target      |         |         |         |         |         | 10      |         |         | Percent | Above Target        |               |
| Actual      |         |         |         |         |         | N/A     |         |         |         |                     |               |
| Numerator   |         |         |         |         |         |         |         |         | Permits |                     |               |
| Denominator |         |         |         |         |         |         |         |         |         |                     |               |

**Key Takeaways:**

- Explored the permit-review processes and tracking mechanisms within the different permitting programs and determined that additional work and resources were needed to standardize and centralize tracking to operationalize this measure.

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- In FY 2024, EPA will explore other foundational measures in the permitting space that are implementable.

**Metric Details:** This measure tracked the percentage of state-issued permits reviewed by EPA that are explicitly responsive to environmental justice concerns and comply with civil rights obligations. Achievement of this work is pursued through the provision of clear guidance, training, and support by EPA programs to states and other partners.

**Long-Term Performance Goal: By September 30, 2026, EPA programs with direct implementation authority will take at least 100 significant actions that will result in measurable improvements in Indian country.**

Annual performance goal that supports this long-term performance goal:

**(PM E21) Number of significant actions taken by EPA programs with direct implementation authority that will result in measurable improvements in Indian country.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units               | Preferred Direction |  |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|---------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | No Target Established | 25      | 20      | 15      | Significant Actions | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 25                    | 25      |         |         |                     |                     |   |

**Key Takeaways:**

- EPA created a Direct Implementation (DI) Center of Excellence with EPA Region 9 to focus on direct implementation activities in all EPA programs and regions to identify best practices, promote uniformity and add efficiency across EPA when performing direct implementation activities.
- EPA continues to make progress in making direct implementation regulatory data and information available to tribes on EPA public-facing data systems.
- As a significant action, EPA trained over 800 staff on direct implementation responsibilities.


**Metric Details:** This measure tracks number of significant actions by EPA direct implementation programs that will assist EPA in meeting federal trust responsibilities and provide for equitable program implementation in Indian country. Significant actions are those actions taken on an annualized basis by an EPA program to achieve four significant direct implementation program priorities: 1) training on direct implementation for EPA staff; 2) contributing to an Agency direct implementation report identifying barriers and making recommendations; 3) making EPA direct implementation federal facility and entity data available on EPA’s environmental justice mapping and screening tool EJScreen; and 4) identifying actions taken to improve EPA direct implementation and progress made to remove direct implementation barriers.

**Long-Term Performance Goal: By September 30, 2026, all state recipients of EPA financial assistance will have foundational civil rights programs in place.**

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Annual performance goals that support this long-term performance goal:

**(PM EJCR06) Percentage of required civil rights procedural safeguard elements implemented by state permitting agencies that are recipients of EPA financial assistance.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---|
| <b>Target</b>      |         |         |         |         | 20      | 40      | 70      | 90      | Percent  | Above Target        |   |
| <b>Actual</b>      |         |         |         |         | 33      | 58      |         |         |          |                     |   |
| <b>Numerator</b>   |         |         |         |         | 138     | 236     |         |         | Elements |                     |   |
| <b>Denominator</b> |         |         |         |         | 408     | 408     |         |         |          |                     |   |

**Key Takeaways:**

- The percentage of civil rights procedural safeguard elements came in above target for FY 2023 and thus the baseline coming into FY 2024 is higher as well, with data review indicating that several state agency recipients implemented procedural safeguards elements during the course of FY 2023. Accordingly, EPA has adjusted the targets for FY 2024 and 2025.
- Fourteen state agency recipients showed implementation of all the procedural safeguards elements reviewed, with another six state agency recipients needing to implement only one more procedural safeguard element to have full implementation.

**Metric Details:** This measure tracks the percentage of civil rights procedural safeguards elements implemented by state recipients of EPA financial assistance, calculated as the percentage of required civil rights procedural safeguards elements (8) implemented by state environmental permitting agencies that are recipients of EPA financial assistance (51) by using the denominator of 408 (51 x 8). The numerator is the total number of civil rights procedural safeguards elements implemented in aggregate by the state environmental permitting agencies.

**(PM EJCR07) Percentage of EPA national program and regional offices that extend paid internships, fellowships, or clerkships to college students from diverse backgrounds.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                | Preferred Direction | No Trend Data |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | 50      |         |         | Percent              | Above Target        |               |
| <b>Actual</b>      |         |         |         |         |         | 100     |         |         |                      |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 21      |         |         | Programs and Regions |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 21      |         |         |                      |                     |               |

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**Key Takeaways:**

- All headquarters, national, and regional offices extended paid internships to students from diverse ethnic backgrounds. In most cases the percentages of students’ self-reported ethnicities closely mirrored the overall ethnic percentages of the U.S.
- EPA continued to conduct outreach with Minority Serving Institutions, Historic Black Colleges and Universities, and tribal and indigenous educational institutions to market and attract students for paid internships at EPA.

**Metric Details:** This measure tracked the percentage of EPA national programs and regional offices that have dedicated funding to bring college students from diverse backgrounds into the Agency on paid internships, fellowships, or clerkships.

**Long-Term Performance Goal: By September 30, 2026, increase by 40% the number of Office of Research and Development (ORD) activities related to environmental justice that involve or are applicable to Tribes, states, territories, local governments, and communities.**

Annual performance goals that support this long-term performance goal:

**(PM RD2) Number of ORD activities related to environmental justice that involve or are designed to be applicable to tribes, states, territories, local governments, and communities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|------------|---------------------|---------------|
| <b>Target</b> |         |         |         |         | No Target Established | 113     | 113     | 113     | Activities | Above Target        |               |
| <b>Actual</b> |         |         |         |         | N/A                   | 117     |         |         |            |                     |               |

**Key Takeaways:**

- Developed systematic ways to tag ORD activities as environmental justice-related to ensure all relevant activities are identified and tracked.
- Several ORD research activities for the FY 2023-2026 research cycle are in progress and will be counted upon completion near the end of FY 2026.
- The ORD Environmental Justice Council sponsored (or collaboratively co-sponsored) five webinars for Agency staff to advance equity and justice in EPA research through agencywide dialogue and opportunities to build collaborations.
- Completed Phase 2 of the Environmental Justice Video Challenge for Students with the goal of enhancing communities’ capacity to address environmental and public health inequities using data and publicly available tools. Distributed a prize package of \$175,000 to the Phase 2 winning teams that included local community organizations along with the student team members (available at: <https://www.epa.gov/innovation/phase-2-winners-ej-video-challenge-students> .

**Metric Details:** This measure tracks the number of completed environmental justice-related ORD activities that involved communities or are designed to be applicable to tribes, states, territories, local governments, and communities with environmental justice concerns. ORD activities related to environmental justice are any actions, projects, research, tool development, training, etc. that are funded or conducted by ORD and

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intended to help inform and/or reach the goal of environmental justice as defined by EPA. An activity is considered to involve a tribe, state, territory, local government, or community if ORD engages with or consults the affected entity (or entities) on the specific activity. An activity is considered to be applicable to a tribe, state, territory, local government, or community if the results of the activity may be directly for or used by the entity (or entities) and/or be used in decisions affecting communities or otherwise have potential to benefit a community (or communities) with environmental justice concerns. The FY 2019-2022 baseline was established as 324 EJ-related ORD activities. The goal is a 40% increase, or 454 total EJ-related ORD activities over FY 2023-2026. The approximate annual target for FY 2023-2026 is the average of 113 EJ activities per year (*i.e.*,  $454/4 = 113$  EJ activities/year).

**(PM RD4) Percentage of ORD environmental justice-related research products meeting partner needs.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 93      | 94      | 94      | 94      | Percent  | Above Target        |  |
| <b>Actual</b>      |         |         |         |         | 100     | 100     |         |         |          |                     |  |
| <b>Numerator</b>   |         |         |         |         | 1       | 3       |         |         | Products |                     |  |
| <b>Denominator</b> |         |         |         |         | 1       | 3       |         |         |          |                     |  |

**Key Takeaways:**

- Met partner needs for 100% of environmental justice-related research products included in the annual partner satisfaction assessment. For example, the Health Impact Assessment (HIA) Applications to Brownfields Reuse and Redevelopment to Support Community Resiliency and Revitalization documents the HIA conducted to evaluate the potential health impacts of proposed neighborhood revitalization of the South Main Corridor Area in Rockford, Illinois (available at: <https://assessments.epa.gov/risk/document/&deid=354883>).
- ORD has increased the number of environmental justice-related research products assessed and will continue to do so as ORD implements the FY 2023-2026 Strategic Research Action Plan (available at: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>).

**Metric Details:** Partner satisfaction is assessed through a robust survey process. The annual survey engages key users of ORD products. Survey respondents assess the scientific rigor of research products (quality), product relevance (usability), and timeliness of product delivery. This measure will assess a subset of ORD’s research products specifically related to environmental justice.



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

#### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Summary of progress toward strategic objective:

- Continued to build out the new national program office with hiring of management and staff as well as coordination of a consistent regional reorganization proposal to create consistent lines of direction and communication across the entire environmental justice and external civil rights enterprise.
- Worked closely with program office staff to integrate environmental justice and external civil rights considerations in policy documents and significant regulatory actions.
- Expanded staff capacity to participate in EPA regulatory workgroups and identify integration points for environmental justice considerations.
- Deployed a holistic grant and technical assistance program to support community-based organizations, which will allow EPA to align investments and efforts to better meet the needs of communities.
- Experience having developed first ever national program and regional office implementation plans has informed significant maturation of the approach to future instances of national program guidance and accompanying implementation plans. These plans cover a broad spectrum of policies and program implementation activities.

#### Challenges:

- Hiring sufficient staff across all headquarters and regional environmental justice units to support the implementation of all financial and technical assistance programs.
- Difficulties in finalizing attainment of suitable contractor support has significantly delayed progress on key priorities, such as the ten indicators of disparity elimination commitment.
- Although progress has been made in securing necessary software licenses, EPA still needs to rapidly develop use of a platform to support process execution, stakeholder engagement, and coordination across EPA programs and regional offices.

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- Managing environmental justice commitments across EPA programs and regional offices is complex, as is scoping the associated measures appropriately.

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**Long-Term Performance Goal: By September 30, 2026, reduce disparities in environmental and public health conditions represented by the indicators identified through the FY 2022-2023 Agency Priority Goal.**

Annual performance goal that supports this long-term performance goal:

For FY 2024 and FY 2025, progress on this Long-Term Performance Goal will be tracked under the Agency Priority Goal “Implement guidance, tools, and metrics for EPA and its Tribal, state, local, and community partners to advance environmental justice and external civil rights compliance.”

**Long-Term Performance Goal: By September 30, 2026, 80% of significant EPA actions with environmental justice implications will clearly demonstrate how the action is responsive to environmental justice concerns and reduces or otherwise addresses disproportionate impacts.**

Annual performance goals that support this long-term performance goal:

**(PM EJCR08) Percentage of significant EPA actions with environmental justice implications that respond to environmental justice concerns and reduce or address disproportionate impacts.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | 40      | 50      | 60      | Percent | Above Target        |               |
| <b>Actual</b>      |         |         |         |         |         | N/A     |         |         |         |                     |               |
| <b>Numerator</b>   |         |         |         |         |         |         |         |         | Actions |                     |               |
| <b>Denominator</b> |         |         |         |         |         |         |         |         |         |                     |               |

**Key Takeaways:**

- In FY 2023, EPA’s Office of Environmental Justice and External Civil Rights (OEJECR) worked with the Office of Chemical Safety and Pollution Prevention (OCSPP) on development of the Procedures for Chemical Risk Evaluation under the Toxic Substances Control Act (TSCA). The proposed rule strengthens EPA’s process for conducting chemical risk evaluations. The rule advances President Biden’s environmental justice agenda which includes enhancements to environmental protections in communities overburdened by pollution.
- In early FY 2024, EPA will have additional staff available to develop reference materials to prepare for and support implementation and tracking of this measure.
- EPA expects to make significant progress over the next several years, to meet the Long-Term Performance Goal target.

**Metric Details:** This measure tracks the percentage of actions (rules) determined to be significant under the Executive Order on Regulatory Planning and Review (EO 12866). The Office of Policy’s Office of Regulatory Policy and Management’s (OP-ORPM) EPA Action Management System (EAMS) database will be used to determine the denominator for this measure. Responding to environmental justice concerns means acknowledging the concerns in the written decision or final regulation and, wherever feasible, including terms, conditions, mitigation, monitoring, regulatory requirements, etc. that are responsive to the concerns expressed by communities and/or issues identified through environmental justice analysis.

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Reducing or addressing disproportionate impacts in the final action means including an explanation for how the action reduces and/or mitigates disproportionality associated with cumulative threats to public health and environmental quality.

**(PM EJCR09) Percentage of EPA programs that have developed guidance on the use of environmental justice and equity screening tools.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| Target      |         |         |         |         |         | 50      | 75      | 100     | Percent  | Above Target        |               |
| Actual      |         |         |         |         |         | N/A     |         |         |          |                     |               |
| Numerator   |         |         |         |         |         |         |         |         | Programs |                     |               |
| Denominator |         |         |         |         |         |         |         |         |          |                     |               |

**Key Takeaways:**

- In early FY 2024, EPA will have additional staff available to develop key principles on screening as guidance for programs and regions to use to implement this measure.
- With guidance and subject matter expertise offered to programs and regions, EPA will be able to make up ground over the next two years.

**Metric Details:** This measure tracks the percentage of EPA national program sub-offices that have developed written guidance on the use of environmental justice and equity screening tools within their programmatic context. Screening tools provide geospatial information about potential environmental, public health, and equity issues in underserved and overburdened communities (e.g., EJScreen, Climate and Economic Justice Screening Tool). The written guidance will be used within the program sub-office and related regional divisions.

**Long-Term Performance Goal: By September 30, 2026, all EPA programs that work in and with communities will do so in ways that are community-driven, coordinated and collaborative, support equitable and resilient community development, and provide for meaningful involvement and fair treatment of communities with environmental justice concerns.**

Annual performance goals that support this long-term performance goal:

**(PM EJCR10) Percentage of EPA programs and regions that work in and with communities that do so in ways that are community-driven, coordinated and collaborative, support equitable and resilient community development, and provide for meaningful involvement and fair treatment of communities with environmental justice concerns.**

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|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| Target      |         |         |         |         |         | 25      |         |         | Percent  | Above Target        |               |
| Actual      |         |         |         |         |         | N/A     |         |         |          |                     |               |
| Numerator   |         |         |         |         |         |         |         |         | Programs |                     |               |
| Denominator |         |         |         |         |         |         |         |         |          |                     |               |

**Key Takeaways:**

- Updated EPA’s Public Involvement Policy (2003) as EPA’s Meaningful Involvement Policy.
- In FY 2024, will begin tracking implementation of the updated policy through new performance goal EJCR19.

**Metric Details:** This measure tracked the percentage of EPA programs and regional offices that integrate key principles for community work (e.g., community-driven, coordinated, and collaborative) into core functions (e.g., regulatory development, permitting, enforcement). This approach allows EPA to operate across programs to support projects based on community need rather than operating exclusively in programmatic silos.

**(PM EJCR11) Number of established EJ collaborative partnerships utilizing key principles for community work (e.g., community-driven, coordinated, and collaborative).**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction | No Trend Data |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|---------------|
| Target |         |         |         |         |         | 30      |         |         | Partnerships | Above Target        |               |
| Actual |         |         |         |         |         | N/A     |         |         |              |                     |               |

**Key Takeaways:**

- The focus of this performance goal will be captured in the new performance goal (EJCR19). An important component of developing meaningful public involvement plans will be to identify partnerships, and to coordinate and collaborate with those partners to meaningfully involve communities with environmental justice concerns.

**Metric Details:** This measure tracked the number of collaborative partnerships in communities supported and participated in by EPA, utilizing key principles for community work (e.g., community-driven, coordinated and collaborative).

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**(PM EJCR19) Percentage of EPA national programs and regions that have created a new meaningful involvement plan for a specific Agency project or decision with potential impacts in communities with environmental justice concerns.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         |         | 45      | 60      | Percent  | Above Target        |               |
| <b>Actual</b>      |         |         |         |         |         |         |         |         |          |                     |               |
| <b>Numerator</b>   |         |         |         |         |         |         |         |         | Programs |                     |               |
| <b>Denominator</b> |         |         |         |         |         |         |         |         |          |                     |               |

**Metric Details:** This measure tracks the percentage of EPA national program sub-offices and regional offices that create new meaningful involvement plans for a specific Agency project or decision with potential impacts in communities with environmental justice concerns. When seeking ideas, input, feedback, and recommendations from the public to influence a project or decision, national program sub-offices and regional divisions should develop a meaningful involvement plan. A meaningful involvement plan identifies the components of a well-designed process to involve the public in the Agency’s decision-making from planning the process, to designing and implementing communication materials and involvement activities, to showing how the public influenced the project or decision. Qualifying plans will be tailored to fit the need and scale of a particular project or decision. In FY 2024, EPA will establish the universe for this measure.

**Long-Term Performance Goal: By September 30, 2026, all EPA programs and regions will identify and implement areas and opportunities to integrate environmental justice considerations and achieve civil rights compliance in their planning, guidance, policy directives, monitoring, and review activities.**

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Annual performance goal that supports this long-term performance goal:

**(PM EJCR13) Percentage of EPA national programs and regions that have established environmental justice and external civil rights implementation plans.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                | Preferred Direction |               |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | 100     | 100     | 100     | Percent              | Above Target        | No Trend Data |
| <b>Actual</b>      |         |         |         |         |         | 100     |         |         |                      |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 17      |         |         | Regions and Programs |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 17      |         |         |                      |                     |               |

**Key Takeaways:**

- In FY 2023, for the first time in EPA history, seven national programs and ten regions developed environmental justice and external civil rights implementation plans. Each of these plans listed commitments under the priorities of working with communities, environmental justice and external civil rights integration at EPA, engagement with external partners, external civil rights compliance, and other coordinated cross-agency activities.
- EPA brought in a contractor to assist with qualitative analysis of the commitments in the 17 implementation plans, and to develop a summary document that was posted on EPA’s website. The FY 2023 Summary of the Environmental Justice and External Civil Rights Implementation Plans is available at: <https://www.epa.gov/system/files/documents/2023-08/FY%202023%20Summary%20of%20the%20Environmental%20Justice%20and%20External%20Civil%20Rights%20Implementation%20Plans.pdf>

**Metric Details:** This measure tracks the percentage of EPA national program and regional offices that have established annual environmental justice and external civil rights implementation plans and are tracking progress on commitments. OEJEER provides guidance on agencywide focus areas for environmental justice integration and external civil rights compliance to include in environmental justice and external civil rights implementation plans on an annual basis.

**Long-Term Performance Goal: By September 30, 2026, all EPA programs and regions will implement program and region-specific language assistance plans.**

Annual performance goal that supports this long-term performance goal:

GOAL 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

**(PM EJCR14) Percentage of EPA programs and regions that have implemented program and region-specific language assistance plans.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 30      | 35      | 60      | 80      | Percent              | Above Target        |  |
| <b>Actual</b>      |         |         |         |         | 0       | 5       |         |         |                      |                     |  |
| <b>Numerator</b>   |         |         |         |         | 0       | 1       |         |         | Programs and Regions |                     |  |
| <b>Denominator</b> |         |         |         |         | 23      | 19      |         |         |                      |                     |  |

**Key Takeaways:**

- Led action requested in November 2022 by the U.S. Attorney General for all federal agencies to review, revise, and update their limited English proficiency (LEP) plans and policies for providing public access. Coordinated this review across EPA to update EPA Order 1000.32.
- Revised EPA Order 1000.32, which was finalized on November 3, 2023, issued by the Office of Mission Support and posted by the Department of Justice (DOJ) on its LEP.gov webpage.
- Developed one sample plan, which is being used to develop additional program specific plans. Regions 4, 5, and 6 are leading efforts to develop a sample regional plan to be used by all regional offices in FY 2024 and beyond.
- Development of program and region-specific plans was delayed as EPA revised the existing Order, Standard Operating Procedures, budget methodology, etc., as requested by the Attorney General. EPA was featured as a model agency during the DOJ launch event in light of its efforts to integrate this action in EPA’s Strategic Plan and measure progress in implementing program and region-specific plans across EPA through a Long-Term Performance Goal.

**Metric Details:** This measure tracks the percentage of EPA headquarters (9) and regional offices (10) that develop and implement plans and procedures, consistent with EPA Order 1000.32, "Compliance with Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency." The Order outlines necessary steps the Agency will take to provide meaningful language access to persons with limited English proficiency. Program and regional office plans and procedures will ensure that every EPA community outreach and engagement activity considers the needs of community members with limited English proficiency and that EPA secures the language services necessary to provide “meaningful access” to EPA programs and activities for individuals with limited English proficiency. EPA Order 1000.32 is available at: LEP.GOV (<https://www.lep.gov/sites/lep/files/media/document/2023-11/2023%20Environmental%20Protection%20Agency%20%28EPA%29%20Language%20Access%20Plan.pdf>) and will also be posted on EPA’s internet pages.

**Long-Term Performance Goal: By September 30, 2026, all EPA programs and regions will implement program and region-specific disability access plans.**

Annual performance goal that supports this long-term performance goal:



GOAL 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

**(PM EJCR15) Percentage of EPA programs and regions that have implemented program and region-specific disability access plans.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023               | FY 2024 | FY 2025 | Units                | Preferred Direction |               |
|--------------------|---------|---------|---------|---------|---------|-----------------------|---------|---------|----------------------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | No Target Established | 10      | 25      | Percent              | Above Target        | No Trend Data |
| <b>Actual</b>      |         |         |         |         |         | 0                     |         |         |                      |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 0                     |         |         | Programs and Regions |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 19                    |         |         |                      |                     |               |

**Key Takeaways:**

- Action delayed due to staffing and workload challenges. Pursuing a contract vehicle that will be used to develop the EPA Order, policies and procedures in FY 2024.
- Related to work on Executive Order 14091, formed a workgroup to assist in developing the issue of external disability access as a priority area. Have identified barriers, needs, and a strategy for moving forward to develop a program.
- In the process of hiring a National Program Coordinator to lead EPA’s limited English proficiency and disability access efforts.

**Metric Details:** This measure tracks the percentage of EPA headquarters (9) and regional offices (10) that develop and implement plans and procedures, consistent with guidance and an EPA Order to be issued in FY 2024 to ensure meaningful access to EPA programs and activities for persons with disabilities. Program and regional office plans and procedures will ensure every EPA community outreach and engagement activity considers the needs of persons with disabilities and that EPA provides persons with disabilities reasonable accommodations and appropriate auxiliary aids and services where necessary so they may effectively participate in EPA program and activities.

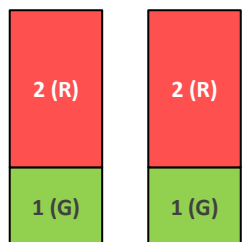
GOAL 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

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

**Performance toward target over time**

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



FY 2018    FY 2019    FY 2020    FY 2021    FY 2022    FY 2023  
 Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Summary of progress toward strategic objective:**

- Far exceeded targets for information sharing sessions and outreach and technical assistance events held with overburdened and underserved communities and environmental justice advocacy groups on external civil rights and environmental justice issues.
- Launched the revised Pre-Award Form 4700-4 review process in January 2023. By the end of FY 2023, had entered into 113 six-month agreements to correct deficiencies, with 36 successfully completed.
- Launched Post-Award Audit Program in March 2023, and initiated four state audits, completing one. One agreement to correct deficiencies is already in place.
- Completed jurisdictional review of a record 47 complaints. Accepted 10 of those cases for investigation and resolved five.
- Entered into Informal Resolution negotiations in 21 cases – more than ever in EPA’s history.

**Challenges:**


- A historic number of complaint receipts in FY 2023 (49, twice the number received in FY 2021), has delayed the initiation of additional compliance reviews.

GOAL 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

**Long-Term Performance Goal: By September 30, 2026, initiate 45 proactive post-award civil rights compliance reviews to address discrimination issues in environmentally overburdened and underserved communities.**

Annual performance goal that supports this long-term performance goal:

**(PM EJCR16) Number of proactive post-award civil rights compliance reviews initiated to address discrimination issues in environmentally overburdened and underserved communities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units              | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 3       | 6       | 4       | 10      | Compliance Reviews | Above Target        |   |
| <b>Actual</b> |         | 1       | 1       | 0       | 1       | 0       |         |         |                    |                     |   |

**Key Takeaways:**


- EPA initiated no new civil rights compliance reviews due to ongoing resource limitations and receipt of a record number of civil rights complaints.
- EPA is targeting 3-6 compliance reviews for initiation in FY 2024 in anticipation of additional resources.

**Metric Details:** This measure tracks the annual number of EPA’s civil rights enforcement efforts through annual affirmative civil rights compliance reviews of EPA funding recipients targeting critical environmental health and quality of life impacts in overburdened communities.

**Long-Term Performance Goal: By September 30, 2026, complete 305 audits to ensure EPA financial assistance recipients are complying with nondiscrimination program procedural requirements.**

Annual performance goal that supports this long-term performance goal:

**(PM EJCR17) Number of audits completed to ensure EPA financial assistance recipients are complying with federal civil rights laws.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units  | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------|---------------------|---|
| <b>Target</b> |         |         |         |         | 25      | 30      | 30      | 60      | Audits | Above Target        |   |
| <b>Actual</b> |         |         |         | 0       | 0       | 1       |         |         |        |                     |   |

**Key Takeaways:**

- EPA for the first time initiated post-award audits of Form 4700-4 submissions by recipients of EPA financial assistance, following on the implementation of EPA’s revised EPA’s pre-award compliance review process on January 1, 2023, for applicants and recipients requesting EPA financial assistance. EPA initiated four and completed one post-award audit in FY 2023. EPA is in the process of on-boarding contractor assistance to initiate and conduct post-award audits in FY 2024.

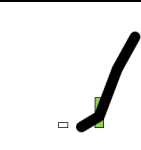
GOAL 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

**Metric Details:** This measure tracks the annual number of post-award audits of Form 4700-4 forms completed to ensure EPA financial assistance recipients have in place foundational nondiscrimination program requirements as required by federal law and EPA’s nondiscrimination regulation.

**Long-Term Performance Goal: By September 30, 2026, complete 84 information sharing sessions and outreach and technical assistance events with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues.**

Annual performance goal that supports this long-term performance goal:

**(PM EJCR18) Number of information sharing sessions and outreach and technical assistance events held with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 8       | 90      | 650     | 1,100   | Sessions and Events | Above Target        |   |
| <b>Actual</b> |         |         |         | 40      | 30      | 235     |         |         |                     |                     |   |

**Key Takeaways:**

- With the creation of the Office of Environmental Justice and External Civil Rights (OEJEER) as a program office, the universe of reporting on this performance goal expanded to regional environmental justice divisions. This expansion has led to far exceeding the original target for this performance goal.
- As staffing levels continue to increase for OEJEER and regional environmental justice divisions, it is likely that target-setting and actual numbers will continue to increase exponentially.

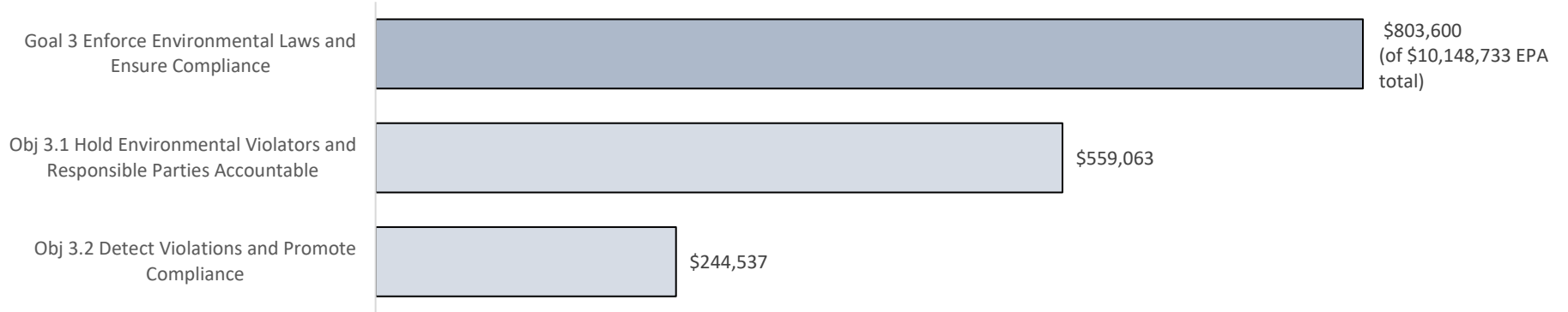
**Metric Details:** Starting in FY 2022, this measure tracks the cumulative number of EPA’s OEJEER engagements with overburdened and underserved communities and environmental justice advocacy groups on civil rights and/or environmental justice issues with impacts on communities with environmental justice concerns. This outreach will help the Agency to better identify concerns and priorities for EPA's civil rights and environmental justice work. This also allows for increased capacity-building and meaningful involvement opportunities for communities with environmental justice concerns.

# GOAL 3: Enforce Environmental Laws and Ensure Compliance

## Goal 3 at a Glance

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

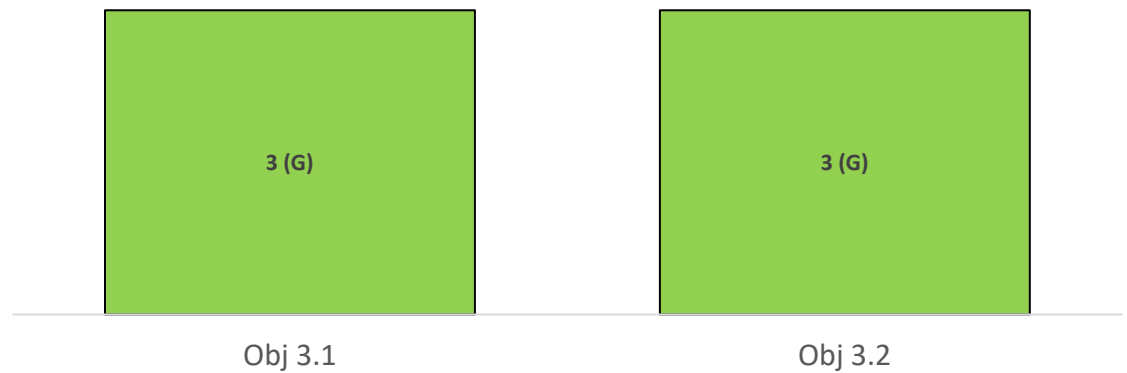
**FY 2023 Enacted Budget (in thousands) by goal and objective**



**FY 2023 Performance toward target by objective**

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)

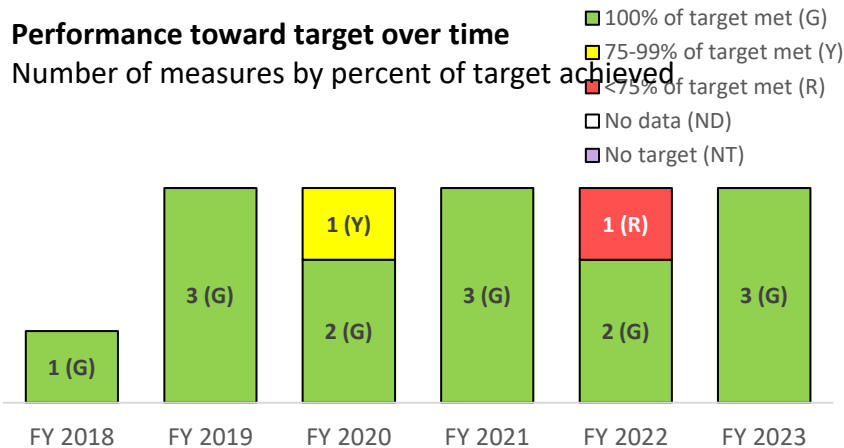


GOAL 3: Enforce Environmental Laws and Ensure Compliance

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

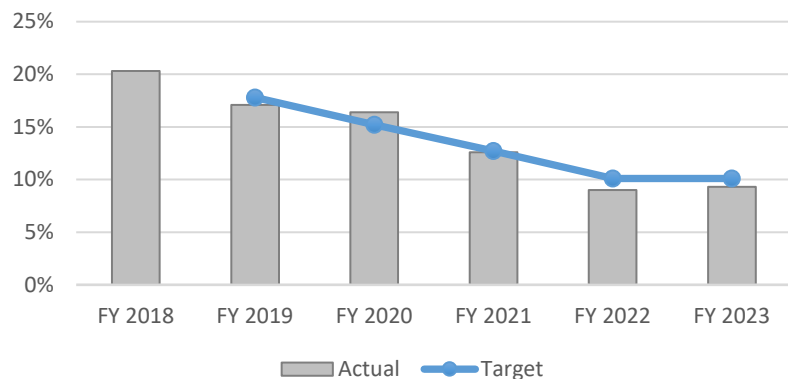
**Performance toward target over time**

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Percentage of NPDES Permittees in Significant Noncompliance with their Permit Limits, FY 2018 - FY 2023**



EPA, in consultation with the Office of Management and Budget, has determined that performance toward this objective is making noteworthy progress due to numerous activities to accelerate results, notably in priority areas, e.g., environmental justice and climate change.

**Summary of progress toward strategic objective:**

*Strengthened Enforcement to Advance Environmental Justice (EJ)*

- Concluded 1,791 civil judicial and administrative cases (highest number since 2018), with 55% addressing facilities in areas with potential environmental justice concerns.
- Issued 203 Safe Drinking Water Act (SDWA) orders, protecting >1.9M people, including eight emergency orders protecting ~2,000 people in small, overburdened communities.

*Combating Climate Change and integrating climate consideration in policies*

- Protected communities by reducing >60M lbs. of carbon dioxide (CO<sub>2</sub>) equivalent and ~11.9M lbs. of Volatile Organic Compounds and Hazardous Air Pollutants.
- Hydrofluorocarbon (HFC) task force provided criminal enforcement training to >200 from partner agencies, e.g., Customs and Border Patrol, Department of Homeland Security.
- Settlements with gas processing plants in 12 states and Indian Country provided >\$25M in penalties and injunctive relief (IR) and will reduce thousands of tons of methane.

*Protecting human health through Addressing PFAS and Lead Exposures*

- Multiple cases related to per- and polyfluoroalkyl substances (PFAS) contamination of drinking water and unauthorized releases, including a SDWA 1431 order at 3M Cordova.
- Took 107 enforcement cases to prevent community exposure to lead in pre-1978 housing, particularly multi-unit, and subsidized housing.

*Strong Enforcement Results*

### GOAL 3: Enforce Environmental Laws and Ensure Compliance

- Civil actions: over \$3.7B in IR, \$167M in penalties, and 1.2B lbs. of pollution reduced.
- Criminal: \$536M in fines/restitution, ~\$4.5M in court-ordered environmental projects, and forfeiture of \$521M in illegal proceeds. Obtained criminal sentences of ~104 years.
- Superfund response/cost recovery commitments of ~\$1.1B (including \$22.6M from redevelopers); oversaw 175 federal facility National Priorities List sites.
- Working with Mexico, Canada, and Tribes, implemented a North America enforcement program targeting illegal trade of certain chemicals from ships.

#### **Challenges:**

- Delays in promotions/new hire processing leave extended vacancies, reducing inspectors in the field and hindering knowledge transfer before departures.
- Complex cases (*e.g.*, national companies, complex facilities) often take longer.


GOAL 3: Enforce Environmental Laws and Ensure Compliance

**Long-Term Performance Goal: By September 30, 2026, reduce to not more than 93 the number of open civil judicial cases more than 2.5 years old without a complaint filed.**

Annual performance goals that support this long-term performance goal:

**(PM 436) Number of open civil judicial cases more than 2.5 years old without a complaint filed.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|
| Target |         | 129     | 120     | 99      | 99      | 96      | 95      | 94      | Cases | Below Target        |
| Actual |         | 94      | 74      | 66      | 65      | 50      |         |         |       |                     |



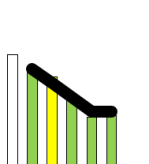
**Key Takeaways:**

- EPA and the Department of Justice (DOJ) continue to move the most challenging civil judicial cases toward resolution in a timely manner, thereby returning violators to compliance more quickly and supporting increases in pounds of pollutants reduced and pounds of waste managed. Case teams incorporate best practices into case docket reviews (e.g., preparation of case status updates prior to docket reviews) to ensure timely conclusion of cases. Likewise, managers promote the use of docket best practices with their case teams. Today, the number of open civil judicial cases more than 2.5 years old without a complaint filed is more than 60% lower than in 2018 when the measure was initiated.

**Metric Details:** This measure tracks the number of all open civil judicial cases that are more than 2.5 years old without a complaint filed, excluding Superfund, bankruptcy, collection action, and access order cases. By measuring and highlighting the amount of time from referral of an enforcement case to DOJ to its conclusion, the Agency hopes to reduce the time by which violation(s) alleged in the case are corrected. Data are tracked in the Integrated Compliance Information System (ICIS). The average time from referral to complaint for a complaint filed between FY 2013 and FY 2017 was 2.5 years. The baseline for this measure is 129 cases that were more than 2.5 years old without a complaint filed as of June 30, 2018.

**(PM 446) Quarterly percentage of Clean Water Act National Pollutant Discharge Elimination System (NPDES) permittees in significant noncompliance with their permit limits.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|
| Target      |         | 17.8    | 15.2    | 12.7    | 10.1    | 10.1    |         |         | Percent    | Below Target        |
| Actual      | 20.3    | 17.1    | 16.4    | 12.6    | 9.0     | 9.3     |         |         |            |                     |
| Numerator   | 8,310   | 7,015   | 6,941   | 5,330   | 3,942   | 4,168   |         |         | Permittees |                     |
| Denominator | 40,944  | 41,085  | 42,334  | 42,429  | 44,015  | 44,784  |         |         |            |                     |



**Key Takeaways:**

- Maintained an NPDES significant noncompliance (SNC) rate of 9.3% in FY 2023, surpassing the target of 10.1%.



### GOAL 3: Enforce Environmental Laws and Ensure Compliance

- Through the SNC National Enforcement and Compliance Initiative, EPA fully utilized its compliance toolbox. This included developing a new mechanism for prioritizing NPDES noncompliance to help EPA and states focus attention on the worst violators and conducting quarterly meetings with all 47 NPDES authorized states focused on data sharing and ways to reduce SNC challenges. The SNC National Enforcement and Compliance Initiative concluded in FY 2023 upon successful completion of the goal to reduce the SNC rate by half, and EPA will discontinue this measure.
- These results would not have been possible without the effective EPA-state partnership, and the commitment that states made to the SNC National Compliance Initiative. Furthermore, a close working partnership with the Association of Clean Water Administrators played a key role in obtaining input from the states to help plot a successful and collaborative path for the initiative.

**Metric Details:** This measure tracks the NPDES SNC/Category 1 noncompliance rate among individually permitted major and non-major (minor) NPDES permittees in the last quarter of the year. NPDES SNC/Category 1 noncompliance identifies a specific level of violation, based on duration, severity, and type of violation, and is assessed quarterly. The numerator counts major and minor permittees that were in SNC/Category 1 noncompliance in the last quarter of the fiscal year. The denominator includes all active individually permitted NPDES permittees (except permittees for which there is insufficient permit data/compliance tracking status in ICIS-NPDES for the data system to evaluate SNC status). The FY 2018 baseline of 20.3% represents an average based on four quarters of data.

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

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024               | FY 2025               | Units              | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|-----------------------|-----------------------|--------------------|---------------------|
| <b>Target</b> | 325     | 325     | 325     | 325     | 325     | 325     | No Target Established | No Target Established | Millions of Pounds | Above Target        |
| <b>Actual</b> | 810     | 347     | 2,058   | 7,864   | 195     | 1,214   |                       |                       |                    |                     |

#### Key Takeaways:

- Results in any given year are dependent on actual case outcomes, which are variable and difficult to predict. Annual totals are often influenced by a few large cases (e.g., in FY 2021, the exceptionally high result was due to the US Magnesium case which accounted for 90% of the total pounds of pollutants reduced, treated, or eliminated that year).
- In FY 2023, one case (PCS Nitrogen) accounted for 94% of the total. PCS Nitrogen manufactured phosphate products in Louisiana for agriculture from the 1960s to 2018, including phosphoric acid and phosphate fertilizer, through processes that generated large quantities of acidic wastewater and phosphogypsum. The facility is now undergoing closure and PCS will spend over \$84M to reduce environmental impact and treat over 1B lbs. of waste.

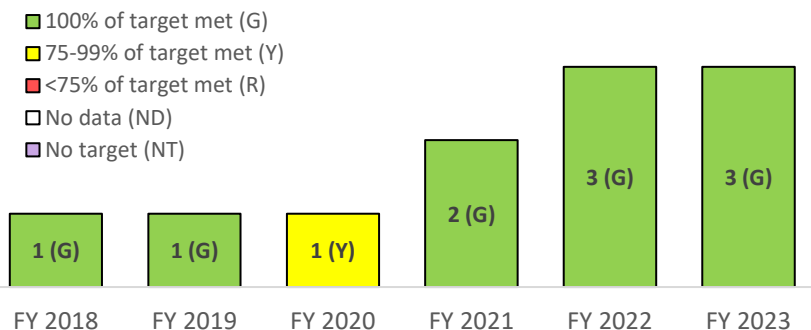
**Metric Details:** This measure combines estimated pounds of air, water, hazardous and non-hazardous waste, and toxics/pesticides pollutants reduced, treated, or eliminated through concluded enforcement actions. Given the fact that this measure is dependent on the settlement of a small number of cases which are difficult to predict, it will not have targets after FY 2023.

## GOAL 3: Enforce Environmental Laws and Ensure Compliance

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

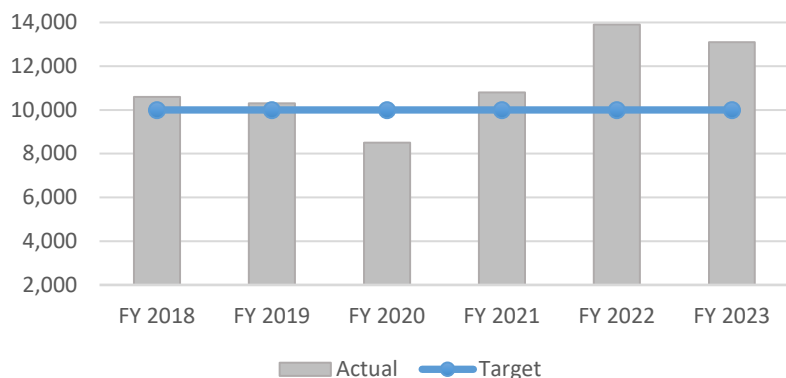
### Performance toward target over time

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

### Number of Federal On Site Compliance Monitoring Inspections and Evaluations and Off Site Compliance Monitoring Activities



### Summary of progress toward strategic objective:

#### Inspections

- Increased the number of on-site inspections to > 7,700, a 31% increase over FY 2022.
- Over 60% of on-site inspections were at facilities affecting communities with potential environmental justice (EJ) concerns, exceeding the 50% goal set for this year.
- Credentialed new inspectors for public drinking water systems (PWS), and increased training for all PWS inspectors with 115 sessions reaching over 450 participants.
- Initiated sampling of private drinking water wells near military installations with known, significant per- and polyfluoroalkyl substances (PFAS) contamination.
- Led or accompanied states, territories, or tribes that have been approved to implement and enforce the public water system program on nearly 120 onsite inspections and performed offsite compliance monitoring at more than 260 Community Water Systems.

#### Community Engagement and Compliance Assistance

- Newly released and updated Enforcement and Compliance History Online (ECHO) tools (Notify, Clean Air Act tool, PFAS Analytical, and Drinking Water System Search). New and updated tools allow users to access test results, facilitate communication, and present a comprehensive overview of the cumulative impacts within a respective community.
- *Compliance Advisors* assisted and trained 195 small public water systems and 61 small wastewater treatment facilities; 84% are in communities with potential EJ concerns.
- Prioritized “Mitigation of Climate Change” enforcement, by establishing it as a new National Enforcement Compliance Initiative (NECI).

#### Evidence-Based Enforcement

### GOAL 3: Enforce Environmental Laws and Ensure Compliance

- Compliance Learning Agenda advanced its evidence-based studies focusing on offsite compliance monitoring and the root causes of municipal noncompliance.
- Advanced EPA Learning Agenda priority area for reducing drinking water noncompliance by synthesizing existing tools that identify systems of concern and confirming key characteristics important to maintaining or improving compliance.

#### **Challenges:**

- During the past decade, the enforcement program has lost over 900 positions, nearly 30 percent of its workforce, resulting in loss of expertise and fewer inspections.
- Despite efforts, thousands of community water systems violate health-based standards each year, exposing millions to potential health risks. Many states and tribes have limited capacity to address these violations.

GOAL 3: Enforce Environmental Laws and Ensure Compliance

**Long-Term Performance Goal: By September 30, 2026, send 75% of EPA inspection reports to facilities within 70 days of inspection.**

Annual performance goal that supports this long-term performance goal:

**(PM 444) Percentage of EPA inspection reports sent to the facility within 70 days of inspection.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|--|
| <b>Target</b>      |         |         |         | 75      | 75      | 75      | 75      | 75      | Percent | Above Target        |  |
| <b>Actual</b>      |         |         | 83      | 85      | 83      | 77      |         |         |         |                     |  |
| <b>Numerator</b>   |         |         | 4,177   | 1,940   | 4,362   | 5,521   |         |         | Reports |                     |  |
| <b>Denominator</b> |         |         | 5,037   | 2,287   | 5,237   | 7,129   |         |         |         |                     |  |

**Key Takeaways:**

- Ongoing cooperation between EPA headquarters and regional offices continues to ensure that the majority of inspection reports are completed by EPA within 60 calendar days and sent to facilities within 70 calendar days of an inspection.
- As EPA inspectors have resumed a more active field presence post-pandemic and have conducted more on-site inspections, there was an expected decrease in the completion of inspection reports within the timeframe as compared with prior years; however, the results are still above the target.

**Metric Details:** This measure tracks the percentage of inspection reports completed and sent to the facility within 70 calendar days of an inspection. Improving the timeliness of EPA inspection reports allows facilities to address compliance issues more quickly. The 75% goal recognizes that it may not always be possible or appropriate to provide an inspection report within 70 days because of the nature and complexity of the compliance and enforcement program.

**Long-Term Performance Goal: By September 30, 2026, conduct 55% of annual EPA inspections at facilities that affect communities with potential environmental justice concerns.**

Annual performance goal that supports this long-term performance goal:

GOAL 3: Enforce Environmental Laws and Ensure Compliance

**(PM 450) Percentage of EPA inspections at facilities affecting communities with potential environmental justice concerns.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 45      | 50      | 50      | 55      | Percent     | Above Target        |  |
| <b>Actual</b>      |         |         |         |         | 57      | 61      |         |         |             |                     |  |
| <b>Numerator</b>   |         |         |         |         | 3,333   | 4,700   |         |         | Inspections |                     |  |
| <b>Denominator</b> |         |         |         |         | 5,861   | 7,750   |         |         |             |                     |  |

**Key Takeaways:**

- EPA conducted nearly 61% of all inspections at facilities affecting communities with potential environmental justice concerns, surpassing the target of 50%. The Integrated Compliance Information System (ICIS) and internal tools have been enhanced to make this inspection data easily accessible to all Agency staff and management, ensuring that communities most in need of environmental protection are receiving appropriate attention and review.

**Metric Details:** This measure tracks the percentage of EPA on-site inspections conducted by credentialed EPA inspectors at facilities affecting communities with potential environmental justice concerns. The total includes facilities with one environmental indicator triggered at the 80<sup>th</sup> percentile at the national level (80<sup>th</sup> percentile/one index trigger) on EPA’s environmental justice mapping and screening tool EJScreen, and other areas flagged through an enhanced review. The baseline for this measure is 27% based on an average of FY 2017- FY 2019 results (pre-COVID levels).

**Other Core Work**

Annual performance goal:

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

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                     | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------------|---------------------|--|
| <b>Target</b> | 10,000  | 10,000  | 10,000  | 10,000  | 10,000  | 10,000  | 11,000  | 12,000  | Inspections & Evaluations | Above Target        |  |
| <b>Actual</b> | 10,600  | 10,300  | 8,500   | 10,800  | 13,900  | 13,100  |         |         |                           |                     |  |

**Key Takeaways:**

- EPA conducted approximately 7,750 on-site inspections (~1,850 more than in FY 2022) and 5,350 off-site compliance monitoring activities.

### GOAL 3: Enforce Environmental Laws and Ensure Compliance

- EPA has been able to conduct more on-site inspections since the end of the COVID pandemic, while still utilizing off-site compliance monitoring activities where appropriate (*e.g.*, review of responses to information requests to assess compliance; review of facility monitoring reports and/or sampling data). Since the focus shifted back to on-site inspections which often take more time, the overall compliance monitoring number is down but still well above the target.

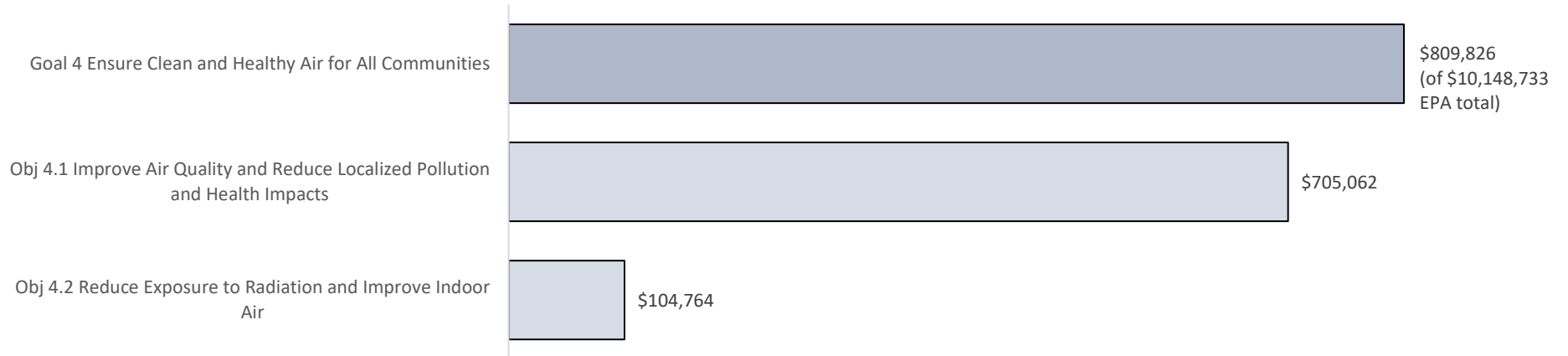
***Metric Details:*** This measure tracks EPA inspections and off-site compliance monitoring activities to determine whether a facility or group of facilities is in compliance with applicable law.

GOAL 4: Ensure Clean and Healthy Air for All Communities

Goal 4 at a Glance

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

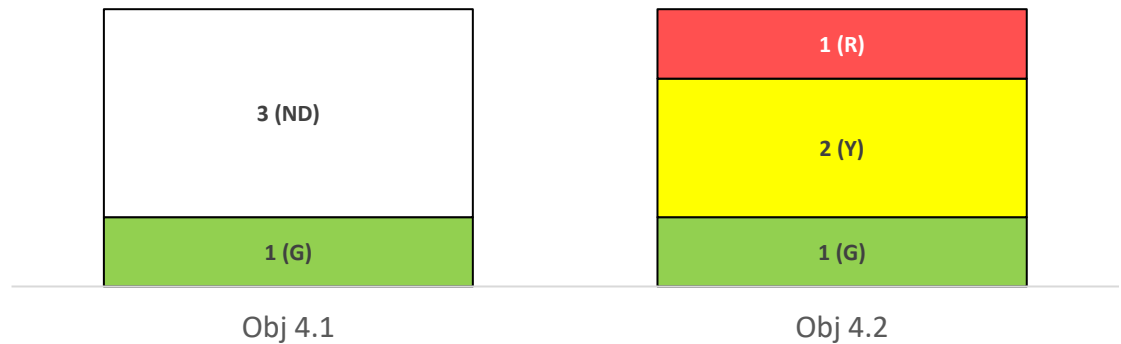
**FY 2023 Enacted Budget (in thousands) by goal and objective**



**FY 2023 Performance toward target by objective**

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



## GOAL 4: Ensure Clean and Healthy Air for All Communities

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

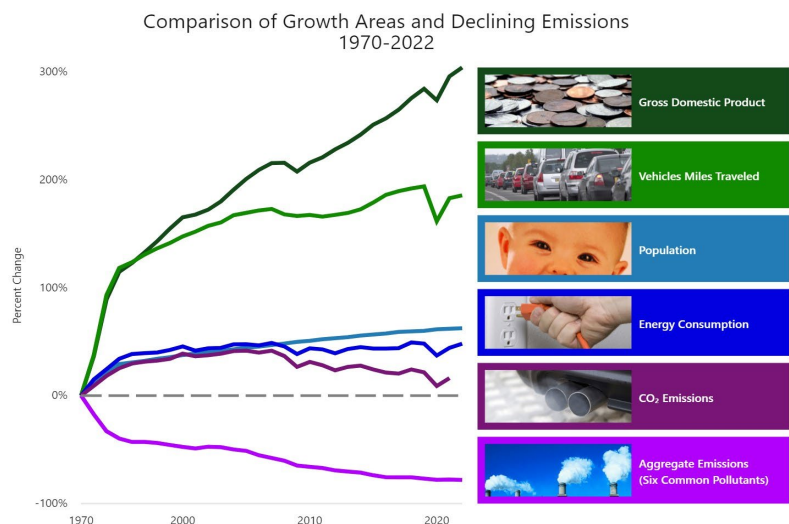
#### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.



#### Summary of progress toward strategic objective:

- Finalized the first rulemaking of EPA’s Clean Trucks Plan, which focuses on reducing emissions from smog and soot beginning in model year 2027.
- Provided Diesel Emission Reduction Act (DERA), funding support for cutting-edge clean technologies that reduce emissions from diesel-powered mobile sources and focused on reducing emissions in and around ports through EPA’s Ports Initiative.
- Finalized two rules determining that 27 nonattainment areas failed to attain the 2008 and 2015 ozone standards by their attainment dates.
- Released Clean Air Markets Program Data (CAMPD) 1.1 and Clean Air Power Sector Programs: Facility Level Comparisons 2022 annual and ozone season emission data and trends, and Clean Air Power Sector Programs: Power Plant Emissions Trends for the third quarter of 2022, showing decreases in all tracked pollutants.
- Issued a proposed rule to strengthen the National Ambient Air Quality Standards (NAAQS) for fine particle pollution (PM<sub>2.5</sub>) by revising the level of the primary (health based) annual PM<sub>2.5</sub> standards from 12 ug/m<sup>3</sup> to within the range of 9.0 to 10.0 ug/m<sup>3</sup>.
- Published “Our Nation’s Air: Status and Trends Through 2022” in June 2023.
- Issued the final Good Neighbor Plan, which secures significant reductions in ozone-forming emissions of nitrogen oxides (NO<sub>x</sub>) from power plants and industrial facilities.
- Proposed rule to reduce toxic air pollution from the synthetic organic chemical industry and the polymers and resins industry, including highly toxic chemicals ethylene oxide (EtO) and chloroprene, as well as smog-forming volatile organic compounds (VOCs). Also proposed a rule to reduce EtO emissions from commercial sterilizing facilities.
- Proposed updated Mercury and Air Toxics Standards (MATS) for coal-fired power plants to further reduce – by 67% – the emissions limit for



#### GOAL 4: Ensure Clean and Healthy Air for All Communities

filterable particulate matter for existing coal-fired power plants. The standards also include a 70% reduction in the emissions limit for mercury from existing lignite-fired sources.

- Reported calculated ozone-depleting substances (ODS) production and consumption under Montreal Protocol and Clean Air Act (CAA) requirements, including issuing allowances for certain hydrochlorofluorocarbons (HCFCs) as part of the 2020-2023 “servicing tail” and developing a proposed rule to update recordkeeping and reporting.

#### **Challenges:**

- Insufficient resources for federal implementation of the NAAQS and other CAA requirements at the headquarters and regional level poses program delivery challenges such as timely processing of State Implementation Plans (SIPs).

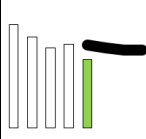
GOAL 4: Ensure Clean and Healthy Air for All Communities

**Long-Term Performance Goal: By September 30, 2026, reduce ozone season emissions of nitrogen oxides (NO<sub>x</sub>) from electric power generation sources by 21% from the 2019 baseline of 390,354 tons.**

Annual performance goal that supports this long-term performance goal:

**(PM NO<sub>x</sub>) Tons of ozone season NO<sub>x</sub> emissions from electric power generation sources.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|
| <b>Target</b> |         |         |         |         | 355,000 | 344,000 | 332,000 | 332,000 | Tons  | Below Target        |
| <b>Actual</b> | 443,764 | 389,170 | 341,082 | 359,124 | 324,285 | 293,519 |         |         |       |                     |



**Key Takeaways:**

- Nationwide power plant ozone season emissions data for 2023 show a marked 9 percent decrease compared to 2022, demonstrating some of the most significant reduction levels of the last few years.
- These decreases in emissions were due primarily to changes in the mix of fossil fuel-fired generation and improved emission rate performance.

**Metric Details:** This measure tracks the ozone season NO<sub>x</sub> emissions from sources in five of EPA’s nationwide and multi-state air pollution control programs: an annual NO<sub>x</sub> trading program and three ozone season NO<sub>x</sub> trading programs operated by EPA on behalf of 27 states in the eastern U.S. under Title I of the CAA, as well as a national NO<sub>x</sub> emissions reduction program for the power sector operated by EPA under Title IV of the CAA, the Acid Rain Program. NO<sub>x</sub> are precursors for fine particulate matter (PM<sub>2.5</sub>) and ground-level ozone (O<sub>3</sub>). Researchers have associated PM<sub>2.5</sub> and O<sub>3</sub> exposure with adverse health effects in toxicological, clinical, and epidemiological studies. Lowering exposure to PM<sub>2.5</sub> and O<sub>3</sub> contributes to significant human health benefits. The ozone season corresponds to the warm summer months when ozone formation is highest (May 1 – September 30). Reductions in NO<sub>x</sub> emissions during the ozone season help areas attain ambient ozone standards. For more information, see:

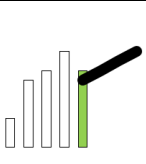
<https://www.epa.gov/power-sector/progress-report-emissions-reductions#osnox>.

**Long-Term Performance Goal: By September 30, 2026, improve measured air quality in counties not meeting the current National Ambient Air Quality Standards (NAAQS) from the 2016 baseline by 10%.**

Annual performance goal that supports this long-term performance goal:

**(PM NAAQS) Percentage of air quality improvement in counties not meeting current NAAQS.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units   | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|--------------------|---------|---------|---------|---------------------|
| <b>Target</b> |         |         |         |         | 7       | 8                  | 9       | 10      | Percent | Above Target        |
| <b>Actual</b> | 3       | 7       | 8       | 10      | 8       | Data Avail 11/2024 |         |         |         |                     |



GOAL 4: Ensure Clean and Healthy Air for All Communities

**Key Takeaways:**

- EPA continues to make progress toward achieving the 2026 long term performance goal.
- Long-term progress is due to emissions reductions from State Implementation Plans and other regulatory control programs.
- Meteorology and exceptional events, like wildfires, can contribute to year-to-year variability in this measure.

**Metric Details:** This measure shows progress in reducing pollutant concentrations in counties not meeting one or more current NAAQS relative to the 2016 calculated baseline. The CAA requires EPA to set the NAAQS for six “criteria” pollutants considered harmful to public health and the environment. These national standards form the foundation for air quality management. The measure is presented as the aggregate percentage change in design value concentrations – a statistic that describes the air quality status of a given location relative to the NAAQS – since the baseline year. The aggregate percentage change is weighted by the number of counties violating the NAAQS for each pollutant in the baseline year, so more weight is given to pollutants with more violating counties. Four criteria pollutants (ozone, PM<sub>2.5</sub>, PM<sub>10</sub>, SO<sub>2</sub>, and lead) are part of this measure. All counties met the NAAQS for carbon monoxide and nitrogen dioxide in 2016, so those two criteria pollutants are not considered in this measure.

**Long-Term Performance Goal: By September 30, 2026, strive to ensure all people with low socio-economic status (SES) live in areas where the air quality meets the current fine particle pollution (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS).**

Annual performance goal that supports this long-term performance goal:

**(PM NAAQS2) Percentage of people with low SES living in areas where the air quality meets the PM<sub>2.5</sub> NAAQS.**

|                    | FY 2018    | FY 2019    | FY 2020    | FY 2021    | FY 2022    | FY 2023               | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|--------------------|------------|------------|------------|------------|------------|-----------------------|---------|---------|---------|---------------------|--|
| <b>Target</b>      |            |            |            |            | 90         | 93                    | 97      | 100     | Percent | Above Target        |  |
| <b>Actual</b>      | 82         | 82         | 81         | 85         | 83         | Data Avail<br>11/2024 |         |         |         |                     |  |
| <b>Numerator</b>   | 52,044,172 | 51,560,102 | 48,678,558 | 50,304,779 | 49,634,175 |                       |         |         | People  |                     |  |
| <b>Denominator</b> | 63,150,683 | 62,687,368 | 60,053,454 | 59,241,268 | 59,614,742 |                       |         |         |         |                     |  |

**Key Takeaways:**

- EPA continues to make progress toward achieving the 2026 long term performance goal.
- Long-term progress is due to emissions reductions from State Implementation Plans and other regulatory control programs.
- Meteorology and exceptional events, like wildfires, can contribute to year-to-year variability in this measure. The ‘Actual’ values in recent years are likely influenced by higher concentrations in areas affected by wildfires.

**Metric Details:** This measure tracks the percentage of people with low SES, defined as two times the poverty level, living in counties with monitors measuring concentrations of PM<sub>2.5</sub> that meet the 2012 annual and 2006 24-hour PM<sub>2.5</sub> NAAQS. Long- and short-term exposures to fine particles can

#### GOAL 4: Ensure Clean and Healthy Air for All Communities

harm people's health, leading to heart attacks, asthma attacks, and premature death. In the baseline period of 2006-2008, 43% of the low SES population lived in counties that met both PM<sub>2.5</sub> NAAQS. Changes since that time reflect the effectiveness of strategies designed to reduce fine particle pollution.

**Long-Term Performance Goal: By September 30, 2026, ensure U.S. consumption of hydrochlorofluorocarbons (HCFCs) is less than 76.2 tons per year of ozone depletion potential.**

GOAL 4: Ensure Clean and Healthy Air for All Communities

Annual performance goal that supports this long-term performance goal:

**(PM HCFC) Remaining U.S. consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, in ozone depletion potential (ODP)-weighted metric tons.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023               | FY 2024 | FY 2025 | Units       | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|-----------------------|---------|---------|-------------|---------------------|
| <b>Target</b> |         |         |         |         | 76.2    | 76.2                  | 76.2    | 76.2    | Metric Tons | Below Target        |
| <b>Actual</b> | 434.1   | 224.2   | -110.8  | -20.8   | -6.36   | Data Avail<br>10/2024 |         |         |             |                     |

**Key Takeaways:**

- The FY 2022 result (latest available data) is negative because exports and destruction together exceeded production and imports in calendar year 2022.
- The measure demonstrates how the U.S. continues to meet its obligations as a Party to the Montreal Protocol.

**Metric Details:** This measure tracks the United States’ annual consumption of HCFCs in ODP-weighted tons. Consumption means the amount of HCFC produced, plus imports, minus exports, minus destruction, and minus amounts produced or imported for transformation. As a Party to the Montreal Protocol, the U.S. must incrementally decrease HCFC consumption and production, culminating in a complete HCFC phaseout in 2030. The current annual consumption cap of the U.S. for all HCFCs is 76.2 ODP-weighted metric tons, down from the 2015–2019 target of 1,520 ODP-weighted metric tons per year. For more information, see: <https://www.epa.gov/ods-phaseout/phaseout-class-ii-ozone-depleting-substances>.

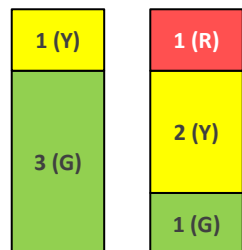
GOAL 4: Ensure Clean and Healthy Air for All Communities

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

**Performance toward target over time**

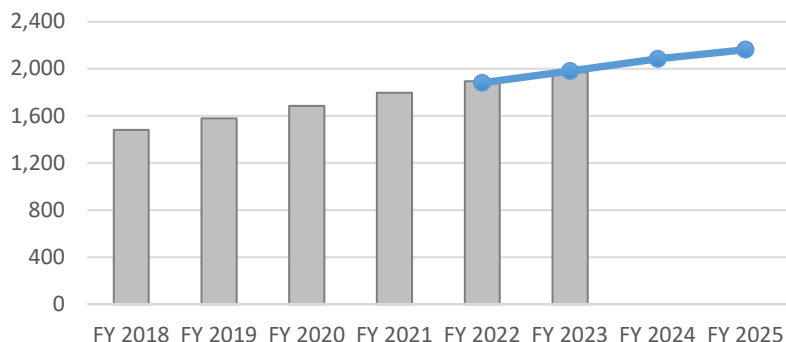
Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



FY 2018    FY 2019    FY 2020    FY 2021    FY 2022    FY 2023  
 Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Number of Lung Cancer Deaths Prevented through Lower Radon Exposure, FY 2018 - FY 2025**



**Summary of progress toward strategic objective:**

- Increased adoption and use of clean, and cleaner, fuels and cookstoves around the world by developing an International Organization for Standardization (ISO) Institutional Stove Standard, organized a round-robin stove testing initiative with 11 regional labs, developed guidance on Nationally Determined Contribution (NDC) implementation, and held country consultations on NDC monitoring, reporting, and verification.
- The situation in Ukraine has underscored the importance of federal agency collaboration to increase preparedness for international radiological emergencies, including support for communications to U.S. citizens domestically and abroad, should there be a nuclear incident. EPA developed radiological emergency public messaging materials delivered to the National Security Council, developed a website design template for sharing data and information, and advanced internal notification and preparedness procedures.
- Continued effective oversight of the Department of Energy (DOE) Waste Isolation Pilot Plant (WIPP) for transuranic radioactive waste from DOE facilities, conducting stakeholder engagement sessions in New Mexico in March 2023, and completing a quality assurance review at WIPP and 9 site inspections at DOE facilities, ensuring that waste is being managed safely for long term disposal at WIPP.
- Implemented new competitive funding program to improve public health protection against wildfire smoke by enhancing preparedness in community buildings.

**Challenges:**

- Critical sustained investments are needed to address the high public health risks associated with poor indoor air.
- Americans typically spend approximately 90% of their time indoors resulting in exposure to many air pollutants being many times higher indoors than outdoors. Nearly every ambient air pollutant infiltrates

#### GOAL 4: Ensure Clean and Healthy Air for All Communities

indoors, and there are significant sources of those same ambient air pollutants indoors as well as unique indoor sources of pollutants.

- The pandemic, wildfire smoke, and widespread water and mold issues from storms and flooding have all dramatically raised public concern about poor indoor air quality and increased the need for more comprehensive technical assistance and responses to these issues.
- EPA's critical suite of field radiological equipment and instrumentation needs updating/replacement to ensure the highest level of radiological emergency preparedness (2008 was last modernization effort).
- There are limited resources to address radiation monitoring (RadNet) IT and radiochemistry lab modernization efforts and actions to improve security posture pursuant to Agency requirements as identified by past audits and inspections.

GOAL 4: Ensure Clean and Healthy Air for All Communities

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

Annual performance goal that supports this long-term performance goal:

**(PM LCD) Number of lung cancer deaths prevented through lower radon exposure.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|---------------------|--|
| <b>Target</b> |         |         |         |         | 1,881   | 1,981   | 2,083   | 2,162   | Deaths Prevented | Above Target        |  |
| <b>Actual</b> | 1,482   | 1,578   | 1,684   | 1,795   | 1,894   | 1,970   |         |         |                  |                     |  |

**Key Takeaways:**

- EPA nearly met the FY 2023 target (missing by just 0.5%) and is making progress toward preventing 2,250 lung cancer deaths annually by 2026.
- The 2021-2025 National Radon Action Plan (<http://radonleaders.org/resources/nationalradonactionplan>) will further support increased efforts to find, fix and prevent high indoor radon levels in homes and buildings and prevent annual lung cancer deaths.

**Metric Details:** This measure tracks lung cancer deaths prevented annually by reducing radon exposure, calculated using estimates of the number of homes in the U.S. with radon levels above the EPA action level of 4pCi/L (picocuries per liter) that have been mitigated and the number of new homes that have been built with radon resistant features. Lung cancer is the leading cause of cancer death among both men and women in the United States. Exposure to radon indoors is the second-leading cause of lung cancer in the United States. EPA estimates there are 21,000 avoidable lung cancer deaths annually attributable to indoor radon exposure and more than seven million homes in the U.S. are at or above the EPA radon action level. For more information, see <https://nap.nationalacademies.org/catalog/5499/health-effects-of-exposure-to-radon-beir-vi>; and <https://www.epa.gov/sites/default/files/2015-05/documents/402-r-03-003.pdf>.

**Other Core Work**

Annual performance goals:

**(PM RAD2) Percentage of radiation emergency response program personnel and assets that meet functional readiness requirements necessary to support federal radiological emergency response and recovery operation.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|--|
| <b>Target</b> |         |         |         |         | 90      | 92      | 92      | 92      | Percent | Above Target        |  |
| <b>Actual</b> |         |         |         | 92      | 87.7    | 87.1    |         |         |         |                     |  |



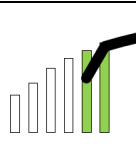
GOAL 4: Ensure Clean and Healthy Air for All Communities

**Key Takeaways:**

- EPA narrowly missed the target due to the loss of scientific (field and laboratory) personnel, and the Mobile Environmental Radiation Laboratory being outdated and out of commission. EPA is actively hiring to replace key personnel and will continue to upgrade equipment as funds are available and where it makes the most sense.
- EPA participated in key government exercises and is actively engaged in contingency planning for supporting responses to any foreign radiological incidents stemming from active warfare in Ukraine.

**Metric Details:** This measure tracks percent readiness of EPA headquarters, laboratory and field support elements including assets and equipment, procedures and programs, licenses and accreditations, personnel, qualifications, exercise participation, and training. Percent readiness is calculated by the total score earned during an annual assessment of elements divided by the total points assigned to those elements.

**(PM IA) Number of programs, equipped to support the infrastructure, delivery and sustainability of comprehensive asthma care.**

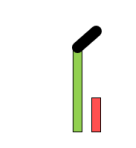
|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---|
| <b>Target</b> |         |         |         |         | 1,800   | 2,855   | 3,005   | 3,155   | Programs | Above Target        |   |
| <b>Actual</b> | 1,232   | 1,645   | 2,132   | 2,446   | 2,705   | 2,954   |         |         |          |                     |   |

**Key Takeaways:**

- EPA is working to ensure that all people with asthma have access to programs that deliver comprehensive asthma care and improve indoor air quality.
- EPA is providing technical assistance to equip all asthma stakeholders (e.g., individuals, state and community-based healthcare, housing and school systems) to carry out straightforward and proven solutions that create healthier indoor environments.
- EPA’s asthma community network has more than 5,000 members supporting asthma programs across the country.

**Metric Details:** This measure tracks EPA delivery of technical assistance, tools, and grant support to equip community-based programs and the organizations that support them to deliver evidence-based, comprehensive asthma care. Twenty-four million Americans, including 4.2 million children, have asthma. Low income and minority children suffer disproportionately. In-home environmental interventions reduce health care utilization and improve quality of life for people with asthma. No targets were established in FYs 2018-2021 because this measure was not included in EPA’s Annual Performance Plan. For more information, see: <https://www.cdc.gov/asthma/>.

**(PM CS) Millions of demonstrably improved (field or lab tested) cookstoves sold.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                  | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 50      | 60      |         |         | Millions of Cookstoves | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 50      | 20      |         |         |                        |                     |   |

GOAL 4: Ensure Clean and Healthy Air for All Communities

**Key Takeaways:**

- EPA missed the target as a result of the Government of India ending their Ujjwala campaign which was disseminating approximately 35 million Liquid Petroleum Gas (LPG) stoves per year.
- EPA is retiring this measure after FY 2023 due to the termination of the campaign. EPA will track a new measure beginning in FY 2024, Number of countries with household energy in their Nationally Determined Contributions (NDC’s). The new measure aligns with current efforts.

**Metric Details:** This measure tracked millions of demonstrably improved cookstoves sold worldwide. More than three billion low-income people around the world, including 600,000 low-income Americans, cook their food and/or heat their homes with open fires or rudimentary stoves. The resulting exposure to extraordinarily high levels of indoor air pollution causes 3.2 million premature deaths worldwide, primarily among women and girls. Emissions from household energy/cookstoves are the largest controllable source of the short-lived climate pollutant black carbon (>50%) and cookstove emissions also include methane and carbon dioxide (CO<sub>2</sub>). EPA leads the development of cookstove standards through the International Organization for Standardization (ISO) and works with partners to rapidly increase the sustained use of demonstrably clean and efficient cookstoves and fuels, with approximately 48 million improved stoves sold in 2019. For more information, see: <https://www.who.int/news-room/fact-sheets/detail/household-air-pollution-and-health>.

**(PM NDC) Number of countries with household energy in their NDCs (Nationally Determined Contributions or Paris Climate Plans).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---------------------|---------------|
| <b>Target</b> |         |         |         |         |         |         | 100     | 115     | Countries | Above Target        |               |
| <b>Actual</b> |         |         |         |         |         |         |         |         |           |                     |               |

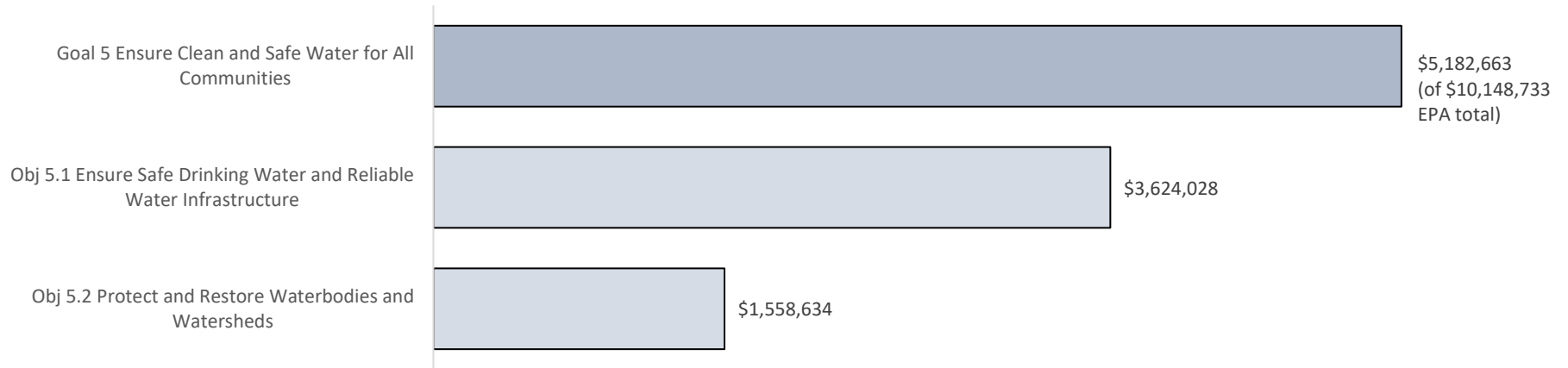
**Metric Details:** This measure tracks the number of countries that have put household energy emissions reductions in their NDCs. More than three billion low-income people around the world, including 600,000 low-income Americans, cook their food and/or heat their homes with open fires or rudimentary stoves. The resulting exposure to extraordinarily high levels of indoor air pollution causes 3.2 million premature deaths worldwide, primarily among women and girls. Emissions from household energy/cookstoves are the largest controllable source of the short-lived climate pollutant black carbon (>50%) and cookstove emissions also include methane and CO<sub>2</sub>. EPA launched the Clean Cooking & Climate Consortium with the Clean Cooking Alliance, Berkeley Air Monitoring Group, Climate & Clean Air Coalition, Stockholm Environment Institute, and United Nations Framework Convention on Climate Change (UNFCCC) to work with country governments on reducing climate emissions from household energy sources in low-to-middle income countries to achieve climate goals as part of their NDCs. The Consortium is providing national governments with evidence and guidance on how best to articulate, plan, and meet the cooking-related goals in their NDCs; to access opportunities for implementation support and potential funding, and providing guidance on program design and implementation, as well as measurement, reporting, and verification (MRV) for clean cooking initiatives.

# GOAL 5: Ensure Clean and Safe Water for All Communities

## Goal 5 at a Glance

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

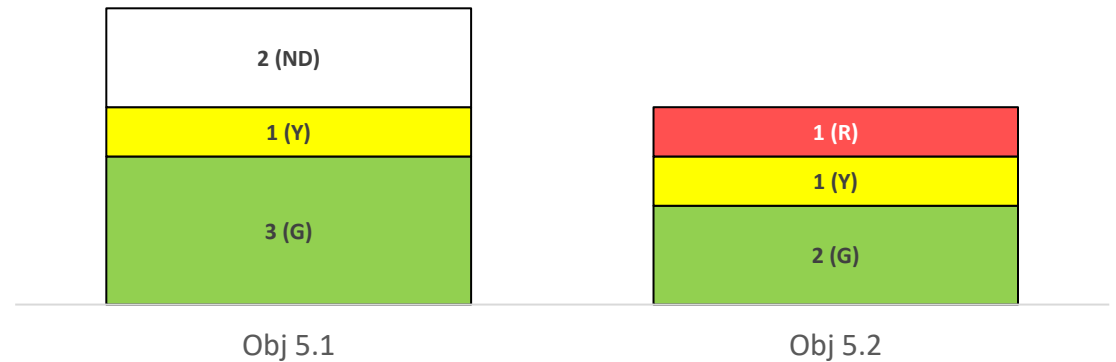
### FY 2023 Enacted Budget (in thousands) by goal and objective



### FY 2023 Performance toward target by objective

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)

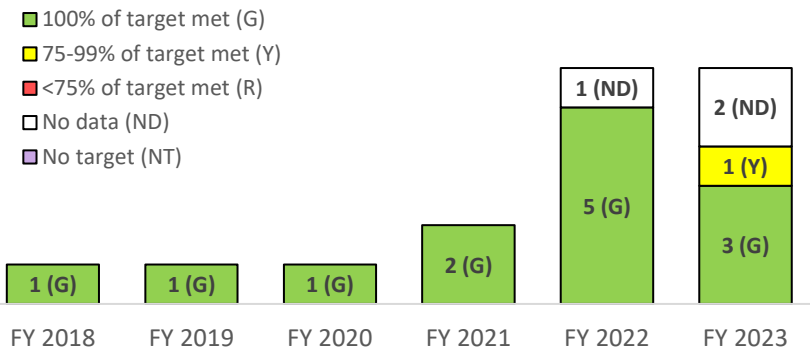


GOAL 5: Ensure Clean and Safe Water for All Communities

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

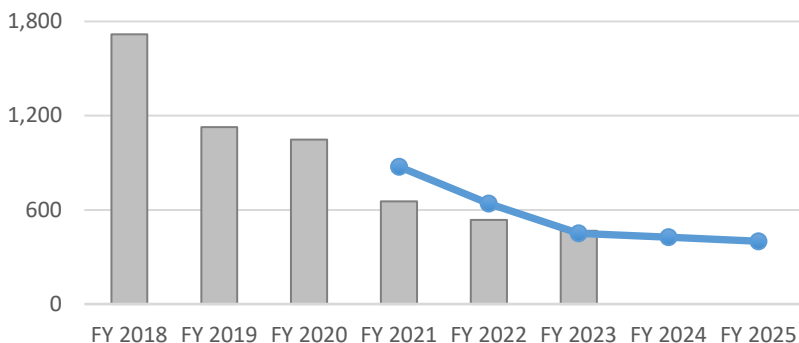
**Performance toward target over time**

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Number of Community Water Systems Still in Noncompliance with Health-based Standards since March 31, 2021**



**Summary of progress toward strategic objective:**

- The Clean Water and Drinking Water State Revolving Funds provided \$13.12 (CWSRF: \$8.76B; DWSRF: \$4.36B) in water infrastructure project financing (including state and federal money) to help fund over 1,675 wastewater and 1,197 drinking water projects.
- The Water Infrastructure Finance and Innovation Act program closed 22 transactions totaling over \$3.1B in loans, financing nearly \$7B for water infrastructure projects and creating over 35,000 jobs. Disbursed over \$1.5B to implement critical projects.
- Released the 7<sup>th</sup> Drinking Water Infrastructure Needs Survey and Assessment, which established allotment formulas for the DWSRF and Infrastructure Investment and Jobs Act (IIJA) Lead Service Line Replacement funding.
- 93% of the population served by community water systems (CWSs) (including 84% of the population in Indian Country served by CWSs) received drinking water that met all applicable health-based drinking water standards.
- Made Emergency Determination under Safe Drinking Water Act (SDWA) 1442(b) and awarded the City of Jackson, MS \$2.7M in grants to stabilize their drinking water system, an additional \$115.5M in grants, and \$44M in supplemental emergency funds.
- Provided over \$63M in Small Underserved Disadvantaged Communities Grants to aid drinking water compliance, \$30M to remove lead in drinking water, \$58M for the Lead Testing and Remediation in Schools and Childcare Program, and \$1.89B for Emerging Contaminants in Small and Disadvantaged Communities Grants.
- Proposed drinking water standard for six per- and polyfluoroalkyl substances (PFAS).

## GOAL 5: Ensure Clean and Safe Water for All Communities

- Provided hands-on technical support for communities to assess their needs, identify potential solutions, and develop funding applications.

### **Challenges:**

- The 20-year national DWSRF-eligible drinking water infrastructure need is estimated to be \$625B; including 9.2 million Lead Service Lines which will cost \$50-80B to replace.
- PFAS and other emerging contaminants create new challenges for developing toxicity data and risk assessments.
- Over 80% of CWSs serve fewer than 3,300 persons. These systems are often challenged to maintain technical, managerial, and financial capacity, and address cybersecurity threats.
- Adversary states and actors are exploring options for cyberattacks to critical U.S. infrastructure including drinking water and wastewater treatment systems.
- Water systems will be subject to more disruptive events from increased frequency and severity of extreme weather events due to climate change.

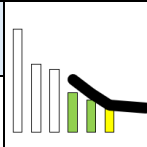
GOAL 5: Ensure Clean and Safe Water for All Communities

**Long-Term Performance Goal: By September 30, 2026, reduce the number of community water systems still in noncompliance with health-based standards since March 31, 2021, from 752 to 500.**

Annual performance goal that supports this long-term performance goal:

**(PM DW-02) Number of community water systems still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|
| <b>Target</b> |         |         |         | 875     | 640     | 450     | 425     | 400     | CWSs  | Below Target        |
| <b>Actual</b> | 1,718   | 1,128   | 1,048   | 654     | 537     | 466     |         |         |       |                     |



**Key Takeaways:**

- While EPA has already achieved the Long-Term Performance Goal of fewer than 500 CWSs still in noncompliance, the pace of reduction has slowed because the remaining CWSs are more challenging, potentially requiring significant infrastructure or source water investments.
- Limited technical, managerial, and financial capacity, which is the second largest cause of CWSs in violation, can lead to unaddressed deficiencies in water systems. Drinking water systems, especially small systems, often have limited technical expertise to address operational issues as well as increasing cybersecurity threats.
- To help address violations, EPA regional drinking water programs and enforcement programs are reviewing quarterly updates on CWSs with violations and working with states on actions to address noncompliance. EPA also sends quarterly reports on CWSs with violations to the United States Department of Agriculture for their awareness of systems in their purview.
- EPA Water Technical Assistance (WaterTA) programs are providing free hands-on support for communities to assess their needs, identify potential solutions, and develop funding applications (see <https://www.epa.gov/water-infrastructure/water-technical-assistance-waterta>). EPA also has a number of long-standing technical assistance programs that support communities in identifying water challenges, developing plans, building capacity, and developing application materials to access water infrastructure funding. These programs include the Area-Wide Optimization Program (AWOP), Creating Resilient Water Utilities (CRWU) initiative, and EPA’s cybersecurity assistance program.
- Ninety-three percent of the population served by CWSs received drinking water met all applicable health-based drinking water standards.

**Metric Details:** This measure tracks the number of CWSs still in noncompliance with the health-based National Primary Drinking Water Regulations (maximum contaminant level or treatment technique) during any part of the year, relative to the group in noncompliance as of September 30, 2017. A CWS is a public water system that supplies water to the same population year-round. There are approximately 50,000 CWSs in the U.S. The total includes CWSs in Indian country. As of September 30, 2023, 466 of the original 3,508 systems were still in non-compliance with health-based standards. Data are derived from the Safe Drinking Water Information System Federal Data Warehouse (SDWIS-FED), which contains information about violations by public water systems as reported to EPA by the primacy agencies (tribes and states with EPA-delegated enforcement responsibility). EPA’s technical assistance focuses on non-compliant water systems in underserved communities. Similarly, SDWA prioritizes non-compliant water systems for funding under various programs, including those implementing IJA funding. EPA expects progress on this measure to

## GOAL 5: Ensure Clean and Safe Water for All Communities

decelerate because many of the remaining systems have complex compliance issues or may require capital infrastructure improvements to help address noncompliance. While Infrastructure Investment and Jobs Act (IIJA) funding will support these systems, infrastructure projects can take many years to complete.


**Long-Term Performance Goal: By September 30, 2026, reduce the number of community water systems in Indian country still in noncompliance with health-based standards since March 31, 2021, from 110 to 70.**

GOAL 5: Ensure Clean and Safe Water for All Communities

Annual performance goal that supports this long-term performance goal:

**(PM DWT-02) Number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|
| <b>Target</b> |         |         |         |         | 100     | 55      | 35      | 30      | CWSs  | Below Target        |
| <b>Actual</b> |         |         |         |         | 74      | 54      |         |         |       |                     |



**Key Takeaways:**

- Fifty-four CWSs remained in non-compliance with health-based standards in Indian Country. EPA regularly monitors CWSs with violations and works with partners on actions to bring those systems back into compliance. EPA works closely with the Indian Health Service to target funding to tribal water systems with infrastructure needs to improve water quality and delivery.
- Eighty-four percent of the population in Indian Country served by CWSs received drinking water met all applicable health-based drinking water standard.

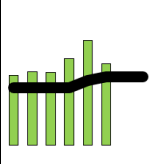
**Metric Details:** This measure tracks the number of tribal CWSs still in noncompliance with the health-based National Primary Drinking Water Regulations (Maximum Contaminant Level or treatment technique) during any part of the year, relative to the group in non-compliance on March 31, 2021. There are approximately 730 tribal CWSs. Data are derived from SDWIS-FED, which contains information about violations by public water systems as reported to EPA by the primacy agencies (EPA regional offices and tribes with EPA-delegated enforcement responsibility).

**Long-Term Performance Goal: By September 30, 2026, leverage an additional \$45 billion in non-federal dollars through EPA’s water infrastructure finance programs (CWSRF, DWSRF and WIFIA).**

Annual performance goal that supports this long-term performance goal:

**(PM INFRA-01) Billions of non-federal dollars leveraged by EPA’s water infrastructure finance programs (CWSRF, DWSRF and WIFIA).**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------------|
| <b>Target</b> | 8.0     | 8.0     | 8.0     | 8.0     | 9.0     | 9.5     | 9.5     | 9.5     | Billions of Dollars | Above Target        |
| <b>Actual</b> | 9.7     | 10.3    | 10.2    | 12.1    | 14.6    | 11.4    |         |         |                     |                     |





GOAL 5: Ensure Clean and Safe Water for All Communities

**Key Takeaways:**

- EPA’s CWSRF, DWSRF, and Water Infrastructure Finance and Innovation Act (WIFIA) programs exceeded the annual target by leveraging over \$11.4 billion in non-federal dollars for water infrastructure projects. This success was in part due to the ongoing effective state management and EPA oversight of the SRFs.

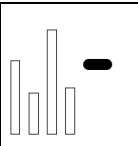
**Metric Details:** This measure tracks funds leveraged by the three primary water infrastructure programs. These programs represent the largest federal source of funds to address this critical component of the nation’s drinking water and clean water infrastructure. Non-federal funds include loans made from recycled loan payments, bond proceeds, state match, interest earnings, and co-funding from non-SRF sources. EPA will increase the amount of non-federal funds leveraged by providing communities with tools, training, and resources to help plan for infrastructure improvements and identify funding opportunities. The Agency will ensure a focus on climate resiliency and equity by revising loan guidelines, program guidance and providing technical assistance. SRF data are tracked in the SRF Data System.

**Long-Term Performance Goal: By September 30, 2026, in coordination with other federal agencies, provide access to basic sanitation for an additional 36,500 American Indian and Alaska Native homes.**

Annual performance goal that supports this long-term performance goal:

**(PM WWT-02) Number of American Indian and Alaska Native homes provided access to basic sanitation, in coordination with other agencies.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|
| <b>Target</b> |         |         |         |         | 6,098   | 6,098   |         |         | Homes | Above Target        |
| <b>Actual</b> | 6,398   | 3,561   | 9,114   | 4,007   | N/A     | N/A     |         |         |       |                     |



**Key Takeaways:**

- Data for this measure were provided by the Indian Health Service (IHS). IHS started tracking this data in a different way, and EPA will no longer be able to report on this measure. EPA has retired this measure as of November 2023. EPA is exploring an alternative measure which would also use IHS data.

**Metric Details:** This measure tracked American Indian and Alaska Native homes provided with wastewater treatment infrastructure through Congressionally appropriated funds, in coordination with other agencies. To show progress toward this measure, EPA intended to use the number of homes that received improved wastewater sanitation services as reported through the Indian Health Service (IHS) Sanitation Tracking and Reporting System (STARS). There were 378,211 American Indian and Alaska Native homes in the IHS database as of FY 2022 (most currently available data). For more information, see: <https://www.epa.gov/small-and-rural-wastewater-systems/clean-water-indian-set-aside-program>. In 2022, IHS started tracking this data in a different way, and EPA will no longer be able to report on this measure. EPA is exploring an alternative measure which would also use IHS data.

GOAL 5: Ensure Clean and Safe Water for All Communities

**Long-Term Performance Goal: By September 30, 2026, provide 2,203 Tribal, small, rural, or underserved communities with technical, managerial, or financial assistance to improve operations of their drinking water or wastewater systems.**

Annual performance goals that support this long-term performance goal:

**(PM INFRA-06) Number of tribal, small, rural, or underserved communities provided with technical, managerial, or financial assistance to improve system operations.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023              | FY 2024 | FY 2025 | Units       | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|----------------------|---------|---------|-------------|---------------------|--|
| <b>Target</b> |         |         |         |         | 339     | 542                  | 1,100   | 1,300   | Communities | Above Target        |  |
| <b>Actual</b> |         |         |         | 187     | 1,668   | Data Avail<br>4/2024 |         |         |             |                     |  |

**Key Takeaways:**

- Preliminary FY 2023 data (not shown in the above table) shows the target for this measure was exceeded by over 1,600 communities. An increase in funding enabled the grantees to provide more technical assistance across the country. While EPA expects these results to continue, the Agency has updated its reporting guidance for grantees which might reduce reported results in future years.

**Metric Details:** This measure tracks the number of tribal, small, or rural communities, or communities with environmental justice concerns, provided with EPA technical, managerial, or financial assistance through on-site visits or training to effectively operate drinking water systems or wastewater treatment systems. Data are collected through grantee reports.

**(PM DW-07) Number of drinking water and wastewater systems, tribal and state officials, and water sector partners provided with security, emergency preparedness, and climate resilience training and technical assistance.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|---------------------|--|
| <b>Target</b> |         |         |         |         | 2,000   | 3,500   | 4,500   | 4,500   | Systems and Partners | Above Target        |  |
| <b>Actual</b> |         |         |         |         | 3,939   | 3,895   |         |         |                      |                     |  |

**Key Takeaways:**

- While most resilience trainings and technical assistance are voluntary for water systems, EPA has been conducting significant outreach and training for community water systems on compliance with America’s Water Infrastructure Act (AWIA) Section 2013 requirements, a need critical to addressing these challenges. AWIA Section 2013 requires CWSs serving more than 3,300 people to develop or update Risk and Resilience Assessments (RRAs) and Emergency Response Plans (ERPs).

GOAL 5: Ensure Clean and Safe Water for All Communities

**Metric Details:** This measure tracks the number of drinking water, wastewater, and stormwater (water sector) utilities, tribal and state officials, and water sector partners provided by EPA with practical tools, training, and technical assistance to increase resilience to extreme weather events (e.g., drought, flooding, wildfires, hurricanes), malevolent acts (e.g., cyberattacks), and climate change. EPA assistance promotes a clear understanding of climate change and potential long-term adaptation options for decision-making related to water utility infrastructure operations and financing. Training and technical assistance targets participation of underserved communities.

**Other Core Work**

Annual performance goal:

**(PM INFRA-07) Number of lead service line replacements funded.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units              | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------------|---------------------|---------------|
| <b>Target</b> |         |         |         |         |         |         | 222,000 | 500,000 | Lead Service Lines | Above Target        |               |
| <b>Actual</b> |         |         |         |         |         |         |         |         |                    |                     |               |

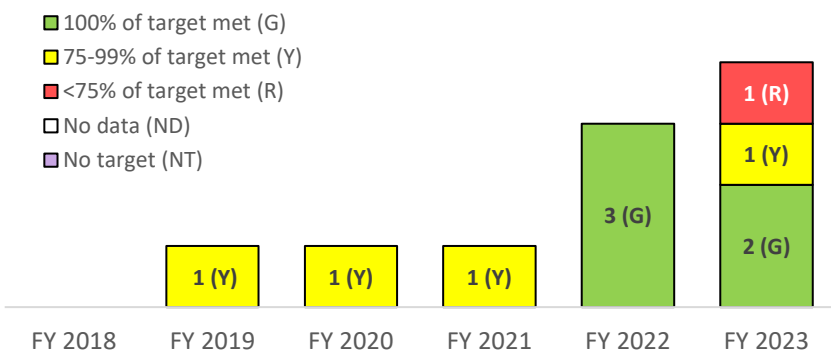
**Metric Details:** This measure tracks the estimated cumulative number of lead service line replacements funded through drinking water funding programs beginning in FY 2024, primarily through IIJA and DWSRF funds, but also WIFIA and the Reducing Lead in Drinking Water and Voluntary School and Child Care Lead Testing and Reduction grant programs. This measure captures the impact of EPA’s work providing technical assistance to states and communities (e.g., increasing awareness, supporting State Revolving Fund application development in disadvantaged communities) to ensure the equitable distribution of lead service line replacements funds. DWSRF data are derived from the estimated number of lead service line replacements funded by assistance agreements provided by state SRF programs. Data for the WIFIA and the Reducing Lead in Drinking Water and Voluntary School and Child Care Lead Testing and Reduction grant programs will be collected internally. A lead service line connects a water main to a building inlet. A lead service line may be owned by the water system, the property owner, or both. Based on available data, EPA estimates that in recent years on average, 73,000 lead service lines have been funded annually. EPA estimates there are 9.2 million lead service lines in the country.

GOAL 5: Ensure Clean and Safe Water for All Communities

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

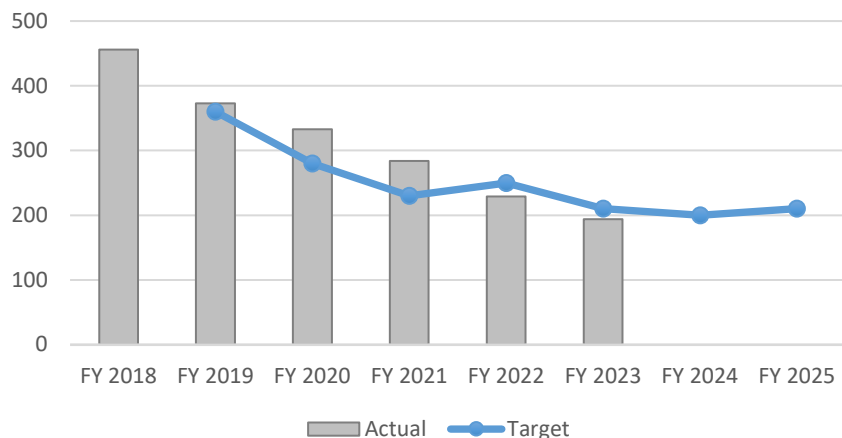
**Performance toward target over time**

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Number of Existing EPA-issued NPDES Individual Permits in Backlog, FY 2018 - FY 2025**



**Summary of progress toward strategic objective:**

- At the end of FY 2023, states and territories had 15,432 square miles of priority areas covered by Total Maximum Daily Loads (TMDLs), other restoration plans, or protection approaches.
- In FY 2023, EPA restored or improved 46 waters that were previously impaired due to nonpoint sources.
- Reduced the backlog of EPA’s new National Pollution Discharge Elimination System (NPDES) permit applications by 89 percent, and the backlog of existing NPDES permits by 65 percent, compared with the March 2018 baseline.
- Issued a final rule to update the regulatory requirements for water quality certification under Clean Water Act (CWA) Section 401.
- Proposed a rule to promulgate federal baseline water quality standards (WQS) for waters on over 250 Indian reservations that do not have WQS in effect under the CWA.
- Proposed a rule to strengthen the wastewater discharge standards for coal-fired power plants.
- Proposed a rule that would streamline and clarify the requirements and steps necessary for states and tribes to administer programs protecting waterways from discharges of dredged or fill material without a permit under CWA Section 404.
- Issued a Final Determination under CWA Section 404(c) to prohibit and restrict the use of certain waters in the Bristol Bay watershed as disposal sites for the discharge of dredged or fill material associated with mining the Pebble deposit, Southwest Alaska (Bristol Bay).

**Challenges:**

- A changing climate is affecting how water systems respond to pollution due to changes in temperature, flow, and sediment.
- More frequent natural events (e.g., hurricanes, flooding, and wildfires) will increase nonpoint source pollution loading.


- Nutrient pollution affects upwards of 50 percent of lakes and streams. Total phosphorus levels are increasing in rivers, streams and lakes across the country. Excess nutrients contribute to harmful algal blooms, low oxygen “dead zones,” and high levels of nitrates that contaminate waters while also damaging the economy. Impervious surfaces can generate increased flows of stormwater pollutants, degrading water quality and threatening public health.

GOAL 5: Ensure Clean and Safe Water for All Communities

**Long-Term Performance Goal: By September 30, 2026, increase by 41,000 square miles the area of watersheds with surface water meeting standards that previously did not meet standards.**

Annual performance goals that support this long-term performance goal:

**(PM SWP-01) Annual increase in square miles of watersheds with surface water meeting standards that previously did not meet standards.**


|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 8,000   | 8,000   | 17,100  | 7,900   | Square Miles | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 20,511  | 7,121   |         |         |              |                     |   |

**Key Takeaways:**

- Missed target because fewer Clean Water Act Section 303(d)/305(b) Integrated Report (IR) submissions were finalized this year than anticipated. IRs are due on April 1 of even numbered years, but they usually come in slowly throughout the two-year period. There was a significant push to get the lists in on time. Last year, EPA received an influx of lists, leaving fewer lists to come in this year, hence the lower results.

**Metric Details:** This measure tracks improvements in impaired waters as reported on state CWA Section 303(d)/305(b) Integrated Reports. States report on their water quality assessments every two years. Water quality standards attainment means that: 1) the impairments have been effectively removed due to actions including water quality restoration efforts, more complete monitoring to better understand waterbody conditions, or appropriate changes in water quality standards; and 2) the waterbody now either fully supports the use or meets the water quality criterion for that particular pollutant or stressor for which it had been impaired. EPA will ensure watersheds will continue to meet the standards by assessing for equity and climate impacts. Data are tracked in EPA’s Assessment, Total Maximum Daily Load (TMDL) Tracking and Implementation System (ATTAINS). As states continue to perform assessments, they continue to identify additional impaired waters. As of July 28, 2022, the baseline was 504,605 square miles of watersheds with surface water not meeting standards. This is an update to the draft baseline of 425,198 square miles that was included in the FY 2023 Budget. This measure has transitioned from using the old National Hydrology Dataset Plus (NHDPlus) V2 catchments to the new a NHDPlus HR-VF-Gen catchment layer. Targets are based on receipt of IRs due to EPA every even year, with some reporting delayed to other years.

**(PM SWP-02) Annual increase in square miles of watersheds with previously impaired surface waters due to nutrients that now meet standards for nutrients.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 2,100   | 1,400   | 1,400   | 650     | Square Miles | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 12,833  | 904     |         |         |              |                     |   |

GOAL 5: Ensure Clean and Safe Water for All Communities

**Key Takeaways:**

- Missed target because fewer state 303(d)/305(b) Integrated Report submissions were finalized this year than anticipated. IRs are due on April 1 of even numbered years, but they usually come in slowly throughout the two-year period. There was a significant push to get the lists in on time. Last year, EPA received an influx of lists, leaving fewer lists to come in this year, hence the lower results.

**Metric Details:** This measure tracks improvements in impaired waters due to nutrients as reported on state CWA Section 303(d)/305(b) IRs. As of July 28, 2022, the universe is 157,485 square miles of watershed area with surface water that are not meeting standards due to nutrients.

**Other Core Work**

Annual performance goals:

**(PM NPDES-03) Number of existing EPA-issued NPDES individual permits in backlog.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|
| <b>Target</b> |         | 360     | 280     | 230     | 250     | 210     | 200     | 210     | Permits | Below Target        |
| <b>Actual</b> | 456     | 373     | 333     | 284     | 229     | 194     |         |         |         |                     |

**Key Takeaways:**

- EPA issued or terminated a total of 94 existing permits in FY 2023, which reduced the backlog of existing EPA-issued NPDES permits by 11 percent in FY 2023, and by 65 percent since March 2018.
- EPA headquarters and regions worked closely to identify challenges and develop solutions to complex permitting issues, such as those related to CWA Section 401 water quality certifications, Waters of the United States, CWA Section 316(b) cooling water intake mitigation, state legal authority, water quality-based effluent limitations for selenium, nutrients and other parameters, and emerging contaminants such as PFAS, to aid in the issuance of high-quality permits. These efforts will also help prevent future permits from becoming backlogged.

**Metric Details:** This measure tracks existing EPA-issued NPDES individual permits that are administratively continued for 180 days or more. Permits are removed from the backlog as soon as the Agency issues, denies, or terminates a permit. The baseline for this measure is 547 as of March 2018. For FY 2024 and FY 2025, EPA expects the backlog to remain relatively constant. Factors that could potentially influence permit backlog reduction in the next two years are a significantly larger number of permits set to expire, inability to promptly backfill permit writers and other critical staff due to competing priorities, technical and complex permit issues, and the addition of new Agency priorities. EPA will continue to monitor progress on reducing the backlog and will reassess targets, as needed. Data are tracked in EPA’s Integrated Compliance Information System (ICIS)-NPDES Database.

GOAL 5: Ensure Clean and Safe Water for All Communities

**(PM TMDL-03) Square miles of priority areas covered by TMDLs, other restoration plans, or protection approaches.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|---------------|
| <b>Target</b> |         |         |         |         |         | 7,940   | 19,280  | TBD     | Square Miles | Above Target        |               |
| <b>Actual</b> |         |         |         |         |         | 15,432  |         |         |              |                     |               |

**Key Takeaways:**

- EPA greatly exceeded the target, likely due to a number of reasons. There has been a large focus on increased communication between states, regions, and headquarters. Regions and states have made great progress in updating ATTAINS in a timely manner and the new Priorities Module in ATTAINS has helped to make tracking of progress more streamlined. The measure’s 2-year schedule has allowed for more pragmatic planning by the states and the ability to keep a plan in development for full credit has allowed for greater flexibility.

**Metric Details:** This measure tracks square miles of priority areas covered by TMDLs, other restoration plans, or protection approaches included in state commitments submitted to EPA by September 30, 2022. The universe is 22,685 square miles. This measure does not require a final plan to be in place to count toward the result; states can choose whether each plan will be in place or in development at the end of the two-year period. States will be able to meet targets with a mix of plans in development and plans in place depending on their initial commitments. EPA uses a weighting factor of 0.5 for plans in development. Data are tracked in ATTAINS. This is a two-year bridge measure developed by EPA in collaboration with the Association of Clean Water Administrators (ACWA), to begin after completion of the Section 303(d) Vision 1.0 measure (PM TMDL-02). After completion of this two-year measure, EPA will transition into a Vision 2.0 measure beginning in FY 2025. The Vision 2.0 measure will also include a longer-term planning component to align with the timeline of the Vision. This new Vision 2.0 measure will begin in FY 2025 and end in FY 2032. The measure will be calculated in the same way as the bridge measure in the sense that states will choose waterbody/parameter combinations to develop plans for and EPA will calculate a universe in square miles of catchment. The eight years will consist of four two-year periods. Each two-year period will be measured separately, with a new universe as states decide which waterbody/parameter combinations to develop plans for during that period. EPA will use a Prioritization Framework to document the long-term planning process for the eight years. EPA will calculate the new FY 2025 universe for this measure in FY 2024. A target for FY 2025 will not be available until the new universe is calculated. To calculate the FY 2025 target, EPA will multiply the universe by 0.35.

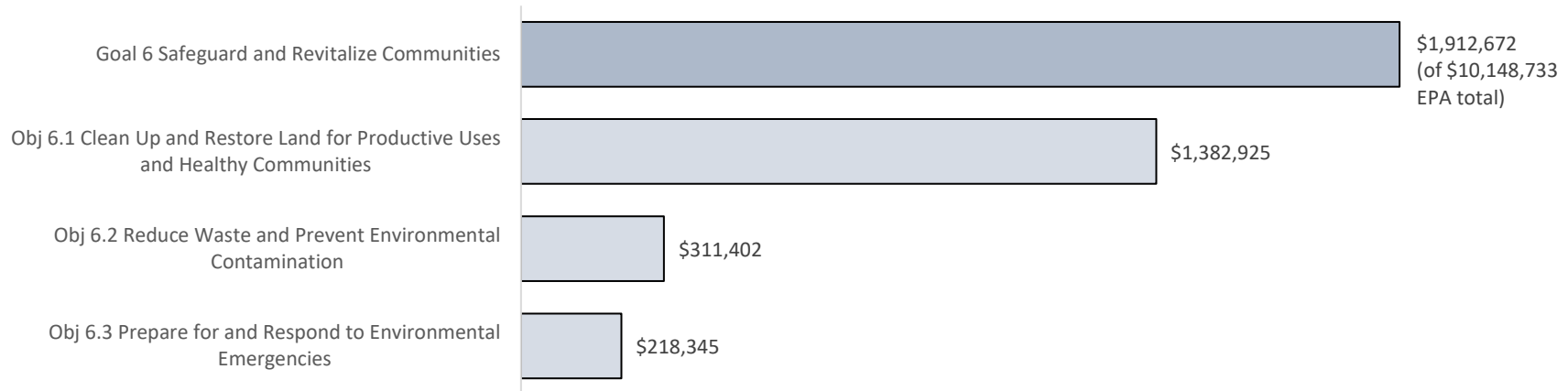


GOAL 6: Safeguard and Revitalize Communities

Goal 6 at a Glance

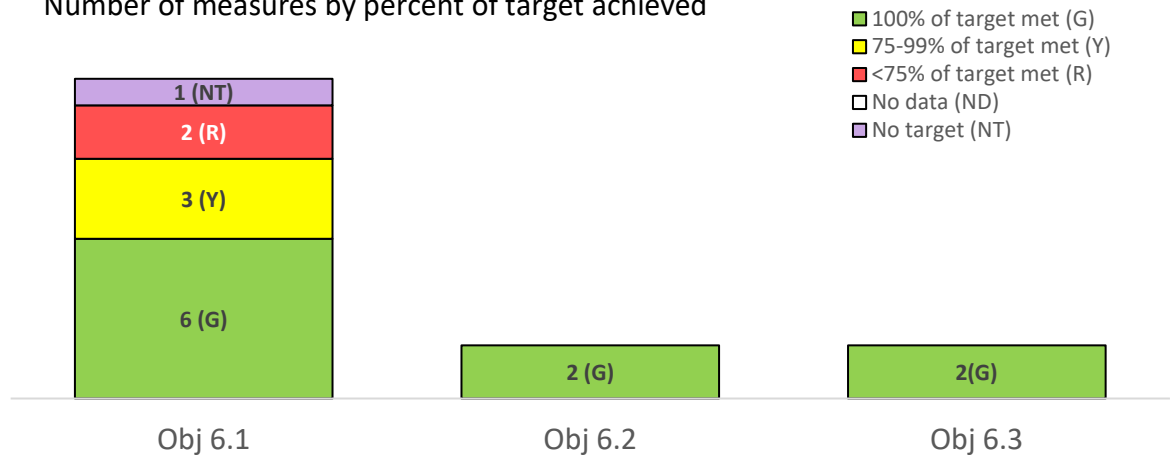
**Safeguard and Revitalize Communities:** Restore land to safe and productive uses to improve communities and protect public health.

**FY 2023 Enacted Budget (in thousands) by goal and objective**



**FY 2023 Performance toward target by objective**

Number of measures by percent of target achieved

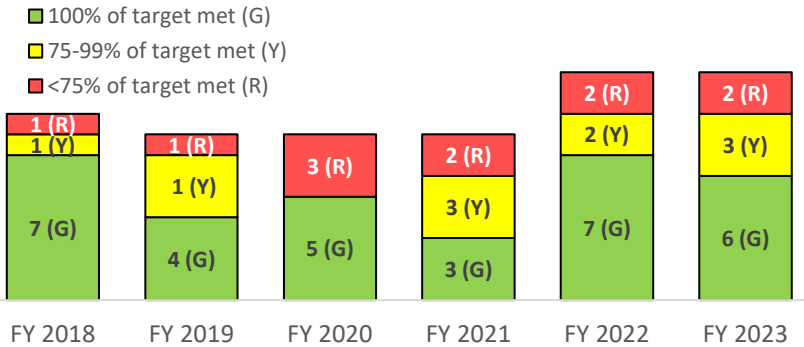


GOAL 6: Safeguard and Revitalize Communities

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

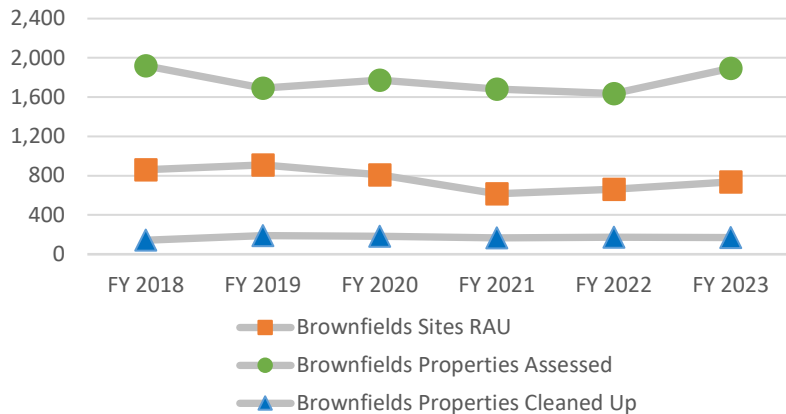
**Performance toward target over time**

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Brownfields Accomplishments, FY 2018 - FY 2023**



**Summary of progress toward strategic objective:**

- Exceeding annual milestones for 3/5 Long-Term Performance Goals (LTPGs) toward FY 2026 Strategic Plan targets:
  - Cleaned up 169 brownfields, completed 1,894 site assessments, made 736 sites ready for anticipated use, and leveraged 17,441 jobs and \$3.76B.
  - Made 117 Resource Conservation and Recovery Act (RCRA) corrective action sites ready for anticipated use. Also completed construction on 48 remedies at corrective action facilities and achieved designated performance standards at 58 facilities.
  - Completed 49 Superfund cleanup projects that address lead as a contaminant.
  - Issued 36 Superfund federal facility decision documents; completed 24 remedial actions.
- EPA is made progress on one LTPG compared with FY 2022 but continues to face challenges due to external influences.
  - Added 13 Superfund sites with human exposures under control but retracted 16 sites (-3 net) and made 14 additional sites ready for anticipated use, but similarly retracted 3 sites due to additional investigations (11 net). Both results represent a significant improvement over FY 2022. Completed 69 remedial action projects.
- Completed 6,597 Leaking Underground Storage Tank (LUST) cleanups that meet risk-based standards, accomplishing ~90% of the expected result.
- Work on all measures benefits from monthly review with OLEM senior leadership, and quarterly review with regional program divisions.

**Challenges:**

- EPA and the states face challenges such as technically difficult cleanups, no viable responsible parties or cleanup funding, legislative limitations on liability, and variations in cleanup standards and adoption of risk-based corrective action.

## GOAL 6: Safeguard and Revitalize Communities


- The remaining sites across all programs are increasingly complicated, requiring more personnel, funds, and expertise to complete cleanup actions.
- EPA will award approximately \$275 million in additional Infrastructure Investment and Jobs Act funding in FY 2024 for brownfields, creating increased oversight and reporting responsibilities.
- There is the potential for higher cost Superfund actions due to increased costs for lead (Pb) and per- and polyfluoroalkyl substances (PFAS) removals.

GOAL 6: Safeguard and Revitalize Communities

**Long-Term Performance Goal: By September 30, 2026, bring human exposures under control at an additional 60 Superfund sites.**

Annual performance goals that support this long-term performance goal:

**(PM 151) Number of Superfund sites with human exposures brought under control.**

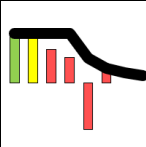
|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|---|
| <b>Target</b> | 8       | 12      | 10      | 10      | 12      | 12      | 12      | 12      | Sites | Above Target        |   |
| <b>Actual</b> | 32      | 17      | 20      | 13      | -14     | -3      |         |         |       |                     |   |

**Key Takeaways:**

- Brought human exposures under control at an additional 13 Superfund sites, but these accomplishments were offset by 16 retractions.
- Retractions were primarily due to additional sampling for PFAS concentrations in drinking water and new vapor intrusion pathway investigations. Additional retractions were due to lead (Pb) contamination.

**Metric Details:** This measure documents progress achieved in controlling unacceptable human exposures to contamination at both private and federal facility Superfund sites and denotes a site-wide accomplishment. The human exposure determination at a site can change over time as conditions across portions (operable units) of a site change. EPA regional offices enter human exposure determinations and supporting data into the Superfund Enterprise Management System (SEMS). Results reflect a net accomplishment as sites can shift between human exposure under control to human exposure not under control or human exposure insufficient data. The status change often occurs when a previously unknown exposure pathway (e.g., vapor intrusion) or contaminant is discovered, and a reasonable expectation exists that people could be exposed or that there is insufficient data to make such a determination until further investigation takes place. As of October 2023, there were 1,533 Superfund sites with human exposures under control out of a total of 1,848 sites where human exposure is tracked.

**(PM S10) Number of Superfund sites made ready for anticipated use site-wide.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|---|
| <b>Target</b> | 51      | 51      | 51      | 51      | 25      | 15      | 10      | 7       | Sites | Above Target        |   |
| <b>Actual</b> | 51      | 48      | 34      | 26      | -48     | 11      |         |         |       |                     |   |

**Key Takeaways:**

- An additional 14 sites were made ready for anticipated use, but these accomplishments were offset by three retractions.
- The retractions resulted from a rigorous review that identified sites that no longer met protectiveness requirements due to detection of PFAS and other emerging contaminants, aging remedies, and new exposure pathways requiring new institutional controls.

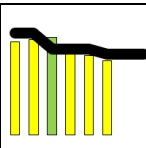
## GOAL 6: Safeguard and Revitalize Communities

- As most eligible sites have already achieved sitewide ready for anticipated use (SWRAU) status, the remaining sites potentially face more significant obstacles to SWRAU achievement. Several sites retracted from SWRAU in FY 2022 have re-entered the potential universe of SWRAU sites and are likely to regain status in coming years.

**Metric Details:** This measure tracks EPA’s progress in cleaning up and preparing Superfund sites (both private and federal facility) for reuse site-wide, while ensuring human health and environmental protection. To be considered ‘eligible’ for SWRAU achievement, a site must be on the final National Priorities List (NPL) or designated as a non-NPL Superfund Alternative Approach (SAA) site and have achieved Construction Complete status. A site is considered SWRAU if it meets three criteria: 1) The site has a current Human Exposure status of current human exposures under control and all protective remedies in place or long-term human health protection achieved. 2) For media that affect current and future land uses, all cleanup goals in the Record(s) of Decision (RODs) or other remedy decision document(s) must be met so that there are no unacceptable risks. 3) All controls required for achieving protectiveness (engineered as well as institutional) are identified in the ROD(s) or other remedy decision document(s) such as an Explanation of Differences or ROD Amendment and are in place. EPA documents the SWRAU determination directly in SEMS once a site meets all required criteria and the appropriate EPA regional personnel have approved the determination. Since 2018, SWRAU accomplishments and the inventory of eligible sites have decreased. The number of SWRAU eligible sites is currently estimated at 253 sites following a FY 2023 final reporting on targets. Many of the remaining eligible sites face increasingly difficult challenges to achieve SWRAU, primarily related to institutional controls implementation and emerging contaminants. Cleaning up contaminated land reduces the environmental and health effects of exposure to contamination in communities, especially overburdened communities, and contributes to the Administration’s Justice40 goal.

### (PM 170) Number of remedial action projects completed at Superfund sites.\*

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|
| <b>Target</b> | 95      | 95      | 80      | 80      | 80      | 75      | 75      | 75      | Projects | Above Target        |
| <b>Actual</b> | 87      | 89      | 91      | 75      | 74      | 69      |         |         |          |                     |



#### Key Takeaways:

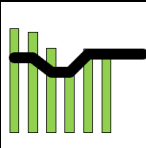
- Issues that contributed to missing the target include changes to the scope of work, addressing PFAS contamination, potentially responsible party (PRP) processing delays, remedy redesign, supply chain issues, and larger reports that require increased review time. These issues and others routinely arise and will likely continue to be impediments in future years.

**Metric Details:** This measure tracks the number of remedial action projects completed at Superfund sites. Cleaning up contaminated land reduces the environmental and health effects of exposure to contamination in communities, especially overburdened communities, and contributes to the Administration’s Justice40 goal. By tracking the completion of a discrete scope of Superfund cleanup activities (for both private and federal facility sites), this measure documents incremental progress in reducing risk to human health and the environment. Multiple remedial action projects may be necessary to achieve sitewide construction completion. EPA captures this data in SEMS.

\* This measure is also used to track progress in implementing the Infrastructure Investment and Jobs Act.

GOAL 6: Safeguard and Revitalize Communities

**(PM 137) Number of Superfund removals completed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---|
| <b>Target</b> | 175     | 175     | 141     | 141     | 183     | 183     | 183     | 183     | Removals | Above Target        |   |
| <b>Actual</b> | 242     | 233     | 197     | 150     | 195     | 194     |         |         |          |                     |   |

**Key Takeaways:**

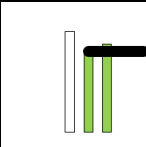
- The removal program anticipates a decline in the number of removals in the early part of FY 2024 due to an extremely busy FY 2023 (e.g., East Palestine train derailment, Maui wildfires, responses to severe weather, other sizeable disaster responses). Emergency response staff (e.g., On-Scene Coordinators, Community Involvement Coordinators, and Public Information Officers) have been deployed to disaster sites, and once they complete work on these responses, they will need to take time to recover and refocus work on other areas of the removal program (e.g., sites cleanup).

**Metric Details:** This measure tracks Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) removal-related hazardous waste cleanups, known as Superfund removal actions, including those that are Superfund-lead and PRP-lead. There is no pre-established universe of removal sites, as removal actions take place after a release has occurred. Data are tracked in SEMS.

**Long-Term Performance Goal: By September 30, 2026, complete 225 Superfund cleanup projects that address lead as a contaminant.**

Annual performance goal that supports this long-term performance goal:

**(PM 155) Number of Superfund cleanup projects completed that address lead as a contaminant.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|--|
| <b>Target</b> |         |         |         |         | 45      | 45      | 45      | 45      | Projects | Above Target        |  |
| <b>Actual</b> |         |         |         | 56      | 45      | 49      |         |         |          |                     |  |

**Key Takeaways:**

- Exceeded the target by completing 49 response action projects, consisting of 33 removal and 16 remedial projects.

**Metric Details:** This measure documents progress to reduce exposure to lead and associated health impacts by reporting the completion of cleanup actions that include lead as a contaminant. Response action projects include removal and remedial actions that address lead as a contaminant. The universe of applicable remedial actions consists of those at all final and deleted NPL sites and sites with SAA agreements. There is no pre-established universe of removal sites, as removal actions take place after a release has occurred. Removals are time-critical and emergency in nature. Remedial

GOAL 6: Safeguard and Revitalize Communities

cleanups take multiple years to complete. Much of the data for this performance measure comes from PRPs and federal facilities and the government’s program offices cannot control when it is submitted.

**Long-Term Performance Goal: By September 30, 2026, clean up an additional 650 brownfields properties.**

Annual performance goals that support this long-term performance goal:

**(PM B32) Number of brownfields properties cleaned up.\***

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|
| <b>Target</b> | 130     |         |         |         | 130     | 160     | 160     | 160     | Properties | Above Target        |
| <b>Actual</b> | 143     | 190     | 183     | 168     | 173     | 169     |         |         |            |                     |

**Key Takeaways:**

- Fifty percent of cleanups completed occurred in communities that were in census tracts identified disadvantaged by the Climate and Environmental Justice Screening Tool (CEJST).

**Metric Details:** This measure tracks the number of properties that have been cleaned up to a regulatory risk-based standard using EPA brownfields funding, as reported by cooperative agreement recipients into the Assessment, Cleanup and Redevelopment Exchange System (ACRES) database. Cleaning up contaminated land reduces the environmental and health effects of exposure to contamination in communities, especially overburdened communities, and contributes to the Administration’s Justice40 goal. Reusing brownfields enables communities to pursue economic growth without expanding their environmental footprint. There are no targets in FYs 2019-2021 because this measure was not included in those Annual Performance Plans.

\* This measure is also used to track progress in implementing the Infrastructure Investment and Jobs Act.

**(PM B30) Number of brownfields sites made ready for anticipated use.\***

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|
| <b>Target</b> | 684     | 684     | 684     | 684     | 600     | 600     | 600     | 600     | Sites | Above Target        |
| <b>Actual</b> | 861     | 910     | 809     | 616     | 662     | 736     |         |         |       |                     |

**Key Takeaways:**

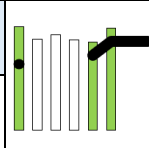
- EPA continues to exceed targets due to enhanced and prompt reporting. This is a continued benefit from the data cleanup efforts completed in FY 2022.
- Fifty-one percent of sites made ready for anticipated use occurred in communities that were in census tracts identified by CEJST as disadvantaged.

GOAL 6: Safeguard and Revitalize Communities

**Metric Details:** This measure tracks the number of properties/sites benefiting from EPA brownfields funding that have been assessed and determined not to require cleanup, or where cleanup has been completed and institutional controls are in place if required, as reported by cooperative agreement recipients. This activity results in additional sites available for productive reuse.

\* This measure is also used to track progress in implementing the Infrastructure Investment and Jobs Act.

**(PM B29) Number of brownfields properties assessed.\***

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|---|
| <b>Target</b> | 1,300   |         |         |         | 1,400   | 1,650   | 1,650   | 1,650   | Properties | Above Target        |   |
| <b>Actual</b> | 1,919   | 1,693   | 1,772   | 1,682   | 1,637   | 1,894   |         |         |            |                     |   |

**Key Takeaways:**

- EPA continues to exceed targets due to enhanced and prompt reporting. This is a continued benefit from the data cleanup efforts completed in FY 2022.
- Forty-five percent of assessments completed occurred in communities that were in census tracts identified by CEJST as disadvantaged.

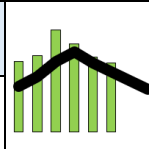
**Metric Details:** This measure tracks the number of properties that have been environmentally assessed for the first-time using EPA brownfields funding, as reported by cooperative agreement recipients. There are no targets in FYs 2019-2021 because this measure was not included in those Annual Performance Plans.

\* This measure is also used to track progress in implementing the Infrastructure Investment and Jobs Act.

**Long-Term Performance Goal: By September 30, 2026, make an additional 425 RCRA corrective action cleanups Ready for Anticipated Use.**

Annual performance goals that support this long-term performance goal:

**(PM RSRAU) Number of RCRA corrective action facilities made ready for anticipated use.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|---|
| <b>Target</b> | 75      | 91      | 117     | 133     | 114     | 100     | 85      | 70      | Facilities | Above Target        |   |
| <b>Actual</b> | 117     | 127     | 169     | 146     | 124     | 117     |         |         |            |                     |   |



GOAL 6: Safeguard and Revitalize Communities

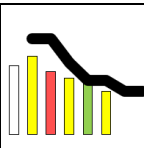
**Key Takeaways:**

- There is a decreasing universe of sites, and many of the remaining sites are complex and require significant resource contributions.

**Metric Details:** This measure tracks the number of RCRA corrective action facilities made ready for anticipated use (RAU). To be determined RAU, facilities must meet the following criteria: human exposure under control; final cleanup goals achieved for media that would affect the anticipated use; and if needed, controls in place to ensure long-term protectiveness. Information is entered into the RCRAInfo database by authorized states and/or EPA regional offices overseeing cleanups. EPA is on track to achieve the Long-Term Performance Goal. The targets decrease as a majority of RCRA facilities requiring corrective action are completed and the remaining facilities are more challenging. There were 3,983 facilities subject to RCRA corrective action at the end of FY 2023, of which 1,940 had not yet been determined RAU.

**(PM CA5RC) Number of RCRA corrective action facilities with final remedies constructed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|
| <b>Target</b> |         | 98      | 98      | 73      | 55      | 55      | 44      | 44      | Facilities | Above Target        |
| <b>Actual</b> | 70      | 80      | 64      | 57      | 55      | 48      |         |         |            |                     |



**Key Takeaways:**

- Several facilities experienced delays completing final remedies by the end of FY 2023. Many of these will be completed in FY 2024. In addition, the pipeline of available facilities is narrowing and the facilities remaining have complex issues such as groundwater or financial concerns.

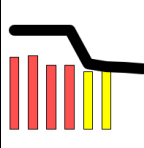
**Metric Details:** This measure tracks the number of RCRA corrective action facilities that have final remedies constructed such as a groundwater treatment system, designed to achieve long-term protection of human health and the environment. This measure tracks a mid-term step in the progression toward completing facility cleanup. Targets are selected based on the number of sites in the pipeline with construction planned or underway.

**Long-Term Performance Goal: By September 30, 2026, conduct an additional 35,000 cleanups at Leaking Underground Storage Tank facilities.**

Annual performance goal that supports this long-term performance goal:

**(PM 112) Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|
| <b>Target</b> | 11,200  | 11,200  | 11,200  | 11,200  | 7,439   | 7,125   | 6,970   | 6,815   | Cleanups | Above Target        |
| <b>Actual</b> | 8,128   | 8,358   | 7,211   | 7,271   | 6,536   | 6,597   |         |         |          |                     |



GOAL 6: Safeguard and Revitalize Communities

**Key Takeaways:**

- EPA improved on FY 2022 performance, but still fell short of the FY 2023 target. These targets were aspirational when set and the program looks to make up ground on the FY 2026 goal.
- The program faces several challenges at the sites including supply chain issues and others that are region-specific. Headquarters frequently coordinates with regional counterparts to address specific issues and problem-solve where applicable.
- As the backlog of remaining cleanups declines, confirmed releases also decline and state resources continue to be constrained, making cleanup completions increasingly challenging.

**Metric Details:** This measure tracks the number of completed cleanups of petroleum-contaminated confirmed releases, also known as LUST cleanups. The totals include cleanups reported by states as well as EPA cleanups in Indian country. Cleanups in Indian country represent approximately 0.2% of total cleanups completed. Data are tracked in the LUST4 database. Targets are ambitiously based on 12% of the prior year’s estimated backlog of remaining cleanups. The backlog will continue to reduce over time so the targets will correspondingly reduce. Forecasted backlog reduction is based on five years of data trends through FY 2020. As of FY 2023, there were 573,296 cumulative confirmed releases, out of which there were 515,859 LUST cleanups completed.

**Other Core Work**

Annual performance goal:

**(PM CO1) Percentage of technical assistance projects in support of environmentally sustainable and community-driven revitalization that support or expand upon previous or ongoing federal investments.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023               | FY 2024 | FY 2025 | Units    | Preferred Direction |               |
|--------------------|---------|---------|---------|---------|---------|-----------------------|---------|---------|----------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | No Target Established |         |         | Percent  | Above Target        | No Trend Data |
| <b>Actual</b>      |         |         |         |         |         | 72                    |         |         |          |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 31                    |         |         | Projects |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 43                    |         |         |          |                     |               |

**Key Takeaways:**

- EPA initiated a technical assistance partnership with the Joint Office of Energy and Transportation and the Department of Energy (DOE) Vehicle Technologies Office to help communities with lower income and zero-car households benefit from Federal investments in clean transportation alternatives. This work helped Gonzales, Louisiana build capacity to apply for funding through the Community Fueling Infrastructure grant

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program. The funding supports electric vehicle mobility options that will not be eligible under the National Electric Vehicle Initiative given its primary emphasis on electric vehicle charging stations.

- This measure sunsets in FY 2023 and will be replaced by PM OCR02, which aligns better with program influence.

**Metric Details:** This measure tracked the percentage of community revitalization technical assistance projects with communities that have had programmatic or financial investments from federal programs within the past five years. These investments include those of EPA or other federal agencies. This subsequent technical assistance can help maximize the previous investment by supporting its implementation or expanding upon it by helping the community make related improvements. These efforts can help coordinate and align federal engagements and create connections that will spur ongoing utilization of smart growth tools and best practices toward environmental protection and economic development.

**(PM OCR02) Cumulative number of communities that, as a result of OCR assistance, have been able to attract new investment and/or enact policies that produce improved public health and environmental outcomes.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024               | FY 2025 | Units       | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|---------|-----------------------|---------|-------------|---------------------|---------------|
| <b>Target</b> |         |         |         |         |         |         | No Target Established | TBD     | Communities | Above Target        |               |
| <b>Actual</b> |         |         |         |         |         |         |                       |         |             |                     |               |

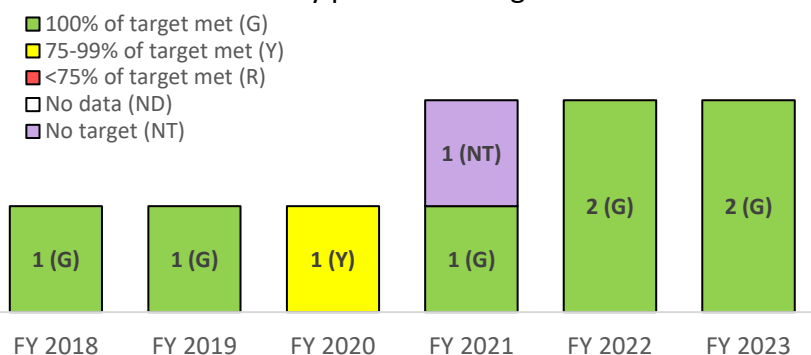
**Metric Details:** This measure tracks the number of technical assistance engagements by EPA’s Office of Community Revitalization (OCR) with communities that have had programmatic or financial investments from federal programs within the past five years. These investments include those of EPA or other federal agencies. This subsequent technical assistance can help maximize the previous investment by supporting its implementation or expanding upon it by helping the community make related improvements. These efforts can help coordinate and align federal engagements and create connections that will spur ongoing utilization of smart growth tools and best practices toward environmental protection and economic development.

## GOAL 6: Safeguard and Revitalize Communities

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

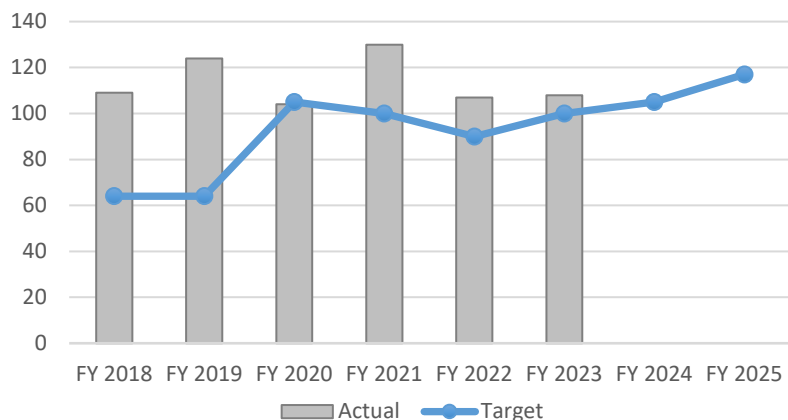
#### Performance toward target over time

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Number of Updated Permits Issued at Hazardous Waste Facilities, FY 2018 - FY 2025



#### Summary of progress toward strategic objective:

- EPA made steady progress toward accomplishing Objective 6.2:
  - Increased the percentage of updated permits at Resource Conservation and Recovery Act (RCRA) facilities to 74% from a starting point of 71%. 114 additional permits were renewed in FY 2023.
  - Recorded the lowest number of confirmed releases at Underground Storage Tank (UST) facilities (4,354) since the program began, indicating success of the release prevention program.
- In April 2023, EPA released the Draft National Strategy to Prevent Plastic Pollution, which is the second in a series to dedicated to building a circular economy. EPA received over 91,000 comments. Future circular economy strategies will focus on organics, electronics, the built environment, and textiles. In September 2023, EPA announced 84 selections for the first round of Solid Waste Infrastructure for Recycling grants for all states, territories, and the District of Columbia, as well as 25 communities, which were funded by the Infrastructure Investment and Jobs Act as well as additional funding provided by annual appropriations. These recycling grants will help communities in implementing the actions in the National Recycling Strategy.

#### Challenges:

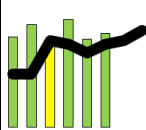
- Risks of reduced capacity due to staff turnover and shifting prioritizations for federal, state, tribal and local environmental land and emergency management programs. These impacts potentially decrease EPA's ability meet projected targets due to training and recruitment time lags, as well as the potential loss of expert technical knowledge.

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

Annual performance goals that support this long-term performance goal:

**(PM HW5) Number of updated permits issued at hazardous waste facilities.**


|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---|
| <b>Target</b> | 64      | 64      | 105     | 100     | 90      | 100     | 105     | 117     | Permits | Above Target        |   |
| <b>Actual</b> | 109     | 124     | 104     | 130     | 107     | 114     |         |         |         |                     |   |

**Key Takeaways:**

- Exceeded the target, with 114 updated permits. This raised the percentage of updated permits from 71% to 74%, putting the Agency on a path to achieve the 80% goal at the end of FY 2026. There are fewer permits coming up for renewal in FY 2025 and FY 2026.
- These results are challenging to forecast since there are several factors that can be difficult to project, including newly proposed facilities and facilities that no longer need a permit.

**Metric Details:** This measure tracks the number of RCRA hazardous waste permit updates or clean-closures in the universe of permitted facilities using EPA’s RCRAInfo system. This does not include all permit maintenance since permit modifications cannot be projected and are not included. The related Long-Term Performance Goal refers to the overall percentage of RCRA facilities with permits that are not past expiration and have been updated through a permit renewal (or are not past the permit term/expiration). Maintaining up-to-date permits ensures that permitted facilities have consistent and protective standards to prevent release. This will ensure permits reflect updated standards, remain protective under changing conditions due to climate change, and provide meaningful community involvement in the permitting process over time. Proper standards for waste management can protect human health, prevent land contamination/degradation and other releases, and avoid future cleanups and associated costs. EPA directly implements the RCRA Program in Iowa and Alaska and provides leadership, work-sharing, and support to the remaining states and territories authorized to implement the permitting program. There are about 1,300 permitted hazardous waste facilities in the workload as of October 2023.

**(PM UST01) Number of confirmed releases at UST facilities.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021               | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |  |
|---------------|---------|---------|---------|-----------------------|---------|---------|---------|---------|----------|---------------------|---|
| <b>Target</b> |         |         |         | No Target Established | 5,150   | 5,075   | 4,700   | 4,625   | Releases | Below Target        |   |
| <b>Actual</b> | 5,654   | 5,375   | 4,944   | 4,991                 | 4,568   | 4,354   |         |         |          |                     |   |

## GOAL 6: Safeguard and Revitalize Communities

### ***Key Takeaways:***

- Fewest number of annual confirmed releases in the history of the program, for a second consecutive year. Continued implementation of the 2015 regulation changes and maintenance of three-year inspection cycle are leading factors in this reduction.

***Metric Details:*** This measure tracks the number of confirmed releases discovered at UST facilities during the year. The Leaking Underground Storage Tank (LUST) Prevention Program provides funding to tribes and states to prevent releases from the 536,503 federally regulated USTs by ensuring compliance with federal and state laws through inspections and other activities (data as of FY 2023). Preventing UST releases is more efficient and less costly than cleaning up releases after they occur. The three-year inspection cycle is a requirement from the Energy Policy Act of 2005. The 2015 revisions strengthen the 1988 federal UST regulations by increasing emphasis on properly operating and maintaining UST equipment. This includes such items as sump and spill bucket testing, walkthrough inspections, and leak detection functionality testing. The revisions help prevent and detect UST releases, which are a leading source of groundwater contamination. The two facets of the program (every facility inspected every three years and new requirements) work in tandem to ensure that the number of confirmed releases continues to decline.

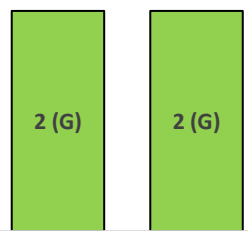
## GOAL 6: Safeguard and Revitalize Communities

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

#### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



FY 2018 FY 2019 FY 2020 FY 2021 FY 2022 FY 2023

Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Summary of progress toward strategic objective:

- EPA continues to significantly exceed annual benchmarks for Objective 6.3:
  - Increased the average percentage of emergency response and removal exercises incorporating environmental justice to 53% from an FY 2022 average of 49%. In FY 2023, conducted 98 such exercises and participated in 86 additional trainings.
- Performance exceeded expectations to the point where EPA increased the FY 2024 target to 40%.

#### Challenges:


- A significant proportion of the required training sessions must be held in person for successful completion.

GOAL 6: Safeguard and Revitalize Communities

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

Annual performance goals that support this long-term performance goal:

**(PM ER02) Percentage of emergency response and removal exercises that EPA conducts or participates in that incorporate environmental justice.**


|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction |  |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---------------------|---|
| Target      |         |         |         |         | 14      | 30      | 40      | 40      | Percent   | Above Target        |   |
| Actual      |         |         |         |         | 49      | 53      |         |         |           |                     |   |
| Numerator   |         |         |         |         | 80      | 98      |         |         | Exercises |                     |   |
| Denominator |         |         |         |         | 164     | 185     |         |         |           |                     |   |

**Key Takeaways:**

- This accomplishment is largely due to EPA adapting work plans to this new Administration priority.

**Metric Details:** This measure tracks the number of emergency response and removal exercises that EPA conducts or participates in that incorporate solutions to or address environmental justice challenges. The following mechanisms are used to incorporate solutions to or address environmental justice challenges in exercises: involving facilities in locations that affect communities with environmental justice concerns; including an entity with environmental justice concerns as a participating organization; including environmental justice concerns or communities in the exercise scenario; and including scenario injects that incorporate environmental justice concerns or entities. Incorporating solutions to or addressing environmental justice challenges includes addressing language, mobility, or financial barriers or engaging community-based leadership. The estimated baseline for this measure is 12.5%, based on FY 2021 data.

**(PM ER01) Number of emergency response and removal exercises that EPA conducts or participates in.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction |  |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---------------------|---|
| Target |         |         |         |         | 120     | 120     | 120     | 120     | Exercises | Above Target        |   |
| Actual |         |         |         | 120     | 164     | 185     |         |         |           |                     |   |

**Key Takeaways:**

- Exceeded the target by conducting or participating in 152 emergency response and removal exercises.



## GOAL 6: Safeguard and Revitalize Communities

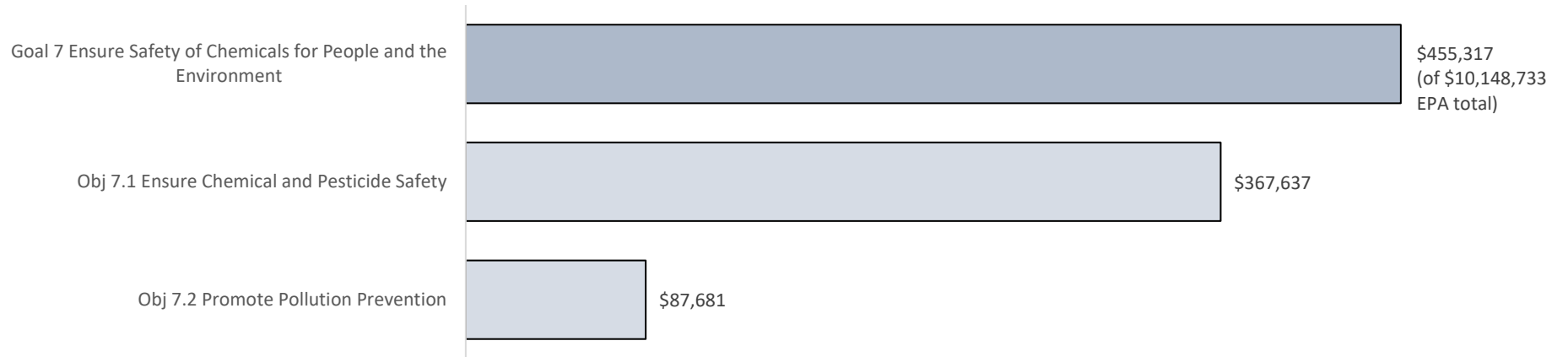
***Metric Details:*** This measure tracks the number of emergency response and removal exercises that EPA conducts or participates in, including: 1) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) exercises which are exercises specific to CERCLA requirements or contaminants. These can include participation in exercises with Local Emergency Planning Committees (LEPCs) or Risk Management Plan (RMP) facilities with emphasis on CERCLA hazardous substance releases. 2) Oil spill preparedness exercises including tabletop, functional and full scale, and Government-Initiated Unannounced Exercises (GIUEs). These include internal exercises to ensure readiness and external training and readiness exercises. 3) Homeland Security exercises at which EPA staff participated. And 4) Federal Emergency Management Agency (FEMA) exercises in which EPA staff participated. The baseline is 120 exercises in FY 2021. Annual targets for this measure maintain this level of effort.

GOAL 7: Ensure Safety of Chemicals for People and the Environment

Goal 7 at a Glance

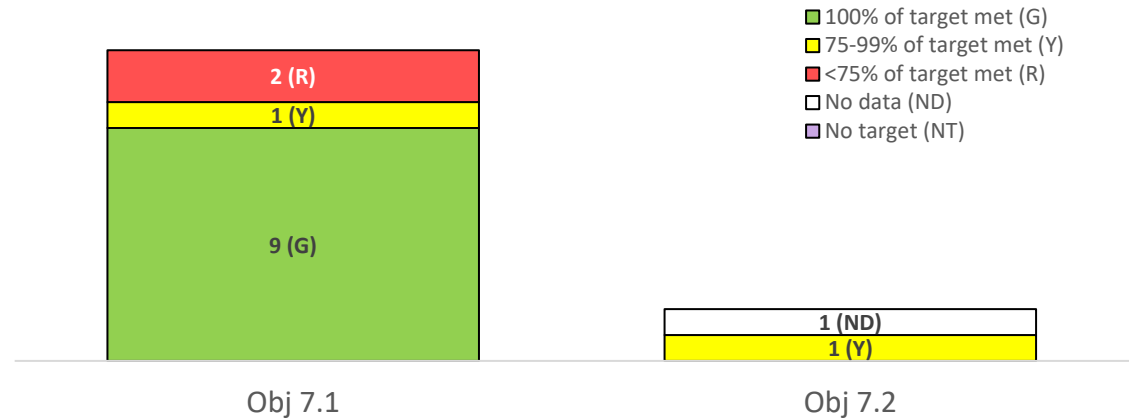
**Ensure Safety of Chemicals for People and the Environment:** Increase the safety of chemicals and pesticides and prevent pollution at the source.

**FY 2023 Enacted Budget (in thousands) by goal and objective**



**FY 2023 Performance toward target by objective**

Number of measures by percent of target achieved



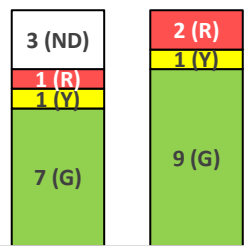
GOAL 7: Ensure Safety of Chemicals for People and the Environment

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

**Performance toward target over time**

Number of measures by percent of target achieved

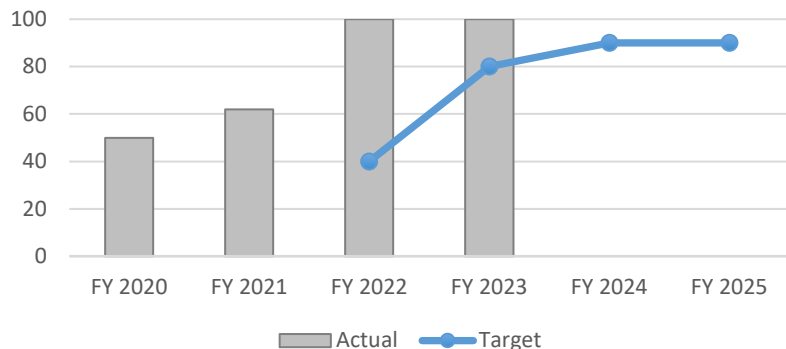
- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



FY 2018    FY 2019    FY 2020    FY 2021    FY 2022    FY 2023

Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

**Percentage of Risk Assessments Supporting Pesticide Registration Decisions for New Active Ingredients that Consider the Effects Determinations or Protections for Federally Threatened and Endangered Species, FY 2020 - FY 2025**



EPA, in consultation with the Office of Management and Budget, has highlighted this objective as a focus area for improvement due to missed targets in key program areas where significant funding and resource challenges have impeded progress.

**Summary of progress toward strategic objective:**

- **Toxic Substances Control Act (TSCA) Section 5 (New Chemicals):** Completed risk assessments for 270 notices and 202 applications for exemptions, and risk management for 145 notices and 208 applications for exemptions. Proposed 78 and finalized 61 Significant New Use Rules (SNURs). These actions manage potential risk by identifying conditions to be placed on the use of a new chemical before it is entered into commerce.
- **TSCA Section 6 (Existing Chemicals):** Proposed four rules to address unreasonable risks, submitted one more rule for interagency review, issued six final and one draft revised unreasonable risk determinations, developed revised rule for conducting risk evaluations, and released for public comment and peer review principles for evaluating cumulative risks and an approach for using the principles in evaluating certain phthalate chemicals.
- **Lead:** Proposed revisions to the Dust Lead Hazard Standards and Dust Lead Clearance Levels to strengthen requirements for the removal of lead-based paint hazards in pre-1978 buildings and childcare facilities. If finalized, the rule will reduce lead exposures for 250,000 to 500,000 children under age 6 per year. Helped protect overburdened and underserved communities by delivering 25 trainings on lead-safe work practices.
- **Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA):** Completed 15 registration reviews and 10 draft risk assessments and opened 25 review dockets.
- **Endangered Species Act (ESA):** All pesticide risk assessments in support of new active ingredient regulatory decisions included ESA effects determinations or protections of federally endangered and threatened

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

species. For draft risk assessments supporting registration review decisions, 78% included ESA effects determinations or protections.

- **Agricultural Work Protection Standard (WPS) Rule:** Provided 15,155 farmworkers with annual training. Average level of content knowledge post-training was 97%.

### **Challenges:**

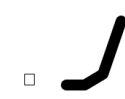
- For FY 2023, the President asked for an increase of \$59.2M and 175 FTEs for TSCA. EPA received only \$17.8M. As a result, EPA was unable to meet statutory deadlines.
- Resource challenges also affected statutory timeframes for EPA's pesticide registration and registration review decisions, and full implementation of ESA.
- Information technology challenges prevented EPA from issuing Data Call-Ins (DCIs) for information needed to re-evaluate active ingredients under pesticide registration review.

GOAL 7: Ensure Safety of Chemicals for People and the Environment

**Long-Term Performance Goal: By September 30, 2026, complete at least eight High Priority Substance (HPS) TSCA risk evaluations annually within statutory timelines compared to the FY 2020 baseline of one.**

Annual performance goal that supports this long-term performance goal:

**(PM TSCA4) Number of HPS TSCA risk evaluations completed within statutory timelines.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 0       | 0       | 1       | 6       | Evaluations | Above Target        |   |
| <b>Actual</b> |         |         | 1       | 0       | 0       | 0       |         |         |             |                     |   |

**Key Takeaways:**

- Although EPA issued no final risk evaluations in FY 2023 (as planned), EPA issued six final and one draft unreasonable risk determinations amending the previous administration’s TSCA risk evaluations of the first 10 chemicals. The original risk evaluations did not assess air, water, or disposal exposures to the general public. These assessments are important, particularly for “fenceline” communities—those located near industrial facilities.
- EPA faces challenges including enacted funding not meeting resource requests, evolving science such as evaluation of cumulative risk, combined exposures across multiple conditions of use, and additional exposure pathways and legal challenges. Taking this into account, EPA anticipates issuing one final risk evaluation in FY 2024, six in FY 2025, and seven in FY 2026.
- EPA proposed a rule to improve alignment of the risk evaluation process with applicable court decisions and the statutory text (reflecting the Agency’s experience implementing the risk evaluation program following enactment of the 2016 TSCA amendments), and to allow for consideration of future scientific advances in the risk evaluation process. EPA also is designing a sustainable prioritization and data gathering process, streamlining the peer review process, and working toward finalization of a TSCA fees rule reflecting the actual costs of the program. These improvements will help EPA meet targets for this measure in the future.

**Metric Details:** This measure tracks HPS chemical risk evaluations completed annually for existing chemicals within statutory timelines. Risk evaluations are needed to protect human health and the environment from unnecessary risks. TSCA requires risk evaluations for HPS to be completed within 3.5 years of the date the chemical is prioritized. TSCA requires that upon completion of a HPS risk evaluation, EPA must designate at least one additional HPS to take its place, thus ensuring that at least 20 EPA-initiated HPS risk evaluations are underway at all times. A baseline of one HPS risk evaluation was completed within statutory timelines to protect human health and the environment from unnecessary risk in FY 2020. For more information, see: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluations-existing-chemicals-under-tsca>.

**Long-Term Performance Goal: By September 30, 2026, initiate all TSCA risk management actions within 45 days of the completion of a final existing chemical risk evaluation.**

Annual performance goal that supports this long-term performance goal:

GOAL 7: Ensure Safety of Chemicals for People and the Environment

**(PM TSCA5) Percentage of existing chemical TSCA risk management actions initiated within 45 days of the completion of a final existing chemical risk evaluation.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         | 100     | 100     | 100     | 100     | Percent | Above Target        |               |
| <b>Actual</b>      |         |         |         |         | N/A     | 100     |         |         |         |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 6       |         |         | Actions |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 6       |         |         |         |                     |               |

**Key Takeaways:**

- EPA initiated risk management actions corresponding to all of EPA’s final revised unreasonable risk determinations completed in FY 2023 amending the previous administration’s TSCA risk evaluations (the FY 2023 revisions included assessments of air, water, or disposal exposures to the general public not previously assessed).
- The completion of final rules will create additional responsibilities for EPA to realize the intended protections to human health and the environment.

**Metric Details:** This measure tracks the percentage of existing chemical risk management rulemakings initiations, defined as the point at which EPA convenes the Agency workgroup following the tiering process for the rulemaking, within 45 days of publishing the final risk evaluation. TSCA Section 6(a) requires EPA to issue a proposed risk management rule for a chemical substance no later than one year after the date on which the final risk evaluation is published, and to publish a final rule no later than two years after the publication date of the final risk evaluation. Prompt initiation of risk management actions after the completion of risk evaluations is necessary for protecting human health and the environment from chemical risks. A baseline of 100% of existing chemical TSCA risk management actions were initiated within 45 days of the completion of a final existing chemical risk evaluation in FY 2020. For more information, see: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca#process>.

**Long-Term Performance Goal: By September 30, 2026, review 90% of risk management actions for past TSCA new chemical substances reported to the 2020 Chemical Data Reporting Rule (CDR) compared to the FY 2021 baseline of none.<sup>6</sup>**

Annual performance goals that support this long-term performance goal:

**(PM TSCA6a) Percentage of past TSCA new chemical substances decisions with risk management actions reviewed.**

<sup>6</sup> Changed from “By September 30, 2026, review 90% of past risk mitigation requirements for TSCA new chemical substances decisions compared to the FY 2021 baseline of none.”

GOAL 7: Ensure Safety of Chemicals for People and the Environment

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---------------------|---------------|
| Target      |         |         |         |         | 5       | 25      | 30      | 90      | Percent   | Above Target        |               |
| Actual      |         |         |         |         | N/A     | 16      |         |         |           |                     |               |
| Numerator   |         |         |         |         |         | 40      |         |         | Decisions |                     |               |
| Denominator |         |         |         |         |         | 258     |         |         |           |                     |               |

**Key Takeaways:**

- Reviews were initially delayed as EPA worked against competing demands to establish its database of past new chemicals decisions to review. Once that work was completed, EPA completed reviews of 40 chemicals in FY 2023.
- EPA completed actions that will clarify and improve the efficiency of the new chemical review process. These include release of the new chemicals per- and polyfluoroalkyl substances (PFAS) Framework for Pre-manufacture Notices (PMNs) and Significant New Use Notices (SNUNs) under review, and proposal of the “720” New Chemicals Procedural Rule.

**Metric Details:** This measure tracks the percentage of past risk management decisions for TSCA new chemical substances that were reported under the Chemical Data Reporting (CDR) Rule, that EPA reviews for adherence/non-adherence with these requirements. EPA will use the 2020 CDR report which covers calendar years 2016 to 2019. Initial upfront work is required to prepare three data sources for comparison, which may take up to one year to complete (by December 2022). EPA puts measures in place to protect human health and the environment by identifying conditions to be placed on the use of a new chemical before it is entered into commerce. EPA will review compliance with established restrictions in TSCA Section 5 Consent Orders or SNURs by cross-walking action requirements with information reported under the CDR rule. Instances of non-compliance will be relayed to EPA’s Office of Enforcement and Compliance Assurance for additional actions. This could include additional virtual records auditing, on-site audits, issuance of compliance advisories or guidances, requests for information/subpoenas, and modifications/updates to TSCA Section 5 Consent Orders, SNURs, or other requirements, as appropriate. For more information, see: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/basic-information-review-new>.

**(PM TSCA6b) Percentage of TSCA new chemical substances with risk management actions reported to the 2020 CDR reviewed for adherence/non-adherence with TSCA Section 5 risk management actions that are determined to adhere to those requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units      | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|------------|---------------------|---------------|
| Target      |         |         |         |         | N/A     | 25      | 30      | 90      | Percent    | Above Target        |               |
| Actual      |         |         |         |         | N/A     | 70      |         |         |            |                     |               |
| Numerator   |         |         |         |         |         | 28      |         |         | Substances |                     |               |
| Denominator |         |         |         |         |         |         |         |         |            |                     |               |

GOAL 7: Ensure Safety of Chemicals for People and the Environment

|             |  |  |  |  |  |    |  |  |  |  |  |
|-------------|--|--|--|--|--|----|--|--|--|--|--|
| Denominator |  |  |  |  |  | 40 |  |  |  |  |  |
|-------------|--|--|--|--|--|----|--|--|--|--|--|

**Key Takeaways:**

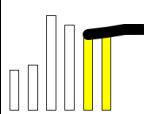
- The percentage of new chemical substances reviewed that adhered to TSCA Section 5 risk management action requirements significantly exceeded OCSPP’s estimate of what the results of its review would reveal.
- When the results of the reporting crosscheck indicate that a company may not be addressing the requirements of a SNUR or order, EPA will determine if further enforcement action is warranted.

**Metric Details:** This measure tracks the percentage of new chemicals substances reported under the 2020 CDR reviewed for adherence/non-adherence with TSCA Section 5 risk management actions that are determined to be in adherence with reported risk mitigation requirements of the actions. For more information, see: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/basic-information-review-new>.

**Long-Term Performance Goal: By September 30, 2026, recertify before the expiration date 36% of lead-based paint Renovation, Repair, and Painting (RRP) firms whose certifications are scheduled to expire compared to the FY 2021 baseline of 32%.**

Annual performance goal that supports this long-term performance goal:

**(PM RRP30) Percentage of lead-based paint RRP firms whose certifications are scheduled to expire that are recertified before the expiration date.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction   |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---|
| Target      |         |         |         |         | 32      | 33      | 34      | 34      | Percent   | Above Target  |
| Actual      | 17      | 19      | 40      | 36      | 31      | 31      |         |         |           |   |
| Numerator   | 1,134   | 1,185   | 9,006   | 6,524   | 2,874   | 2,308   |         |         | RRP Firms |   |
| Denominator | 6,855   | 6,091   | 22,384  | 18,158  | 9,423   | 7,529   |         |         |           |   |

**Key Takeaways:**

- Recertification numbers vary year to year due to external factors such as the high level of turnover (companies closing and opening) in the industry.
- Interest rate increases over the past year have reduced residential construction activity and hindered growth for remodelers, which could have depressed recertifications.




GOAL 7: Ensure Safety of Chemicals for People and the Environment

**Metric Details:** This measure tracks the percentage of expiring lead-based paint firm certifications renewed before the expiration date. Number of recertifications can vary widely from year to year due to external factors. This industry has a high level of turnover (companies closing and opening). Higher numbers for this measure reflect interest in the industry for continuing to provide these critical services. Federal law requires all RRP firms working in housing, or facilities where children are routinely present, built before 1978, to be certified. Firms must apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit a completed application and fee to EPA online. EPA RRP firm certifications are good for five years. Firms must apply for recertification at least 90 days before the firm's current certification expires. Data are tracked in the Federal Lead-based Paint Program database. Data include recertifications from jurisdictions where EPA administers the RRP Program. These data do not include recertifications from tribes or states with delegated programs. The baseline of 32% is based on the average recertification rate during the final six months of FY 2021 due to unusual circumstances in the first half of the fiscal year.

**Long-Term Performance Goal: By September 30, 2026, complete pesticide registration review for 78 cases.<sup>7</sup>**

Annual performance goals that support this long-term performance goal:

**(PM FIFRA3a) Number of pesticide registration review cases completed.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|---|
| <b>Target</b> |         |         |         |         | 15      | 8       | 4       | 5       | Cases | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 16      | 15      |         |         |       |                     |   |

**Key Takeaways:**


- EPA exceeded the target because cases moved more quickly through the registration review process than initially expected. These cases moved quickly because they were not dependent on data for risk assessment requested from pesticide registrants through DCIs and/or were considered lower risk and required less risk mitigation.
- Information technology system issues might delay draft risk assessments (DRAs) due to delays in issuing DCIs to pesticide registrants, which could limit EPA’s ability to complete review cases in the future. EPA is addressing these issues as part of an overall IT upgrade for development in FY 2024. The legacy system used previously to generate DCIs no longer functions.

**Metric Details:** This measure tracks the annual number of pesticide registration review completions for cases with initial registration after October 1, 2007, or a final decision in the first cycle of registration review. EPA must review each registered pesticide every 15 years to determine whether it still meets the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) standard for registration and to ensure that pesticides already in the marketplace do not pose unreasonable adverse effects on people or the environment based on current science standards. A total of 78 registered pesticides have 15-year cycle due dates that fall within the timeframe of the performance goal.

<sup>7</sup> Changed from “By September 30, 2026, complete 78 pesticide registration review cases with statutory due dates that fall after October 1, 2022.” The December 2022 omnibus bill extended the deadline for completing pesticide registration review for cases registered prior to October 1, 2007, from October 1, 2022 to October 1, 2026.

GOAL 7: Ensure Safety of Chemicals for People and the Environment

**(PM FIFRA3b) Number of pesticide registration review dockets opened for registration review cases.**


|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---|
| <b>Target</b> |         |         |         |         | 25      | 20      | 25      | 28      | Dockets | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 35      | 25      |         |         |         |                     |   |

**Key Takeaways:**

- EPA exceeded the target because of a short-term change in priorities which expanded the scope of cases to be reviewed. These docket openings did not require DCIs to be issued.

**Metric Details:** This measure tracks the annual number of docket openings for pesticide registration review cases with initial registration after October 1, 2007, or a final decision in the first cycle of registration review. Every registered pesticide must complete registration review every 15 years. Docket openings are the first stage of the registration review process and offer the first opportunity for the public to provide comment. The baseline is 11 docket openings in FY 2020.

**(PM FIFRA3c) Number of draft risk assessments completed for pesticide registration review cases.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units             | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 9       | 16      | 4       | 4       | Draft Assessments | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 25      | 10      |         |         |                   |                     |   |

**Key Takeaways:**

- Missed target due to IT system issues. The module that allows EPA to issue and track DCIs for additional information and data to support the reevaluation of registered pesticides by current scientific standards resides in a legacy IT system. During FY 2022 and 2023, this module ceased to function, preventing the issuance of DCIs, and thus EPA is unable to receive or process the registrant data for risk assessment.
- The ability to issue and track DCIs is being developed as part of an overall IT upgrade and is a priority for development in FY 2024.

**Metric Details:** This measure tracks the annual number of draft risk assessments completed for pesticide registration review cases with initial registration after October 1, 2007, or a final decision in the first cycle of registration review. Every registered pesticide must complete registration

GOAL 7: Ensure Safety of Chemicals for People and the Environment

review every 15 years. The draft risk assessment presents EPA’s preliminary risk findings to the public and provides opportunity for public comment. The baseline is five draft risk assessments completed in FY 2020.

**Long-Term Performance Goal: By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for new active ingredients in 90% of the risk assessments supporting pesticide registration decisions compared to the FY 2020 baseline of 50%.<sup>8</sup>**

Annual performance goal that supports this long-term performance goal:

**(PM ESA1) Percentage of risk assessments supporting pesticide registration decisions for new active ingredients that consider the effects determinations or protections for federally threatened and endangered species.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 40      | 80      | 90      | 90      | Percent          | Above Target        |  |
| <b>Actual</b>      |         |         | 50      | 62      | 100     | 100     |         |         |                  |                     |  |
| <b>Numerator</b>   |         |         | 8       | 8       | 14      | 12      |         |         | Risk Assessments |                     |  |
| <b>Denominator</b> |         |         | 16      | 13      | 14      | 12      |         |         |                  |                     |  |

<sup>8</sup> Changed from “By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for new active ingredients in 90% of the risk assessments supporting pesticide registration decisions for new active ingredients compared to the FY 2020 baseline of 50%.”

GOAL 7: Ensure Safety of Chemicals for People and the Environment

**Key Takeaways:**

- EPA was able to consider effects on endangered species for all new active ingredients it registered in FY 2023. This was a top priority in EPA’s FY 2022 workplan toward achieving better protections for endangered species (see [https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use\\_final.pdf](https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use_final.pdf)).

**Metric Details:** This measure tracks the percentage of risk assessments for pesticide registration decisions for new active ingredients that incorporate Endangered Species Act (ESA) requirements to ensure federal actions do not jeopardize the continued existence of federally threatened or endangered species or damage their critical habitat. Historically, EPA has not incorporated ESA determinations into its regulatory decisions other than determinations of “no effects” (mostly for biopesticides), due to the lengthy process of ESA consultation with the Services (U.S. Fish and Wildlife Service and National Marine Fisheries Service). EPA will more routinely incorporate ESA effects determinations into its regulatory decisions and ensure protection for listed species earlier in the consultation process through label mitigation. The FY 2020 baseline year included a relatively higher percentage of determinations of “no effects” for biopesticide new active ingredient registration decisions in relation to overall new active ingredient registration decisions. Biopesticide determinations of “no effects” are estimated to apply to 70-80% of new active ingredient registration decisions in any given fiscal year. The remainder includes conventional pesticides, antimicrobial pesticides, and biopesticides for which determinations of “no effects” cannot be made.

**Long-Term Performance Goal: By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species in 50% of the risk assessments supporting pesticide registration review decisions compared to the FY 2020 baseline of 27%.**

Annual performance goal that supports this long-term performance goal:

**(PM ESA2) Percentage of risk assessments supporting pesticide registration review decisions that include effects determinations or protections of federally threatened and endangered species.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 20      | 30      | 20      | 50      | Percent          | Above Target        |  |
| <b>Actual</b>      |         |         | 27      |         | 79      | 78      |         |         |                  |                     |  |
| <b>Numerator</b>   |         |         | 29      |         | 27      | 7       |         |         | Risk Assessments |                     |  |
| <b>Denominator</b> |         |         | 107     |         | 34      | 9       |         |         |                  |                     |  |

GOAL 7: Ensure Safety of Chemicals for People and the Environment

**Key Takeaways:**


- EPA exceeded its FY 2023 target primarily because of the small number of risk assessments completed for the registration review program in FY 2023. The higher percentage in FY 2022 was a result of ESA assessment due to ESA-related litigation and pilot implementation.
- Additionally, EPA was able to make several ESA “no effects” determinations in cases where it was not expecting to conduct a risk assessment but found through the planning process that no effects were expected from a particular active ingredient.

**Metric Details:** This measure tracks the percentage of risk assessments for pesticide registration review decisions that incorporate ESA determinations, including decisions subject either to the statutory deadline of October 2026 for the first cycle of registration review or to a 15-year schedule of review under the second cycle. Implementation of this process for pesticide registration review decisions will follow implementation for new active ingredient pesticide registration decisions. Some cases in the first cycle of registration review are currently involved in litigation due to EPA’s failure to incorporate ESA considerations. EPA calculated the FY 2020 baseline of 27% based on the portion of all actions in registration review during FY 2020 for conventional pesticides, biopesticides, and antimicrobial pesticides that included either a determination of “no effects” or measures that are intended to reduce exposure to listed species. The risk assessments that considered endangered species in FY 2020 were cases where EPA made a determination of “no effects” on listed species based either on the absence of potential exposure or the absence of toxicological harm. EPA calculated the FY 2020 baseline assuming 107 completed risk assessments of which 29 included determinations of “no effects” on listed species.

**Long-Term Performance Goal: By September 30, 2026, support Agricultural Worker Protection Standard (WPS) pesticide safety training for 20,000 farmworkers annually compared to the FY 2018-2020 annual average baseline of 11,000.**

Annual performance goals that support this long-term performance goal:

**(PM WPS1a) Number of farmworkers receiving EPA-supported WPS pesticide safety training.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|--|
| <b>Target</b> |         |         |         |         | 20,000  | 12,000  | 13,000  | 13,000  | Farm-workers | Above Target        |  |
| <b>Actual</b> |         |         |         |         | 12,716  | 15,155  |         |         |              |                     |  |

**Key Takeaways:**

- The grantee overseeing WPS training under the cooperative agreement was able to slowly build back toward normal operations by recruiting and maintaining a total of 33 participating community non-profit organizations in 31 states.

**Metric Details:** This measure tracks the number of farmworkers trained under EPA cooperative agreements in accordance with the Agricultural WPS rule. The purpose of the WPS is to reduce pesticide poisonings and injuries among agricultural workers and pesticide handlers. The WPS offers occupational protections to over 2 million agricultural workers and pesticide handlers who work at over 600,000 agricultural establishments. WPS

GOAL 7: Ensure Safety of Chemicals for People and the Environment

pesticide safety training is an annual requirement. An average of 11,000 individuals had the EPA-supported WPS training from FY 2018-2020, which reflects a sharp drop-off in training in FY 2020 due to the COVID-19 pandemic.

**(PM WPS1b) Percentage of pesticide safety content knowledge demonstrated by farmworker/trainees upon completion of EPA-supported WPS pesticide training.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|--|
| <b>Target</b> |         |         |         |         | 95      | 95      | 95      | 95      | Percent | Above Target        |  |
| <b>Actual</b> |         |         |         |         | 96      | 97      |         |         |         |                     |  |

**Key Takeaways:**

- This result indicates that farmworkers continue to have a high level of understanding of the content administered in the annual WPS training of farmworkers, per post-training survey results.

**Metric Details:** This measure tracks the average level of knowledge of the pesticide safety content demonstrated by farmworkers/trainees at the conclusion of EPA-supported WPS pesticide training, based on pre- and post-survey questions administered to trainees. The baseline of 95% is based on post-training assessments conducted annually from FY 2018-2020.

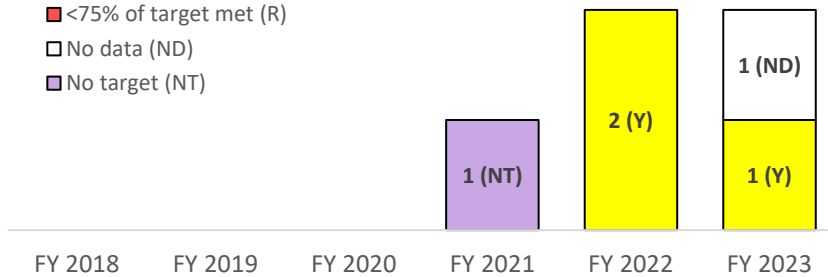
## GOAL 7: Ensure Safety of Chemicals for People and the Environment

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

#### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Summary of progress toward strategic objective:

- Added 22 chemicals to the Safer Choice Ingredients List and certified 208 new products to carry EPA's Safer Choice label.
- Awarded 32 recurring pollution prevention grants to states and tribes to help businesses adopt source reduction practices and technologies, with emphasis on addressing climate change impacts and environmental justice.

#### Challenges:

- While Infrastructure Investment and Jobs Act funding has been an important resource for pollution prevention programs, funding for the Safer Choice Program continues to be a challenge. Implementation of pollution prevention grants for technical assistance to businesses was significantly delayed by the COVID-19 pandemic, resulting in lower than expected emission reductions.

GOAL 7: Ensure Safety of Chemicals for People and the Environment

**Long-Term Performance Goal: By September 30, 2026, reduce a total of 6 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) released attributed to EPA pollution prevention grants.**

Annual performance goal that supports this long-term performance goal:

**(PM P2mtc) Reduction in million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) released per year attributed to EPA pollution prevention grants.\***

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021               | FY 2022 | FY 2023            | FY 2024 | FY 2025 | Units               | Preferred Direction |
|---------------|---------|---------|---------|-----------------------|---------|--------------------|---------|---------|---------------------|---------------------|
| <b>Target</b> |         |         |         | No Target Established | 1.2     | 1.2                | 1.2     | 1.2     | MMTCO <sub>2e</sub> | Above Target        |
| <b>Actual</b> | 1.6     | 1.5     | 1.4     | 1.1                   | 1.0     | Data Avail 10/2024 |         |         |                     |                     |

**Key Takeaways:**

- EPA missed the FY 2022 target due to the cumulative impact of COVID-induced delays on the implementation of technical assistance to businesses. The inclusion of three COVID-affected years in the four-year rolling measurement period is reflected in the results,
- Quality Assurance (QA) review of FY 2022 results for a small number of grants was deferred to the FY 2023 reporting cycle as a result of reporting and staffing issues. These results will be included in FY 2023 reporting.

**Metric Details:** This measure tracks MMTCO<sub>2e</sub> reductions from all Pollution Prevention Grant Program activities. MMTCO<sub>2e</sub> is calculated by using an online tool to convert standard metrics for electricity, green energy, fuel use, chemical substitutions, water management, and materials management into MMTCO<sub>2e</sub> (<https://www.epa.gov/p2/pollution-prevention-tools-and-calculators>). Annual results are the total reported by grantees in a single year plus the contributions from the previous three years. This method accounts for recurring benefits of a pollution prevention action, not just in the year it was implemented, but also in future years. Pollution prevention grants are “two-year” grants with an optional third year for follow-up reporting and case study development. These grants have annual reporting but with a one-year reporting lag due to the grant reporting cycle.

\* This measure is also used to track progress in implementing the Infrastructure Investment and Jobs Act.

**Long-Term Performance Goal: By September 30, 2026, EPA’s Safer Choice program will certify a total of 2,300 products compared to the FY 2021 baseline of 1,892 total certified products.<sup>9</sup>**

Annual performance goal that supports this long-term performance goal:

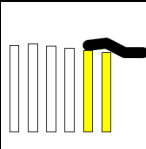
<sup>9</sup> Changed from “By September 30, 2026, EPA’s Safer Choice program will certify a total of 2,300 products compared to the FY 2021 baseline of 1,950 total certified products.”



GOAL 7: Ensure Safety of Chemicals for People and the Environment

**(PM P2sc) Number of products certified by EPA’s Safer Choice program.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|
| <b>Target</b> |         |         |         |         | 1,950   | 2,000   | 1,792   | 1,795   | Products | Above Target        |
| <b>Actual</b> | 1,958   | 1,989   | 1,929   | 1,892   | 1,835   | 1,788   |         |         |          |                     |



**Key Takeaways:**

- As a result of continuing resource challenges that began during the last administration, the Safer Choice Program focused on providing services and support to current program partners.
- In recent years, Congressional appropriations committee reports in enacted budgets have directed EPA to fund and operate the Safer Choice Program consistent with prior years.

**Metric Details:** This measure tracks the total number of products certified by the Safer Choice program at the end of the year. Safer Choice is a voluntary program that helps consumers, businesses, and purchasers find products that perform and contain ingredients that are safer for human health and the environment. Certified products are verified by EPA to meet the Safer Choice Standard through initial certification, annual audits, and recertification every three years. The total includes Design for the Environment-certified antimicrobial products and total number of products certified. Disinvestment from the program by the previous administration caused a drop in the number of certified products. In FY 2021-2023, the Safer Choice Program prioritized maintenance of existing partnerships and was not able to invest in broadening the number of certified products and new product sectors. Data are tracked in EPA’s Safer Choice database. For additional information, see: <https://www.epa.gov/saferchoice>.

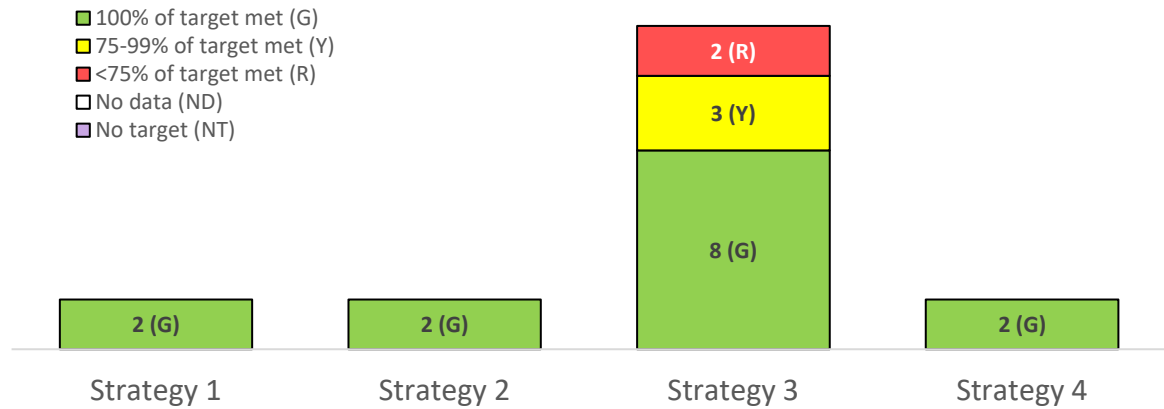
## CROSS-AGENCY STRATEGIES

### Cross-Agency Strategies at a Glance

EPA's FY 2023 enacted budget, in thousands, included \$1,710,685 of \$10,148,733 total for cross-agency mission and science support. This funding was allocated across strategic goals and objectives in the FY 2022-2026 EPA Strategic Plan.

#### FY 2023 Performance toward target by objective

Number of measures by percent of target achieved

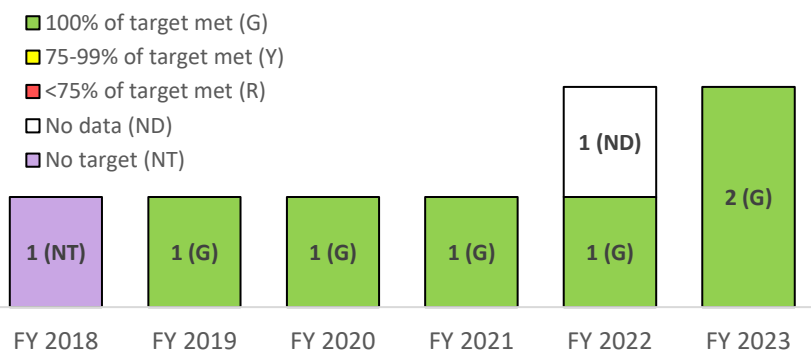


## CROSS-AGENCY STRATEGIES

### Strategy 1: Ensure Scientific Integrity and Science-Based Decision Making—*Deliver rigorous scientific research and analyses to inform evidence-based decision-making.*

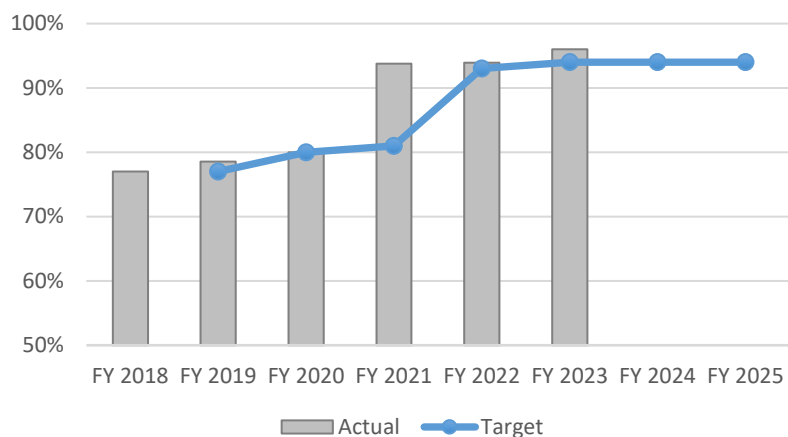
#### Performance toward target over time

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Percentage of ORD Research Products Meeting Partner Needs, FY 2018 - FY 2025



#### Summary of progress toward strategic objective:

- Delivered an updated draft scientific integrity policy to the White House. The draft policy introduced a new federal definition of Scientific Integrity (SI) and enhanced several policy elements critical to fostering a culture of SI.
- Continued work on the final updated SI policy planned for release in mid-2024, using a White House Office of Science and Technology Policy (OSTP) framework report published in January 2023. The draft policy has undergone formal consultation with tribes, engagement with and comment by EPA employee unions, and significant legal review.
- Completed a whiteboard training video on SI at EPA that will be distributed throughout the Agency with the updated SI policy.
- Added SI language to the FY 2024 required critical element for EPA supervisors for performance reviews.
- Deputy Scientific Integrity Officials (DSIOs) throughout the Agency implemented 24 additional actions to strengthen SI.
- EPA's Scientific Integrity Official was elected co-chair of Subcommittee on Scientific Integrity (SOSI) of the Committee on Science, National Science and Technology Council.
- Received six allegations of potential loss of SI and responded to 28 requests for advice.
- Reported previous SI survey results, making 20 reports so each division/region could review their results.
- Met partner needs for 96% of research products included in the annual customer satisfaction assessment (see graph pictured on the left).
- Led the Agency on community-based participatory science under the Executive Orders on Equity, including completing the Participatory Science Policy Guidelines and Checklist.
- Published 20 draft or final human health toxicity assessments (*e.g.*, Integrated Risk Information System (IRIS), Provisional Peer-Reviewed Toxicity Values (PPRTVs)), informing decision-making.

## CROSS-AGENCY STRATEGIES

### **Challenges:**

- 36.6% of EPA's research and development staff are retirement eligible. EPA will be delayed in meeting research goals if unable to sustain a trained and skilled workforce. To address this, EPA's Office of Research and Development (ORD) is improving hiring efficiencies and enhancing succession management practices.
- Achieving an appropriate response rate threshold to provide adequate data to evaluate delivered ORD Products, causing the Agency to extend the survey open period.

CROSS-AGENCY STRATEGIES

**Long-Term Performance Goal: By September 30, 2026, increase the annual percentage of Office of Research and Development (ORD) research products meeting partner needs to 95% from a baseline of 93% in FY 2021.**

Annual performance goal that supports this long-term performance goal:

**(PM RD1) Percentage of ORD research products meeting partner needs.**

|                    | FY 2018               | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction |
|--------------------|-----------------------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|
| <b>Target</b>      | No Target Established | 77      | 80      | 81      | 93      | 94      | 94      | 94      | Percent  | Above Target        |
| <b>Actual</b>      | 77                    | 79      | 80      | 94      | 94      | 96      |         |         |          |                     |
| <b>Numerator</b>   | 171                   | 154     | 120     | 60      | 77      | 278     |         |         | Products |                     |
| <b>Denominator</b> | 222                   | 196     | 150     | 64      | 82      | 290     |         |         |          |                     |

**Key Takeaways:**

- Met partner needs for 96% of research products included in the annual partner satisfaction assessment, based on an annual customer survey of 50 randomly selected ORD research products. The FY 2023 survey was provided to 201 federal and 80 non-federal respondents and had a 63% response rate.
- The results suggests that 100% of ORD Research Products were delivered to the partner when it was needed, whereas 13% of ORD Research Products could have been improved in terms of usability and 5% could have been improved in terms of quality.
- The number of products evaluated in FY 2023 was expanded dramatically over the previous fiscal years, as more products were completed and delivered to ORD partners from the FY 2019-2022 Strategic Research Action Plan (StRAP) cycle. ORD expects the number of delivered products to decline in FY 2024 as new products are initiated under the new StRAP cycle.

**Metric Details:** Partner satisfaction is assessed through a robust survey process. The annual survey engages key users of ORD products. Survey respondents assessed the scientific rigor of research products (quality), product relevance (usability), and timeliness of product delivery. Products are randomly selected from the universe of products identified as delivered during the previous fiscal year in the Research Approval Planning Implementation Dashboard (RAPID). Per information collection request stipulations, each year ORD surveys 50 randomly selected products of the universe of products that were delivered. The numerator is a statistical inference from the survey results calculated via a stratified sample design to account for the proportion of products delivered by ORD and then applied to the entire universe of products. The denominator is the total universe of products.

## CROSS-AGENCY STRATEGIES

**Long-Term Performance Goal: By September 30, 2026, implement 131 actions for scientific integrity objectives that are certified by Deputy Scientific Integrity Officials in each EPA program and region.<sup>10</sup>**

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<sup>10</sup> Changed from “By September 30, 2026, implement 126 actions for scientific integrity objectives that are certified by Deputy Scientific Integrity Officials in each EPA program and region.” At the beginning of FY 2023, there were 21 DSIOs, currently there are 22 DSIOs.

CROSS-AGENCY STRATEGIES

Annual performance goal that supports this long-term performance goal:

**(PM RD5) Number of actions implemented for EPA scientific integrity objectives.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022               | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|---------|---------------------|---------------|
| <b>Target</b> |         |         |         |         | No Target Established | 21      | 22      | 44      | Actions | Above Target        |               |
| <b>Actual</b> |         |         |         |         | N/A                   | 24      |         |         |         |                     |               |

**Key Takeaways:**

- EPA completed 24 actions for SI objectives, exceeding the target of 21. The total includes actions by the new Office of Environment Justice and External Civil Rights.
- Highlights include: increased training and outreach efforts across the Agency; launch of a scientific integrity award in EPA Region 10; addition of scientific integrity sections in Idaho and Washington state performance partnership grants; discussion of SI during state events by Region 4; implementation of an SI Awareness Week in Region 8; and inclusion of an SI statement in all of the Office of Water’s Performance Work Statements.

**Metric Details:** This measure tracks the annual number of actions completed by EPA DSIOs to implement the scientific integrity objectives that implement the EPA Scientific Integrity Policy ([https://www.epa.gov/sites/default/files/2014-02/documents/scientific\\_integrity\\_policy\\_2012.pdf](https://www.epa.gov/sites/default/files/2014-02/documents/scientific_integrity_policy_2012.pdf)). From FY 2023 – FY 2026, each DSIO will certify completion of two actions for each of the three scientific integrity objectives: scientific integrity is highly visible at EPA (Objective 1); all of EPA embraces and models scientific integrity (Objective 2); and robust mechanisms protect and maintain EPA’s culture of scientific integrity (Objective 3). DSIOs are members of the Scientific Integrity Committee representing each EPA program office and region. There were 21 DSIOs at the beginning of FY 2023, and there are 22 DSIOs currently.

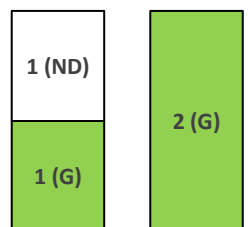
## CROSS-AGENCY STRATEGIES

**Strategy 2: Consider the Health of Children at All Life Stages and Other Vulnerable Populations—*Focus on protecting and improving the health of children at all life stages and other vulnerable populations in implementing our programs.***

### Performance toward target over time

Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



FY 2018    FY 2019    FY 2020    FY 2021    FY 2022    FY 2023

Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

### Summary of progress toward strategic objective:

- Nine of 10 EPA regions implemented projects that are durable, replicable, widespread, and focused on disadvantaged communities. Region 8 provided outreach and education related to wildfire smoke in Montana. Region 7 provided material to farmworkers on lead risks to children, and pesticides safety. Region 2 helped the Virgin Islands Department of Health acquire testing kits to address elevated lead levels in St. Croix drinking water.
- Completed 298 actions that concern children’s environmental health, exceeding the goal of 163. These include:
  - Rules, such as the Final Heavy-Duty Vehicles Standard, expected to result in 18,000 fewer cases of childhood asthma and 1.1 million fewer lost school days by 2045;
  - Reports, such as the Climate Change and Children’s Health and Well-Being Report, which quantifies health risks to children from climate change impacts and the extent to which these disproportionately fall on overburdened and underserved children; and
  - Risk determinations under the Toxic Substances Control Act for whether a chemical substance presents an unreasonable risk of injury to health or the environment.
  - Proposed more protective standards for the removal of lead-based paint hazards in pre-1978 buildings and childcare facilities to protect children and communities from the harmful effects of exposure to dust-lead.
- Charged Children’s Health Protection Advisory Committee (CHPAC) on children’s health indicators, received recommendations, issued response, and developed implementation plan for the next three years. Coordinated charge to CHPAC on climate change and children; received over 150 recommendations.
- Supported the Pediatric Environmental Health Specialty Units to provide education and awareness around keeping children safe from the impacts of



## CROSS-AGENCY STRATEGIES

climate change as well as chemical exposures during emergencies, like the East Palestine, OH train derailment.

- Supported Schools as Community Clean Air and Cooling Centers and released fact sheets for parents, principals, facilities managers, and teachers to keep children safe during extreme heat and/or wildfire smoke events.
- Co-led the President's Task Force on Environmental Health Risks and Safety Risks to Children. Engaged 17 departments and agencies and other federal partners to advance four priority areas: asthma disparities; lead exposures; chemical exposures; and climate emergencies and disasters.

### **Challenges:**

- Environmental and public health statutes differ in the extent to which they require protection of children and sensitive populations, presenting challenges in aligning approaches across program offices.

CROSS-AGENCY STRATEGIES

**Long-Term Performance Goal: By September 30, 2026, assess and consider environmental health information and data for children at all life stages for EPA actions that concern human health.<sup>11</sup>**

Annual performance goals that support this long-term performance goal:

**(PM CH01) Number of EPA actions that concern human health that include assessment and consideration of environmental health information and data for children at all life stages to the extent relevant data are available.**


|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| <b>Target</b> |         |         |         |         | 50%     | 163     | 166     | TBD     | Actions | Above Target        |               |
| <b>Actual</b> |         |         |         |         | N/A     | 298     |         |         |         |                     |               |

**Key Takeaways:**

- Actions include rules, risk assessments, guidance, reports, and workshops where children’s health data and information was considered in the decision making.

**Metric Details:** This measure tracks the number of EPA actions (e.g., rules, risk assessments, exposure assessments, economic and benefits analyses, research and other products, program implementation guidances, enforcement and compliance efforts and activities, grants, training, partnerships, fact sheets, internal capacity building work, and other communication materials) that have a human health impact and for which children’s environmental health information and data was considered and assessed, to the extent relevant data are available. The intent of this measure is to demonstrate improvements in complying with EPA’s *2021 Policy on Children’s Health* (<https://www.epa.gov/children/epas-policy-childrens-health>), which calls for EPA to protect children from environmental exposures by “consistently and explicitly considering early life exposures and lifelong health in all human health decisions.” In FY 2022, the measure was a percentage. EPA will set the FY 2025 target based on FY 2024 results and will include this target in the FY 2026 Budget.

**(PM CH02) Number of EPA regional offices with stakeholder engagement on children’s environmental health designed to provide durable, replicable, and widespread results.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units            | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|---------------------|---|
| <b>Target</b> |         |         |         |         | 3       | 6       | 9       | 10      | Regional Offices | Above Target        |   |
| <b>Actual</b> |         |         |         |         | 6       | 9       |         |         |                  |                     |   |

**Key Takeaways:**

<sup>11</sup> Changed from “By September 30, 2026, assess and consider environmental health information and data for children at all life stages for all completed EPA actions that concern human health.”

## CROSS-AGENCY STRATEGIES

- EPA exceeded its target due to EPA leadership's increased emphasis on sustainability of engagements as critical to the success of the Cross-Agency Strategy. In addition, several Regions partnered with Pediatric Environmental Health Specialty Units (a network of children's environmental health experts working in communities), which helped ensure that the projects were durable, replicable and widespread.

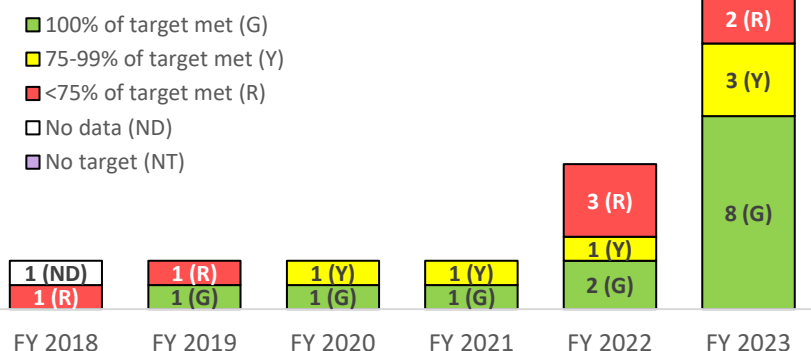
***Metric Details:*** This measure tracks the number of EPA regional offices that have developed and are implementing stakeholder engagement activities on children's environmental health that support joint planning, collaboration, or action; identify and address community-scale issues; build federal/state/local "whole-of-government" partnerships; and/or address health disparities. EPA aims to increase outcome-driven stakeholder participation and program visibility. The activities under this measure must be underway in disadvantaged communities for more than one year (durable), include outreach or training materials that could be adapted by other regions or communities (replicable), and involve more than one EPA region or program office and/or community (widespread).

## CROSS-AGENCY STRATEGIES

### Strategy 3: Advance EPA’s Organizational Excellence and Workforce Equity—*Foster a diverse, equitable, and inclusive workforce within an effective and mission-driven workplace.*

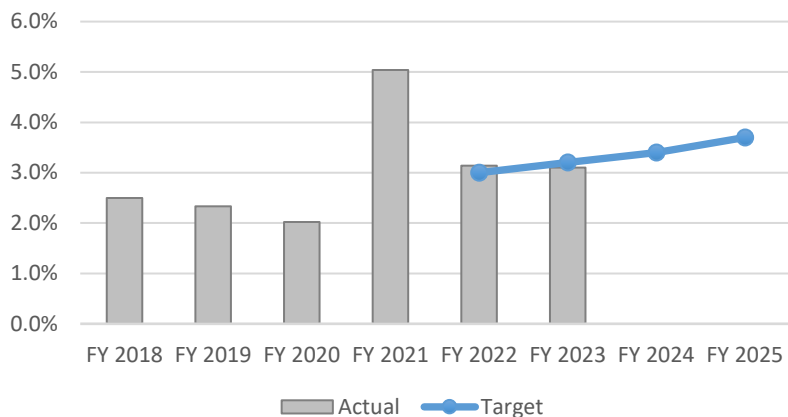
#### Performance toward target over time

Number of measures by percent of target achieved



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

#### Percentage of EPA Contract Spending Awarded to HUBZone Businesses, FY 2018 - FY 2025



#### Summary of progress toward strategic objective:

- Improved 236 operational processes, exceeding the target, with contributions from all 10 regions and nine program offices.
- Completed 100% of EPA’s FY 2023 climate resiliency goals. Met targets by completing a total of seven facility climate adaptation assessments and initiating a priority climate resiliency project within 24 months of the assessment at one EPA-owned facility.
- Completed two milestones toward the Diversity, Equity, Inclusivity, and Accessibility (DEIA) “Leading and Sustaining” Maturity Level.
- Completed succession management planning and workforce analyses across all major EPA organizations. The results will be used to inform and develop policies and approaches that equip EPA employees with the needed competencies, knowledge and most up-to-date tools to advance EPA’s mission.
- Secured a contract vehicle for information technology (IT) development to automate EPA’s major permitting programs.
- Received 24th consecutive clean financial audit opinion, highlighting the EPA’s commitment to responsible and transparent financial management.

#### Challenges:


- Missed some annual targets for cybersecurity Long-Term Performance Goals, but laid the groundwork for more robust compliance with cybersecurity requirements by prioritizing enterprise-level coordination and incorporation of critical feedback from system owners.
- Missed target for permitting processes automated, due to a delay in automating the Office of Land and Emergency Management (OLEM)’s Financial Assurance tool.
- Missed target for percentage of EPA contract spending awarded to HUBZone businesses, but continued progress to increase dollars awarded to HUBZone businesses under the *FY 2022-2026 EPA Strategic Plan*.

CROSS-AGENCY STRATEGIES

**Long-Term Performance Goal: By September 30, 2026, EPA will be in full compliance with the five high-priority directives in Executive Order 14028 - *Improving the Nation’s Cybersecurity*.**

Annual performance goals that support this long-term performance goal:

**(PM MFA) Percentage of EPA applications in compliance with multifactor authentication requirements.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units        | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|--------------|---------------------|---|
| <b>Target</b>      |         |         |         |         | 75      | 85      | 100     | 100     | Percent      | Above Target        |   |
| <b>Actual</b>      |         |         |         |         | 48      | 79      |         |         |              |                     |   |
| <b>Numerator</b>   |         |         |         |         | 223     | 321     |         |         | Applications |                     |   |
| <b>Denominator</b> |         |         |         |         | 463     | 406     |         |         |              |                     |   |

**Key Takeaways:**

- Missed target due to variance in technical requirements for implementing multifactor authentication compliance, as well as competing priorities across EPA programs which administer the required cybersecurity improvements.
- Made progress by closer coordination with system owners as well as greater visibility of system compliance through the IT Portfolio Review Dashboard.
- On track to complete 100% compliance in FY 2024.

**Metric Details:** This measure tracks EPA implementation of one of the five priority requirements of Executive Order 14028 – *Improving the Nation’s Cybersecurity* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/>). Multifactor authentication confirms user identify and ensures only authorized users have access to Agency systems and information.

**(PM DAR) Percentage of EPA data at rest in compliance with encryption requirements.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | 90      | 95      | 100     | Percent | Above Target        |               |
| <b>Actual</b>      |         |         |         |         |         | 93      |         |         |         |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 110     |         |         | Systems |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 118     |         |         |         |                     |               |

**Key Takeaways:**

CROSS-AGENCY STRATEGIES

- Better than expected progress in part due to closer coordination with system owners as well as greater visibility of system compliance through the IT Portfolio Review Dashboard.
- Remaining systems have legacy issues that may take additional time to resolve.

**Metric Details:** This measure tracks EPA implementation of one of the five priority requirements of *Executive Order 14028 – Improving the Nation’s Cybersecurity*. Encrypting data at rest ensures any unauthorized individual who has gained access to EPA’s network or any of its information systems will still be unable to read the data in any meaningful and potentially destructive or malicious way. The August 2022 baseline for this measure is 83%.

**(PM DIT) Percentage of EPA data in transit in compliance with encryption requirements.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| Target      |         |         |         |         |         | 90      | 98      | 100     | Percent | Above Target        |               |
| Actual      |         |         |         |         |         | 98      |         |         |         |                     |               |
| Numerator   |         |         |         |         |         | 116     |         |         | Systems |                     |               |
| Denominator |         |         |         |         |         | 118     |         |         |         |                     |               |

**Key Takeaways:**

- Better than expected progress in part due to closer coordination with system owners as well as greater visibility of system compliance through the IT Portfolio Review Dashboard.
- Remaining systems have legacy issues that may take additional time to resolve.

**Metric Details:** This measure tracks EPA implementation of one of the five priority requirements of *Executive Order 14028 – Improving the Nation’s Cybersecurity*. Encrypting data in transit ensures that any unauthorized individual who has gained the ability to monitor network traffic will be unable to read and interpret data in a meaningful and potentially destructive or malicious way. The August 2022 baseline for this measure is 82%.

**(PM ZTA) Percentage of “Zero Trust Architecture” projects completed on time.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent  | Above Target        |               |
| Actual      |         |         |         |         |         | 50      |         |         |          |                     |               |
| Numerator   |         |         |         |         |         | 1       |         |         | Projects |                     |               |
| Denominator |         |         |         |         |         | 2       |         |         |          |                     |               |

## CROSS-AGENCY STRATEGIES

### ***Key Takeaways:***

- Identified two projects to complete to inform future zero trust architecture (ZTA) work: a Gap Assessment Analysis and a ZTA Roadmap.
- Needed additional time to complete the ZTA Roadmap to respond to the greater than anticipated feedback to the draft plan and address the needs of key stakeholders. The result is a more robust Roadmap.

***Metric Details:*** This measure tracks EPA implementation of one of the five priority requirements of *Executive Order 14028 – Improving the Nation’s Cybersecurity*. The “Zero Trust Architecture” security model eliminates implicit trust in any one element, node, or service and instead requires continuous verification of the operational picture via real-time information from multiple sources to determine access and other system responses. Once implemented, the various components of Agency network infrastructure will be more resistant to unauthorized access. Each year, EPA determines the final portfolio of ZTA implementation projects that will be completed under this annual performance goal and the associated deadlines. EPA will work to achieve the deadlines 100% of the time.

CROSS-AGENCY STRATEGIES

**(PM ALR) Implementation of advanced event logging requirements (EL3) across EPA networks.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units | Preferred Direction | No Trend Data |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------|---------------|
| <b>Target</b> |         |         |         |         | EL1     | EL3     | EL3     | EL 3    | Tier  | Above Target        |               |
| <b>Actual</b> |         |         |         |         | EL0     | EL0     |         |         |       |                     |               |

**Key Takeaways:**

- Missed target due to the variance in technical requirements to implementing Enterprise Logging compliance, as well as competing priorities across EPA programs which implement logging requirements.
- EPA is revising its project schedule to meet compliance, including a Logging Sprint in Q1 of FY 2024.
- EPA is actively engaging with system owners to resolve noncompliance issues.

**Metric Details:** This measure tracks EPA implementation of one of the five priority requirements of *Executive Order 14028 – Improving the Nation’s Cybersecurity*. EPA will implement the highest event logging tier of “Advanced” (EL3) across EPA networks and infrastructure as established by *Office of Management and Budget Memorandum M-21-31 – Improving the Federal Government’s Investigative and Remediation Capabilities Related to Cybersecurity Incidents*.

**Long-Term Performance Goal: By September 30, 2026, award 4% of EPA contract spending to small businesses located in Historically Underutilized Business Zones (HUBZones) compared to the FY 2018-2020 average annual baseline of 2.2%.**

Annual performance goal that supports this long-term performance goal:

**(PM SB1) Percentage of EPA contract spending awarded to HUBZone businesses.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units               | Preferred Direction |  |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------------|--|
| <b>Target</b>      |         |         |         |         | 3.0     | 3.2     | 3.4     | 3.7     | Percent             | Above Target        |  |
| <b>Actual</b>      | 2.4     | 2.2     | 2.0     | 4.9     | 3.1     | 3.1     |         |         |                     |                     |  |
| <b>Numerator</b>   | 37.5    | 35.0    | 30.3    | 75.6    | 59.6    | 69.3    |         |         | Millions of Dollars |                     |  |
| <b>Denominator</b> | 1,500   | 1,500   | 1,500   | 1,500   | 1,900   | 2,265   |         |         |                     |                     |  |

**Key Takeaways:**

- Continued to increase in the amount of dollars awarded to HUBZones since the establishment of this Long-Term Performance Goal. This demonstrates the continuing incremental effectiveness of initiatives to expand contracting opportunities for HUBZone firms, including to provision of training on the HUBZone mechanism and developing HUBZone vendor lists tied to procurement opportunities.



CROSS-AGENCY STRATEGIES

**Metric Details:** This measure tracks the percentage of EPA prime contracting dollars awarded to firms designated as certified HUBZone small business awardees in the Federal Procurement Data System. To qualify for certification as a HUBZone firm, the small business must: 1) be at least 51% owned and controlled by U.S. citizens, a Community Development Corporation, an agricultural cooperative, or an Indian tribe; 2) maintain its principal office within a HUBZone; and 3) hire at least 35% of its workforce from a HUBZone area. HUBZones are generally defined to include urban and rural communities with low income, high poverty, or high unemployment.

**Long-Term Performance Goal: By September 30, 2026, initiate all priority climate resiliency projects for EPA-owned facilities within 24 months of a completed facility climate assessment and project prioritization.**

Annual performance goals that support this long-term performance goal:

**(PM CRP) Percentage of priority climate resiliency projects for EPA-owned facilities initiated within 24 months of a completed facility climate assessment and project prioritization.**


|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units    | Preferred Direction | No Trend Data |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------------------|---------------|
| Target      |         |         |         |         |         | 100     | 100     | 100     | Percent  | Above Target        |               |
| Actual      |         |         |         |         |         | 100     |         |         |          |                     |               |
| Numerator   |         |         |         |         |         | 1       |         |         | Projects |                     |               |
| Denominator |         |         |         |         |         | 1       |         |         |          |                     |               |

**Key Takeaways:**

- EPA has successfully initiated its first priority climate resiliency project at the Agency-owned Gulf Ecosystem Measurement and Modeling Division Laboratory in Gulf Breeze, FL.

**Metric Details:** This measure tracks initiation of climate adaptation projects at EPA-owned facilities following a climate assessment. EPA will prioritize identified projects based on multiple factors – ability to execute, impact on facility resiliency, cost, etc. – and initiate projects within 24 months of identification as a priority.

**(PM CAA) Number of EPA-owned facility climate adaptation assessments completed.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units       | Preferred Direction |  |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|---------------------|---|
| Target |         |         |         |         | 2       | 7       | 11      | 14      | Assessments | Above Target        |   |
| Actual |         |         |         |         | 1       | 7       |         |         |             |                     |   |

## CROSS-AGENCY STRATEGIES

### ***Key Takeaways:***

- Completed the 2023 goal of five Climate Resiliency Assessments reports, as well as finishing the remaining 2022 Climate Resiliency Assessment reports. Additionally, EPA finalized its All Facility Hazard Map and the schema voting for EPA's Test and Evaluation facility in Cincinnati, OH.
- Economic conditions have created long lead times for services and materials, and higher construction costs are making projects more difficult to fund due to constraints in the enacted budget levels in the Buildings and Facilities appropriation. The FY 2025 President's Budget requests sufficient resources to advance these projects.

***Metric Details:*** This measure tracks completion of climate adaptation assessments at EPA-owned facilities with planned long-term occupancy that will determine which facilities require investments to protect against climate change. Climate resiliency assessments enable EPA to identify facility-specific vulnerabilities and proactively identify projects that will increase resiliency and fortify facilities against climate-related events.

**Long-Term Performance Goal: By September 30, 2026, EPA will achieve the highest Diversity, Equity, Inclusion and Accessibility (DEIA) Maturity Level of "Leading and Sustaining" as defined by the November 2021 *Government-wide Strategic Plan to Advance DEIA in the Federal Workforce* and achieve all EPA goals identified in the Agency's Gender Equity and Equality Action Plan.**

CROSS-AGENCY STRATEGIES

Annual performance goal that supports this long-term performance goal:

**(PM DEIA) Diversity, Equity, Inclusivity, and Accessibility (DEIA) actions completed toward Maturity Level “Leading and Sustaining” achieved.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units   | Preferred Direction | No Trend Data |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------------------|---------------|
| Target |         |         |         |         |         | 2       | 4       | 6       | Actions | Above Target        |               |
| Actual |         |         |         |         |         | 2       |         |         |         |                     |               |

**Key Takeaways:**

- Established the Office of Inclusive Excellence, a priority action in the DEIA Strategic Plan, to lead the implementation of DEIA efforts across the Agency.
- Launched the DEIA Data Catalog. The Data Catalog includes information available to all employees on diversity, Federal Employee Viewpoint Survey results, Management Directive 715 (MD-715) Reports to promote equal employment opportunities, and restricted access data on workforce demographics and applicant flow data.

**Metric Details:** This measure tracks completion of the eight Strategic Actions in the EPA DEIA Strategic Plan. Each completed action signifies progress toward achieving the highest DEIA Maturity Level of “Leading and Sustaining.”

**Long-Term Performance Goal: By September 30, 2026, automate all priority internal administrative processes.**

Annual performance goal that supports this long-term performance goal:

**(PM GOPA) Number of priority internal administrative processes automated.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction | No Trend Data |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---------------------|---------------|
| Target |         |         |         |         |         | 1       | 1       | 3       | Processes | Above Target        |               |
| Actual |         |         |         |         |         | 1       |         |         |           |                     |               |

**Key Takeaways:**

- Completed transformation of Federal Information Technology Acquisition Reform Act (FITARA) process from manual/email-driven to an automated process. Rejected submissions were reduced from 15.6% to 1.5%, indicating improved quality and increased efficiency.

**Metric Details:** This measure tracks the completion of processes to complete priority administrative forms and/or processes to full automation for improved internal data collection and utilization. EPA is prioritizing 10 identified internal administrative processes to be automated by 2026 but is tracking all efforts to automate administrative processes. Previous examples of administrative process automation include: transitioning OGE-450

## CROSS-AGENCY STRATEGIES

Financial Disclosure Forms from electronic documents to a centralized reporting database; transitioning paper-based employee performance reviews to USA Performance; and transitioning Headquarters Transit Subsidy requests from a paper form to a digital approval workflow.

**Long-Term Performance Goal: By September 30, 2026, automate the major EPA permitting programs.**

CROSS-AGENCY STRATEGIES

Annual performance goals that support this long-term performance goal:

**(PM PAT) Annual percentage of EPA permitting processes automated.**

|                    | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                | Preferred Direction | No Trend Data |
|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------------------|---------------------|---------------|
| <b>Target</b>      |         |         |         |         |         | 10      | 30      | 30      | Percent              | Above Target        |               |
| <b>Actual</b>      |         |         |         |         |         | 8       |         |         |                      |                     |               |
| <b>Numerator</b>   |         |         |         |         |         | 1       |         |         | Permitting Processes |                     |               |
| <b>Denominator</b> |         |         |         |         |         | 13      |         |         |                      |                     |               |

**Key Takeaways:**

- EPA secured a contract vehicle for IT development for permit automation. Supplemental funding through the Inflation Reduction Act is supporting permit automation work along with regular appropriations.
- The Office of Water completed the automation of its Permit Tracking System to facilitate and track EPA’s review of state-issued National Pollutant Discharge Elimination System (NPDES) permits.
- Automation of the Office of Land and Emergency Management (OLEM)’s Financial Assurance tool was delayed due to the proprietary nature of the tool, which made it necessary to take more time to secure an appropriate contract vehicle to do the work. OLEM expects to complete its tool by the end of March 2024.

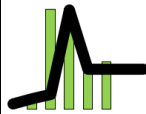
**Metric Details:** This measure tracks the Agency’s progress toward bringing EPA into the 21<sup>st</sup> century by transitioning EPA’s major permitting programs from paper to electronic processes. EPA will advance the paperless transformation through automation of permit application, review, and issuance processes for EPA’s permitting programs. This will reduce processing time on issuing permits, decrease the time between receiving monitoring data and engaging in enforcement actions, and foster transparency by allowing communities to search, track, and access permitting actions easily. Further, permit automation will enable the integration of climate change and environmental justice considerations into permit processes and ensure that they are addressed within the terms and conditions of the permit. For the regulated community, permit automation will allow for a simplified, streamlined, and transparent permitting process which will result in time and costs savings. EPA identified a universe of 13 eligible processes.

**Long-Term Performance Goal: By September 30, 2026, improve 1,000 operational processes.**

Annual performance goal that supports this long-term performance goal:

CROSS-AGENCY STRATEGIES

**(PM OP1) Number of operational processes improved.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                 | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|-----------------------|---------------------|---|
| <b>Target</b> | 25      | 50      | 72      | 500     | 200     | 200     | 200     | 200     | Operational Processes | Above Target        |   |
| <b>Actual</b> | N/A     | 66      | 502     | 507     | 208     | 236     |         |         |                       |                     |   |

**Key Takeaways:**

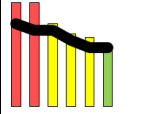
- Exceeded target thanks to contributions from all 10 EPA regions and nine program offices. The Office of the Chief Financial Officer and the Office of Air and Radiation achieved the most of any program offices, at 39 and 33 improvements respectively. Region 6 was the highest regional contributor, achieving 18 process improvements.
- Each region and program office completed executive sponsored improvement projects, accounting for a significant portion of the total number of processes improved.
- EPA continues to explore ways to encourage more improvement, including replication of best practices and processes that have already been improved.

**Metric Details:** This measure tracks the number of EPA operational processes improved through the application of Lean principles improving the efficiency and cost effectiveness of the Agency’s operations. An operational process is a sequence of activities that results in the delivery of a service. Process improvements efforts are intended to empower frontline staff, engage leadership, drive innovation, improve operations, and create a better customer experience. A process improvement is counted when a baseline measure is exceeded by a reasonable amount, as determined by EPA program or regional office leadership. While a standard percentage improvement is not required, teams are encouraged to have stretch goals to promote breakthroughs. Process improvements result from a variety of tools (e.g., kaizen events, special senior leadership projects, other problem-solving activities) and often include standard work (e.g., standard operating procedures) and visual management (visible placement of information and indicators that quickly convey the status of the process) to help ensure the improvement is sustained and can be shared to promote benchmarking when appropriate.

**Other Core Work**

Annual performance goal:

**(PM CF2) Number of Agency administrative systems and system interfaces.**

|               | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units                  | Preferred Direction |  |
|---------------|---------|---------|---------|---------|---------|---------|---------|---------|------------------------|---------------------|---|
| <b>Target</b> | 24      | 22      | 22      | 19      | 17      | 17      |         |         | Systems and Interfaces | Below Target        |   |
| <b>Actual</b> | 30      | 30      | 24      | 21      | 20      | 17      |         |         |                        |                     |   |

## CROSS-AGENCY STRATEGIES

### ***Key Takeaways:***

- Decommissioned three systems: Contract Payment System, EasyLite invoice payment system, and Small Purchase Information Tracking System.
- Integrated the work of these systems into EPA's financial system and created a tighter integration between EPA's Acquisition System, Compass (EPA's financial management system), and Treasury's Invoice Processing Platform.
- This measure is retired after FY 2023. EPA has achieved its goal to reduce the number of small administrative systems by 43%.

***Metric Details:*** This measure tracked the number of administrative systems or system interfaces EPA actively operates. Administrative systems support execution of the Agency's administrative functions such as accounting, grants management, and contracts management. System interfaces are connections among administrative systems where data are shared. Reducing the number of administrative systems and system interfaces has a positive impact on streamlining operational processes and drives the integration of financial transactions across multiple administrative systems, reducing manual entry, improving data quality, and allowing EPA to input and access data more easily and standardize reporting as payment processing is moved to a federal shared service provider.

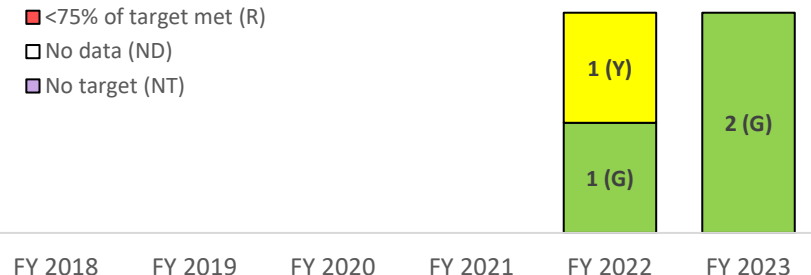
## CROSS-AGENCY STRATEGIES

**Strategy 4: Strengthen Tribal, State, and Local Partnerships and Enhance Engagement—*Collaborate and engage effectively with Tribal nations in keeping with the Federal Government’s trust responsibilities, state and local governments, regulated entities, and the public to protect human health and the environment.***

### Performance toward target over time

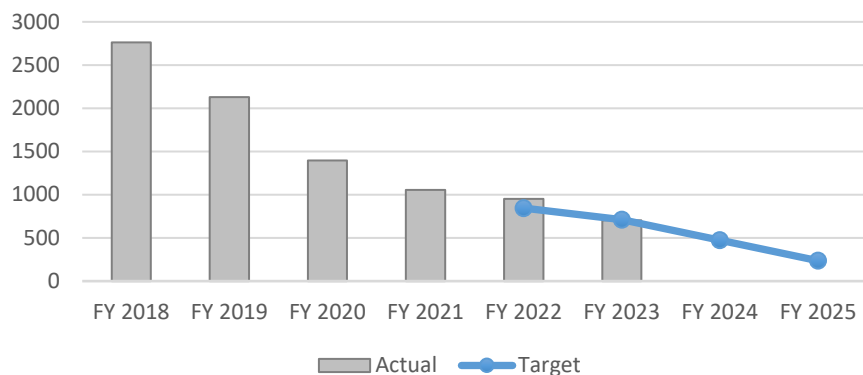
Number of measures by percent of target achieved

- 100% of target met (G)
- 75-99% of target met (Y)
- <75% of target met (R)
- No data (ND)
- No target (NT)



Counts are of measures that exist in FY 2023. Chart does not include measures that previously existed but were eliminated prior to FY 2023.

### Number of FOIA Responses in Backlog, FY 2018 - FY 2025



### Summary of progress toward strategic objective:

- For the EPA Learning Agenda priority area on grant commitments met, developing a set of measures broadly relevant across multiple EPA grant and media programs to enable EPA to collect and report on performance in a consistent way.
- Conducted an extensive nationwide 5-month consultation with tribes on proposed revisions to the 2011 EPA Policy on Consultation and Coordination with Indian Tribes and the supplementary 2016 Guidance for Discussing Tribal Treaty Rights.
- Championed the release by the White House of the “Guidance for Federal Departments and Agencies on Indigenous Knowledge,” recognizing Indigenous Knowledge as one of the many important bodies of knowledge that contribute to the scientific, technical, social, and economic advancements to the collective understanding of the natural world.
- Reduced the backlog of overdue Freedom of Information Act (FOIA) requests by nearly 26%. Received more than 6,600 FOIA requests, closed more than 6,800 requests and released more than 153,000 records.

### Challenges:

- Additional tools and training will be needed for EPA staff to implement the EPA Tribal Consultation Policy revisions under development and expand tribal treaty rights consultations to national level consultations.




CROSS-AGENCY STRATEGIES

**Long-Term Performance Goal: By September 30, 2026, consider Tribal treaty rights as part of all EPA Tribal consultations that may affect Tribal treaty rights.**

Annual performance goal that supports this long-term performance goal:

**(PM EC41) Percentage of EPA tribal consultations that may affect tribal treaty rights that consider those rights as part of the consultation.**

|             | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units         | Preferred Direction |  |
|-------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------|---------------------|---|
| Target      |         |         |         |         | 20      | 25      | 80      | 100     | Percent       | Above Target        |   |
| Actual      |         |         |         |         | 100     | 100     |         |         |               |                     |   |
| Numerator   |         |         |         |         | 19      | 10      |         |         | Tribal        |                     |   |
| Denominator |         |         |         |         | 19      | 10      |         |         | Consultations |                     |   |

**Key Takeaways:**

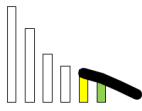
- EPA continues to consider tribal treaty rights during all tribal consultations on EPA decisions and actions affecting tribes.
- EPA is revising its Tribal Consultation Policy to further emphasize and expand upon the recognition of tribal treaty rights during consultations.

**Metric Details:** This measure tracks the annual percentage of EPA tribal consultations that may affect tribal treaty rights that consider those rights as part of the consultation, consistent with the *EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights* (<https://www.epa.gov/tribal/epa-policy-consultation-and-coordination-indian-tribes-guidance-discussing-tribal-treaty>) which establishes clear Agency standards for consultations when an EPA action or decision may affect tribal treaty rights. Data are collected in EPA’s Tribal Consultation Opportunities Tracking System, a publicly accessible database used to communicate upcoming and current EPA consultation opportunities to tribal governments that documents EPA consultations using the tribal treaty rights guidance. The system provides a management, oversight, and reporting structure that helps ensure accountability and transparency.

**Long-Term Performance Goal: By September 30, 2026, eliminate the backlog of overdue Freedom of Information Act (FOIA) responses, compared to the FY 2021 baseline of 1,056.**

Annual performance goal that supports this long-term performance goal:

**(PM FO2) Number of FOIA responses in backlog.**

|        | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Units     | Preferred Direction |  |
|--------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|---------------------|---|
| Target |         |         |         |         | 845     | 712     | 474     | 236     | Responses | Below Target        |   |
| Actual | 2,761   | 2,128   | 1,395   | 1,056   | 950     | 704     |         |         |           |                     |   |

## CROSS-AGENCY STRATEGIES

### ***Key Takeaways:***

- EPA received more than 6,600 FOIA requests, closed more than 6,800 requests and released more than 153,000 records. EPA reduced its backlog of overdue FOIA requests by nearly 26%.
- EPA issued a final rulemaking to modernize its FOIA regulations, make FOIA more affordable, and expedite the release of information for communities with environmental justice concerns.
- EPA procured and implemented the FOIAXpress software system to replace FOIAonline.

***Metric Details:*** This measure tracks EPA's responsiveness to the public by measuring progress toward reducing EPA's backlog of responses to FOIA requests. Overdue responses are indicated in FOIAXpress as pending beyond the statutory deadline of 20 working days for simple requests, 30 days or longer for unusual circumstances (*e.g.*, complex requests), or another timeframe to which the requestor has agreed. EPA receives approximately 7,000 FOIA requests annually.

## American Rescue Plan Performance Report – Cumulative results as of September 30, 2023

The American Rescue Plan (ARP) Act of 2021 provided EPA with \$100 million dollars to address health outcome disparities from pollution and the COVID-19 pandemic, with which EPA is funding environmental justice initiatives and enhanced air quality monitoring.

EPA identified performance measures for major categories of funding under ARP. For FY 2023, EPA is reporting results for 18 measures across nine areas of support. EPA will report on five additional measures in FY 2024. Results show EPA is deploying ARP funding to support public health in numerous communities and reaching many new communities in doing so.

EPA posts financial status by funding categories (including total funding, obligations, and remaining funding) quarterly on its website.

Additional information is available at: <https://www.epa.gov/arp>

In FY 2024, a section similar to this will be included for the Bipartisan Infrastructure Law, when more robust performance results are available. For more information, see <https://www.epa.gov/invest>.

### Environmental Justice Grants and Technical Assistance

EPA provides environmental justice grants and technical assistance directly to community-based organizations, federally recognized tribes, state governments, local governments, and U.S. territories for projects that support underserved communities and build partnerships to address local environmental and public health issues. EPA allocated a total of \$16.65 million in ARP funding to environmental justice grants and technical assistance through the Environmental Justice Small Grants Program, the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, the State Environmental Justice Cooperative Agreement Program, and other technical assistance.

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| Number of partnering organizations participating in projects | 491                    |
| Number of recipients   | 150                    |
| Number of new recipients                                     | 125                    |

### Diesel Emission Reduction Act (DERA) funding

EPA's Diesel Emissions Reduction Act (DERA) Program—authorized under sections 791 through 797 of the Energy Policy Act of 2005 (42 U.S.C. 16131 through 16137)—funds grants and rebates that protect human health and improve air quality by reducing harmful emissions from diesel engines. EPA allocated a total of \$7 million to fund electric school bus rebates in underserved communities. Selected applicants received \$300,000 for each bus replacement, and applicants could request up to four new buses.

| <b>Measures</b>   | <b>Results to date</b> |
|---|------------------------|
| Number of tons of nitrogen oxides (NOx) reduced over the lifetime of the affected buses | Reporting in FY 2024   |

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| Number of tons of particulate matter (PM2.5) reduced over the lifetime of the affected buses | Reporting in FY 2024   |
| Number of tons of carbon dioxide (CO2) reduced over the lifetime of the affected buses       | Reporting in FY 2024   |

### **Civil and Criminal Enforcement**

EPA’s Civil and Criminal Enforcement Program ensures compliance with environmental requirements. When warranted, EPA may take civil or criminal enforcement to ensure compliance with environmental laws. EPA allocated a total of \$5.13 million to support civil and criminal enforcement.

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| Number of air and drinking water inspections in or near overburdened and underserved communities | Reporting in FY 2024   |
| Number of views of environmental crime victim outreach ads on social media                       | 17,129,834             |

### **Brownfields**

EPA’s Technical Assistance to Brownfields (TAB) Program—authorized under section 104(k)(7)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(7)(A))—helps communities and other stakeholders to understand the risks and challenges posed by brownfield sites and to learn how to safely assess, clean up, revitalize, and reuse brownfields properties. TAB grant recipients (also known as TAB providers) serve as an independent resource and can provide expert technical assistance and guidance to help communities. EPA allocated \$5 million to fund TAB cooperative agreements for organizations serving as technical assistance providers for activities targeted towards underserved communities.

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| Number of new communities receiving technical assistance | 543                    |
| Number of communities receiving technical assistance     | 1,370                  |

### **Children's Health**

EPA works to protect children from environmental exposures by consistently and explicitly considering early life exposures and lifelong health in all human health decisions. Children who live in pollution-overburdened or underserved communities may have reduced biological resilience and ability to recover from exposure to environmental hazards (see: <https://www.epa.gov/system/files/documents/2021-10/2021-policy-on-childrens-health.pdf>). EPA allocated \$4.85 million to fund children’s health programs.

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| Pediatric Environmental Health Specialty Units (PEHSUs): Number of underserved communities trained | 362                    |
| PEHSUs: Number of community outreach activities  | 159                    |
| PEHSUs: Number of health and public health providers trained (in                                   | 1,258                  |

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| environmental medicine)  |                        |
| Children’s Healthy Learning: Number of cooperative agreements awarded                                      | 10                     |
| Children’s Healthy Learning: Number of children served by projects conducted under a cooperative agreement | Reporting in FY 2024   |

### **Drinking Water**

EPA’s drinking water initiatives in rural and tribal areas ensure that assistance is provided to communities through specific regional projects. A total of \$4.7 million was allocated to fund 13 technical assistance programs to improve drinking water and compliance monitoring in urban, rural, and tribal areas.

| <b>Measures</b>  | <b>Results to date</b> |
|--|------------------------|
| Number of drinking water systems supported that serve overburdened and underserved communities | 391                    |
| Number of tribal drinking water systems supported  | 242                    |

### **Community Technical Assistance**

EPA’s community technical assistance efforts support community-driven solutions to collaboratively build community capacity to address air and drinking water issues in underserved communities. A total of \$2.15 million was allocated for this work.

| <b>Measures</b>                          | <b>Results to date</b> |
|--|------------------------|
| Number of underserved communities served | 70                     |
| Number of partnerships supported         | 116                    |

### **Tribal Engagement (Public Participation)**

EPA supports federally recognized tribal governments to establish or modify public participation programs where fair treatment and meaningful participation priorities have been affected by the COVID-19 pandemic. EPA allocated \$1.6 million to support tribal public participation efforts. After receiving six eligible applications totaling \$500 thousand in awards, EPA allocated and used the remaining funds to support three competitive grant awards for enhanced air quality monitoring for tribes.

| <b>Measures</b>   | <b>Results to date</b> |
|---|------------------------|
| Number of communities engaged by supported public participation programs                                | 21                     |
| Number of public participation processes (a) developed and/or (b) modified by supported tribal programs | 3                      |

### **Direct Awards for Continuous Monitoring of PM 2.5 and other Common Air Pollutants**

Of the \$100 million in ARP funding, \$50 million was allocated to improve ambient air quality monitoring for communities across the United States and to address adverse and disproportionate health outcomes from pollution and the COVID-19 pandemic. Of that \$50 million, \$22.5 million was given in direct awards to air agencies for continuous monitoring of fine particles and the five

other criteria pollutants covered by the National Ambient Air Quality Standards under the Clean Air Act.

| <b>Measures</b>                  | <b>Results to date</b> |
|----------------------------------|------------------------|
| Number of grant projects awarded | 126                    |

### **Grant Competition for Community Air Monitoring**

Of the \$100 million in ARP funding, \$50 million was allocated to improve ambient air quality monitoring for communities across the United States and to address adverse and disproportionate health outcomes from pollution and the COVID-19 pandemic. Of that \$50 million, \$20 million was awarded through a grant competition seeking proposals from community groups; state, tribal and local government air agencies; and other eligible entities.

| <b>Measures</b>                              | <b>Results to date</b> |
|--|------------------------|
| Number of competitive grant projects awarded | 52                     |

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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## **Environmental Protection Agency Acronyms for Statutory Authority**

The following is not an exhaustive list of [U.S.] statutory authorities but includes those commonly referred to by acronym in this document.

**ACE:** Air, Climate, and Energy

**ADA:** Americans with Disabilities Act

**ADEA:** Age Discrimination in Employment Act

**AEA:** Atomic Energy Act, as amended, and Reorganization Plan #3

**AHERA:** Asbestos Hazard Emergency Response Act

**AHPA:** Archaeological and Historic Preservation Act

**AIM:** American Innovation and Manufacturing Act of 2019

**ANCSA:** Alaska Native Claims Settlement Act

**APA:** Administrative Procedures Act

**ARP:** American Rescue Plan

**ARRA:** American Recovery and Reinvestment Act

**ASHAA:** Asbestos in Schools Hazard Abatement Act

**ASTCA:** Antarctic Science, Tourism, and Conservation Act

**AWIA:** America's Water Infrastructure Act of 2018

**BEACH Act of 2000:** Beaches Environmental Assessment and Coastal Health Act

**BRERA:** Brownfields Revitalization and Environmental Restoration Act

**BUILD Act:** Brownfields Utilization, Investment, and Local Development Act

**CAA:** Clean Air Act

**CAAA:** Clean Air Act Amendments (1970 and 1990)

**CARES:** Coronavirus Aid, Relief, and Economic Security Act

**CCA:** Clinger Cohen Act

**CERCLA:** Comprehensive Environmental Response, Compensation, and Liability Act (1980)

**CFOA:** Chief Financial Officers Act

**CICA:** Competition in Contracting Act

**CRA:** Civil Rights Act

**CSA:** Computer Security Act

**CWA:** Clean Water Act (1972)



**CWPPR:** Coastal Wetlands Planning, Protection, and Restoration Act of 1990  
**CZARA:** Coastal Zone Act Reauthorization Amendments  
**CZMA:** Coastal Zone Management Act  
**DERA:** Diesel Emissions Reduction Act  
**DPA:** Deepwater Ports Act  
**DREAA:** Disaster Relief and Emergency Assistance Act  
**DWWIA:** Drinking Water and Wastewater Infrastructure Act of 2021  
**ECRA:** Economic Cleanup Responsibility Act  
**EFOIA:** Electronic Freedom of Information Act  
**EISA:** Energy Independence and Security Act of 2007  
**EO:** Executive Order  
**EPAct:** Energy Policy Act of 2005  
**EPAA:** Environmental Programs Assistance Act  
**EPCA:** Energy Policy and Conservation Act  
**EPCRA:** Emergency Planning and Community Right to Know Act (1986)  
**ERDDAA:** Environmental Research, Development and Demonstration Authorization Act  
**ESA:** Endangered Species Act  
**ESECA:** Energy Supply and Environmental Coordination Act  
**FACA:** Federal Advisory Committee Act  
**FAIR:** Federal Activities Inventory Reform Act  
**FASA:** Federal Acquisition Streamlining Act (1994)  
**FAST:** Fixing America's Service Transportation Act  
**FCMA:** Fishery Conservation and Management Act  
**FEPCA:** Federal Environmental Pesticide Control Act of 1972, enacted as amendments to FIFRA  
**FFATA:** Federal Funding Accountability and Transparency Act of 2006  
**FFDCA:** Federal Food, Drug, and Cosmetic Act  
**FFMIA:** Federal Financial Management Improvement Act of 1996  
**FGCAA:** Federal Grant and Cooperative Agreement Act  
**FIFRA:** Federal Insecticide, Fungicide, and Rodenticide Act (1972)  
**FISMA:** Federal Information Security Modernization Act  
**FITARA:** Federal Information Technology Acquisition Reform Act

**FLPMA:** Federal Land Policy and Management Act  
**FMFIA:** Federal Managers' Financial Integrity Act (1982)  
**FOIA:** Freedom of Information Act  
**FPA:** Federal Pesticide Act  
**FPAS:** Federal Property and Administration Services Act  
**FQPA:** Food Quality Protection Act (1996)  
**FRA:** Federal Register Act  
**FSA:** Food Security Act  
**FSMA:** Food Safety Modernization Act  
**FTTA:** Federal Technology Transfer Act  
**FUA:** Fuel Use Act  
**FWCA:** Fish and Wildlife Coordination Act  
**FWPCA:** Federal Water Pollution and Control Act (also known as the Clean Water Act [CWA])  
**GISRA:** Government Information Security Reform Act  
**GMRA:** Government Management Reform Act  
**GPRA:** Government Performance and Results Act (1993)  
**GPRAMA:** Government Performance and Results Modernization Act of 2010  
**HMTA:** Hazardous Materials Transportation Act  
**HSWA:** Hazardous and Solid Waste Amendments of 1984, enacted as amendments to RCRA  
**IGA:** Inspector General Act  
**IJA:** Infrastructure Investment and Jobs Act  
**IPA:** Intergovernmental Personnel Act  
**IPIA:** Improper Payments Information Act  
**IRA:** Inflation Reduction Act  
**ISTEA:** Intermodal Surface Transportation Efficiency Act  
**IT:** Information Technology  
**ITMRA:** Information Technology Management Reform Act of 1996-aka Clinger/Cohen Act  
**MCRBMA:** Mercury-Containing and Rechargeable Battery Management Act  
**MGT:** Modernizing Government Technology Act  
**MPPRCA:** Marine Plastic Pollution, Research and Control Act of 1987  
**MPRSA:** Marine Protection Research and Sanctuaries Act

**NAWCA:** North American Wetlands Conservation Act

**NEEA:** National Environmental Education Act

**NEPA:** National Environmental Policy Act

**NHPA:** National Historic Preservation Act

**NISA:** National Invasive Species Act of 1996

**ODA:** Ocean Dumping Act

**OPA:** Oil Pollution Act of 1990

**OWBPA:** Older Workers Benefit Protection Act

**PBA:** Public Building Act

**PFCRA:** Program Fraud Civil Remedies Act

**PHSA:** Public Health Service Act

**PIIA:** Payment Integrity Information Act of 2019

**PLIRRA:** Pollution Liability Insurance and Risk Retention Act

**PPA:** Pollution Prevention Act

**PR:** Privacy Act of 1974

**PRA:** Paperwork Reduction Act

**PREA:** Pesticide Registration Extension Act of 2012 (also known as PRIA 3)

**PRIA:** Pesticide Registration Improvement Act of 2003

**PRIA 4:** Pesticide Registration Improvement Extension Act of 2018

**PRIA 5:** Pesticide Registration Improvement Act of 2022

**PRIRA:** Pesticide Registration Improvement Renewal Act

**QCA:** Quiet Communities Act

**RCRA:** Resource Conservation and Recovery Act of 1976, enacted as amendments to SWDA.

**RFA:** Regulatory Flexibility Act

**RICO:** Racketeer Influenced and Corrupt Organizations Act

**RLBPHRA:** Residential Lead-Based Paint Hazard Reduction Act

**SARA:** Superfund Amendments and Reauthorization Act of 1986

**SBLRBRERA:** Small Business Liability Relief and Brownfields Revitalization and Environmental Restoration Act

**SBREFA:** Small Business Regulatory Enforcement Fairness Act of 1996

**SDWA:** Safe Drinking Water Act

**SICEA:** Steel Industry Compliance Extension Act  
**SMCRA:** Surface Mining Control and Reclamation Act  
**SOS 2.0:** Save Our Seas Act 2.0  
**SPA:** Shore Protection Act of 1988  
**SWDA:** Solid Waste Disposal Act  
**TSCA:** Toxic Substances Control Act  
**UMRA:** Unfunded Mandates Reform Act  
**UMTRLWA:** Uranium Mill Tailings Radiation Land Withdrawal Act  
**USMCA:** United States-Mexico-Canada Agreement Implementation Act  
**USTCA:** Underground Storage Tank Compliance Act  
**VIDA:** Vessel Incidental Discharge Act  
**WIFIA:** Water Infrastructure Finance and Innovation Act  
**WIIN:** Water Infrastructure Improvements for the Nation Act  
**WQA:** Water Quality Act of 1987  
**WRDA:** Water Resources Development Act  
**WSRA:** Wild and Scenic Rivers Act  
**WWWQA:** Wet Weather Water Quality Act of 2000

## Coordination With Other Federal Agencies

### Air and Radiation Programs

#### *National Ambient Air Quality Standards (NAAQS) Implementation*

EPA cooperates with other agencies to achieve goals related to ground level ozone and particulate matter (PM), and to ensure the actions of other agencies are compatible with state plans for attaining and maintaining the National Ambient Air Quality Standards (NAAQS). The Agency works closely with the U.S. Department of Agriculture (USDA), Department of the Interior (DOI), and Department of Defense (DOD) on issues such as prescribed burning at silviculture and agricultural operations. EPA, the U.S. Department of Transportation (DOT), and the U.S. Army Corps of Engineers (USACE) also work with state and local agencies to integrate transportation and air quality plans, reduce traffic congestion, and promote livable communities.

#### *Air Quality in the Agricultural Sector*

To improve EPA's understanding of environmental issues in the agricultural sector, the Agency works with USDA and others to improve air quality while supporting sustainable agriculture. The collaborative approach to the agriculture sector includes scientific assessment, outreach and education, and implementation/compliance.

#### *Regional Haze*

EPA works with the National Park Service (NPS), and U.S. Forest Service (USFS) and DOI in implementing its regional haze program and operating the Interagency Monitoring of Protected Visual Environments (IMPROVE) visibility monitoring network. The operation and analysis of data produced by this air monitoring system is an example of the close coordination of efforts between EPA and state and tribal governments.

#### *Air Quality Assessment, Modeling, and Forecasting*

For pollution assessments and transport, EPA works with the National Aeronautics and Space Administration (NASA) on technology transfer using satellite imagery. EPA further distributes NASA satellite products and National Oceanographic and Atmospheric Administration (NOAA) air quality forecast products to states, local agencies, and tribes to provide a better understanding of daily air quality and to assist with air quality forecasting. EPA also works with the Department of the Army on advancing emission measurement technology and with NOAA for meteorological support for our modeling and monitoring efforts. EPA collects real-time ozone and PM measurements from state and local agencies, which are used by both NOAA and EPA to improve and verify Air Quality Forecast models.

EPA's *AirNow* Program (the national real-time Air Quality Index reporting and forecasting system) works with the National Weather Service (NWS) to coordinate NOAA air quality forecast guidance with state and local agencies for air quality forecasting efforts and to render the NOAA model output in EPA's Air Quality Index (AQI), which helps people determine appropriate air quality protective behaviors. In wildfire situations, EPA and USFS work closely with states to deploy monitors and report monitoring information and other conditions on *AirNow*. The *AirNow* Program also collaborates with NPS and USFS in collecting air quality monitoring observations,

in addition to over 130 state, local, and tribal air agency observations, and with NASA in a project to incorporate satellite data with air quality observations.

EPA, USDA, and DOI established a collaborative framework to address issues pertaining to wildland fire and air quality. The agreement recognizes the key roles of each agency, as well as opportunities for collaboration. For example, the partnership explains that the agencies seek to reduce the impact of emissions from wildfires, especially catastrophic wildfires, and the impact of those emissions on air quality as well as highlighting opportunities for information sharing and collaboration.

### *Mobile Sources*

EPA works with DOT's National Highway Traffic Safety Administration (NHTSA) on the coordinated national program establishing standards to improve fuel efficiency for light-duty and heavy-duty vehicles. Specifically, EPA, in coordination with DOT's fuel economy and fuel consumption standards programs, implements vehicle and commercial truck greenhouse gas standards.

To address criteria pollutant emissions from marine and aircraft sources, EPA works collaboratively with the International Maritime Organization (IMO) and International Civil Aviation Organization (ICAO), as well as with other federal agencies, such as the U.S. Coast Guard (USCG) and the Federal Aviation Administration (FAA). EPA also collaborates with the USCG in the implementation of Emission Control Area (ECA) around the U.S., and with Mexico and Canada in the North American Commission for Environmental Cooperation (CEC) to evaluate the benefits of establishing a Mexican ECA.

To better understand the sources and causes of mobile source pollution, EPA works with the Department of Energy (DOE) and DOT to fund applied research projects including transportation modeling projects. EPA also works closely with DOE on refinery cost modeling analyses to support clean fuel programs, evaluation of petitions for small refinery hardship exemptions under the Renewable Fuel Standards (RFS) Program, and coordination regarding fuel supply during emergency situations.

For mobile sources program outreach, the Agency participates in a collaborative effort with DOT's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), and the Centers for Disease Control and Prevention (CDC) to educate the public and communities about the impacts of transportation choices on traffic congestion, air quality, climate change, and human health. These partnerships can involve policy assessments and toxic emission reduction strategies in different regions of the country. EPA works with DOE, DOT, and other agencies, as needed, on the requirements of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, such as the Renewable Fuel Standard. EPA also has worked with other agencies on biofuel topics through the Biomass Research and Development Institute.

To develop air pollutant emission factors and emission estimation algorithms for military aircraft, ground equipment, and vehicles, EPA partners with the DOD. This partnership provides for the joint undertaking of air-monitoring/emission factor research and regulatory implementation.

### *Air Toxics*

EPA works closely with other health agencies such as the CDC, National Institute of Environmental Health Sciences (NIEHS), and National Institute for Occupational Safety and Health (NIOSH) on health risk characterization for both toxic and criteria air pollutants. The Agency also contributes air quality data to CDC's Environmental Public Health Tracking Program, which is made publicly available and used by various public health agencies.

### *Addressing Transboundary Air Pollution*

In developing regional and international air quality projects, and in working on regional agreements, EPA works with the Department of State (DOS), NOAA, NASA, DOE, USDA, U.S. Agency for International Development (USAID), and the Office of Management and Budget (OMB), and with regional organizations. In addition, EPA has partnered with other organizations and countries worldwide, including the United Nations Environment Programme (UNEP), the European Union (EU), the Organization for Economic Cooperation and Development (OECD), the United Nations Economic Commission for Europe (UNECE), CEC, Canada, Mexico, China, and Japan. EPA also partners with environment and public health officials and provides technical assistance through UNEP to facilitate the development of air quality management strategies to other major emitters and/or to key regional or sub-regional groupings of countries.

### *Stratospheric Ozone*

EPA works closely with DOS and other federal agencies in international negotiations among Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, with the goal of protecting the ozone layer and through managing ozone depleting substances (ODS) it controls. EPA also supports several multilateral environmental agreements to simultaneously protect the ozone layer and climate system working closely with the DOS and other federal agencies, including but not limited to the Office of Science Technology and Policy (OSTP), Council on Environmental Quality (CEQ), Department of Commerce (DOC), OMB, USDA NOAA, and NASA.

EPA works with other agencies, including the Office of the United States Trade Representative (USTR) and DOC, to analyze potential trade implications in stratospheric protection regulations that affect imports and exports. EPA has coordinated efforts with the Department of Justice (DOJ), Department of Homeland Security (DHS), Department of Treasury (U.S. Treasury), and other agencies to curb the illegal importation of ODS.

### *Indoor Air and Radon*

EPA works closely with U.S. Department of Health and Human Services (HHS), DOE, the U.S. Department of Housing and Urban Development (HUD), and the National Institute of Standards and Technology (NIST) to reduce risks from poor air quality in homes and schools. EPA also partners with the U.S. Department of Education (ED) to provide guidance and technical assistance to improve school environments through indoor air quality (IAQ) improvements. EPA, CDC, and HUD have leadership roles in the public-private strategic partnership to advance radon risk reduction (National Radon Action Plan). EPA co-leads the Federal Asthma Disparities Work Group under the President's Task Force and leads the Federal Interagency Committee on Indoor

Air Quality—these two coordinating bodies serve to increase communication, coordination, and collaboration across the federal family to address IAQ risk reduction.

#### *Radiation and Radiation Preparedness and Response*

EPA works primarily with the Nuclear Regulatory Commission (NRC), DOE, and DHS on multiple radiation-related issues. EPA has ongoing planning and guidance discussions with DHS on emergency response activities, including exercises responding to nuclear related incidents. As the regulator of DOE's Waste Isolation Pilot Plant (WIPP), EPA is charged with coordinating with DOE to ensure the facility is operating in compliance with EPA regulations. EPA is a member of the Interagency Radiation Source Protection and Security Task Force, established in the Energy Policy Act, to improve the security of domestic radioactive sources. EPA also is a working member of the interagency Nuclear Government Coordinating Council (NGCC), which coordinates across government and the private sector on issues related to security, communications, and emergency management within the nuclear sector. EPA is a charter member of the Interagency Nuclear Safety Review Board which was established to review the nuclear safety analysis for launching space nuclear systems. EPA works with DOD, DOE, NASA, NRC, DOS, and DOT to coordinate the safety review and launch emergency response plans for commercial and non-commercial launches of space nuclear systems.

For emergency preparedness, EPA coordinates with other federal agencies through the Federal Radiological Preparedness Coordinating Committee and the Advisory Team for Environment, Food and Health which provides federal scientific advice and recommendations to state and local decision makers, such as governors and mayors, during a radiological emergency. EPA participates in planning and implementing exercises including radiological anti-terrorism activities with the HHS, NRC, DOE, DOD, and DHS.

EPA is a charter member and co-chairs the Interagency Steering Committee on Radiation Standards (ISCORS), which was created at the direction of Congress. Through its activities, member agencies are kept informed of cross-cutting issues related to radiation protection, radioactive waste management, and emergency preparedness and response. ISCORS also helps coordinate U.S. responses to radiation-related issues internationally.

During radiological emergencies, EPA works with expert members of the International Atomic Energy Agency (IAEA). EPA also works with OECD's Nuclear Energy Agency (NEA) on two committees: the Radioactive Waste Management Committee (RWMC) and the Committee on Radiation Protection and Public Health (CRPPH). Through participation on the CRPPH, EPA is successful in bringing U.S. perspectives to international radiation protection policy.

#### *Climate Change*

To carry out a diverse range of regulatory and partnership programs to help tackle the climate crisis, EPA works with several federal agencies, including the Department of HUD, Federal Energy Regulatory Commission (FERC), DOE, NASA, USDA, DOS, USAID, DOI, and DOT.

Climate protection partnership programs, government-wide, stimulate the development and use of renewable energy technologies, energy efficient products, and other strategies that will help reduce



greenhouse gas (GHG) emissions. This effort is led by EPA and DOE with significant involvement from the USDA, HUD, and the National Institute of Standards and Technology (NIST).

The Global Methane Initiative (GMI) is a U.S.-led, international public-private partnership that brings together over 40 partner governments and over 1,000 public and private sector organizations to advance methane recovery and use methane as a clean energy source. EPA works with DOS on the GMI, building on the success of EPA's domestic methane programs and focusing on advancing methane reductions from agriculture, coal mines, landfills, oil and gas systems, and municipal wastewater.

EPA also will support DOS as the technical lead in developing projections and compiling information on GHG mitigation policies and measures as part of the upcoming U.S. Biennial Report and National Communication as required by the U.N. Framework Convention on Climate Change. EPA will support the State Department and National Science Foundation with applying applicable goals and GHG mitigation policies in the review of environmental evaluations for non-Governmental activities in Antarctica consistent with Antarctica Treaty Commission commitments.

EPA also is working with NASA to study and prototype capabilities for a greenhouse gas monitoring and information system that will integrate data from a variety of sources with a goal of making data more accessible and usable to federal, state, and local governments, researchers, the public, and other users.

#### *Research Supporting the Air and Radiation Program*

EPA continues to coordinate with other agencies, such as the National Institutes of Health (NIH), HHS, CDC, NOAA, DOE, USDA, and USFS to develop effective and sustainable approaches to manage air pollution and climate change risks.

#### *ENERGY STAR*

In 2009, EPA and DOE signed a Memorandum of Understanding (MOU) that redefined roles and responsibilities to address implementation challenges and capitalize on the strengths of each agency. Prior to 2009, both EPA and DOE were implementing the Program for different products, resulting in inconsistent approaches, duplicative efforts, and market confusion. The 2009 Memorandum of Understanding was designed to solve such problems raised by industry stakeholders. EPA is the ENERGY STAR brand manager and is accountable for maintaining the integrity of the label. For ENERGY STAR products, EPA is responsible for setting product performance levels, educating consumers and businesses, and supporting the efforts of manufacturers, retailers, and utilities. EPA also oversees third-party certification and verification testing. EPA also is responsible for the ENERGY STAR Residential New Construction, Commercial, and Industrial programs, including ENERGY STAR Portfolio Manager.

For ENERGY STAR products, DOE develops test procedures for ENERGY STAR products and contributes to verification testing of appliances and equipment. DOE sets minimum, mandatory energy efficiency standards for some products through a regulatory process. EPA and DOE work closely to share data and analyses, synchronize timing, and coordinate requests to industry in the

development of both the voluntary ENERGY STAR specifications and the DOE minimum efficiency standards. DOE also is responsible for implementing Home Performance with ENERGY STAR.

## **Water Programs**

### *Collaboration with Public and Private Partners on Water Infrastructure Preparedness, Response and Recovery*

EPA coordinates with other federal agencies, primarily DHS, CDC, FDA, and DOD, on biological, chemical, and radiological contaminants of high concern, and how to detect and respond to their presence in drinking water and wastewater systems. EPA works with the Federal Bureau of Investigation (FBI) and DHS, particularly with respect to ensuring the timely dissemination of threat information through existing communication networks. Additionally, throughout the pandemic, EPA worked with DHS and other federal agencies to coordinate aspects of information sharing, disseminate personal protective equipment, address shortages of treatment chemicals, provide for equipment and qualified water system operators, and recognize water system operators and associated contract personnel as critical workers.

EPA works with USACE and the Federal Emergency Management Agency (FEMA) to refine coordination processes among federal partners engaged in providing emergency response support to the water sector, including maintaining clear roles and responsibilities under the National Disaster Recovery Framework. In addition, EPA continues to work with FEMA, USACE, and other agencies, on the Federal Interagency Floodplain Management Task Force regarding water resources and floodplain management.

As the Agency in charge of water sector security, EPA works with DHS Cyber and Infrastructure Security Agency (CISA) and other government agencies on the Industrial Control System (ICS) working group to develop an ICS interagency Strategy and Implementation Plan. EPA also collaborates with CISA on various working groups and cybersecurity issues such as roles and responsibilities, ICS supply chain, cyber workforce, cybersecurity standards, and cyber response.

### *Drinking Water Programs*

EPA and the U.S. Geological Survey (USGS) established an Interagency Agreement to coordinate activities and information exchange in the areas of unregulated contaminants occurrence, the environmental relationships affecting contaminant occurrence, protection area delineation methodology, and analytical methods. This effort improves the quality of information to support risk management decision-making at all levels of government, generates valuable new data, and eliminates potential redundancies. EPA also collaborates with HUD, HHS, DOI and USDA to develop strategies to decrease drinking water lead exposure in homes. The partnership promotes the exchange of information, leverages funding, and reviews processes to facilitate better-informed and coordinated decisions and investments.

In addition, EPA collaborates with DHHS to better understand, characterize, and manage public health risks from Contaminants of Emerging Concern (CECs), with activities spanning from assessing CDC's waterborne disease surveillance data related to *legionella* and other biofilm-related pathogens to partnering with FDA on antibiotic resistance-related issues. EPA collaborates

with multiple federal agencies to address Per- and Polyfluoroalkyl Substances (PFAS) issues including DOD, DOE, USDA, FDA, DHHS, the NIH, the Consumer Product Safety Commission, the Small Business Administration (SBA), NASA, FAA, and the Executive Office of the President (EOP).

#### *Infrastructure Support for Tribal Water Systems*

EPA coordinates the multi-agency tribal Infrastructure Task Force (ITF), created to develop and coordinate federal activities in delivering water infrastructure, wastewater infrastructure and solid waste management services to tribal communities. The ITF is the formal mechanism for interagency coordination among EPA, DHHS's Indian Health Service (IHS), HUD, USDA, and the Bureau of Indian Affairs (BIA).

#### *Drinking Water and Wastewater Work in Indian Country*

EPA works under a five-federal agency MOU to better coordinate the federal government's efforts in providing access to safe drinking water and basic wastewater facilities for tribal communities. EPA, DOI, DHHS, USDA, and HUD work as the Federal Tribal Infrastructure Task Force (TITF) to use their combined authorities to maintain a framework to enhance interagency efficiency and coordination, and to cultivate greater cooperation in carrying out their tribal infrastructure responsibilities. Since 2007, the TITF has: maintained procedures necessary for a common understanding of the programs pertaining to funding infrastructure construction, solid waste management efforts, and technical assistance to tribes; worked together to improve the capacity of tribal communities to operate and maintain sustainable infrastructure; enhanced the efficient leveraging of funds; worked directly with tribes to promote an understanding of federal programs; identified ways to improve construction, operation, and maintenance of sustainable infrastructure; and worked to allow and facilitate the exchange of data and information amongst partners.<sup>1</sup>

#### *Sustainable Rural Drinking and Wastewater Systems*

EPA and USDA work together to increase the sustainability of rural drinking water and wastewater systems to ensure the protection of public health, water quality, and sustainable communities. The two agencies facilitate coordinated funding for infrastructure projects that aid in the compliance of national drinking water and clean water regulations.

#### *National Water Sector Workforce Development*

EPA and the Departments of Education, Interior, Agriculture, and Veterans Affairs (VA) are building on existing collaborations, exploring new opportunities and actions, and identifying potential additional federal programs and partners to support the Nation's water sector professionals.

#### *Coordination with Department of Defense on Analytical Methods for Detecting PFAS*

EPA's Clean Water Act (CWA) analytical methods program is collaborating with DOD on their efforts to develop an analytical method for detecting certain PFAS compounds in wastewater.

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<sup>1</sup> For additional information, please visit: <https://www.epa.gov/tribal/federal-infrastructure-task-force-improve-access-safe-drinking-water-and-basic-sanitation>.

### *Carbon Capture, Utilization, and Storage (CCUS)*

EPA participates in quarterly and ad hoc meetings with the Internal Revenue Service (IRS), DOE, DOI, DOT, and DOJ to share information on carbon capture and storage developments. In addition, EPA serves as a liaison to DOE's National Risk Assessment Partnership to advance its work in developing tools to improve collective understanding of risk at CO<sub>2</sub> storage projects and inform science and risk-based decision-making at geologic sequestration projects; and to explore opportunities to integrate the partnership work into EPA's Class VI permitting process. EPA also will collaborate with DOE and CEQ on several reports and other initiatives related to carbon sequestration requested by Congress, including developing a report on UIC Class VI permitting. Through the CAA §309 review program, EPA is collaborating with DOE and other agencies as needed to assist with identifying potential impacts and ways to avoid and minimize those impacts from CO<sub>2</sub> storage projects.

### *Research to Support Water Programs*

Other federal and non-federal entities conduct research that complements EPA's research on priority contaminants in drinking water. Cooperative research efforts have been ongoing with the American Water Works Association, Water Research Foundation, and other stakeholders to coordinate drinking water research where the private sector is conducting research in areas such as analytical methods, treatment technologies, and the development and maintenance of water resources. EPA also has worked with the USGS to evaluate performance of newly developed methods for measuring microbes in potential drinking water sources.

Interagency coordination in research also is occurring in developing sediment criteria. Here, EPA has joint research initiatives with NOAA and USGS for linking monitoring data and field study information with available toxicity data and assessment models for developing sediment criteria.

EPA also conducts studies with the USGS to monitor the occurrence of contaminants of emerging concern (CECs). Research efforts to monitor the effects of chemical mixtures continue, increasing our understanding of wastewater effluent impacts to human and aquatic health and prioritizing future research on developing solutions for the removal of CECs in wastewater treatment operations.

### *Source Water Collaborative*

EPA participates in the Source Water Collaborative along with USDA (NRCS, Farm Service Agency (FSA), USFS), USGS, and 25 other national organizations. The goal of the collaborative is to protect sources of drinking water by combining the strengths and tools of its member organizations. EPA provides funding to support these efforts.

### *Source Water Protection and Harmful Algal Blooms (HABs)*

To combat HABs and hypoxia, the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014 (HABHRCA) supports the scientific understanding and the ability to detect, predict, control, mitigate, and respond to HABs and hypoxia. This legislation established the Interagency Working Group (IWG) on HABHRCA (IWG-HABHRCA). It tasked the group with coordinating and convening federal agencies to discuss HAB and hypoxia events in the U.S., and to develop action plans, reports, and assessments of these situations. The IWG-HABHRCA is co-chaired by representatives from EPA and NOAA, and it is composed of the following member

agencies and departments: CDC, FDA, NIEHS, USACE, USGS, BOEM, NPS, FWS, NASA, USDA, DOS, and the National Science Foundation (NSF).

#### *2018 Farm Bill Source Water Protection Provisions*

EPA collaborates with the USDA Natural Resources Conservation Service (NRCS), state and utility partners to develop implementation strategies and guidance to comply with the 2018 Farm Bill provisions. These provisions dedicate at least 10 percent of total funds available for conservation programs (apart from the Conservation Reserve Program) to be used for source water protection. In addition, the Agency partners with NRCS to foster collaboration at the state and local levels to identify priority source water protection areas in each state to address agriculture-related impacts to drinking water sources. EPA also is collaborating with USFS in developing strategies to implement the 2018 Farm Bill (Title VIII, Subtitle D, Section 8404) Source Water Protection provisions requiring a “Water Source Protection Program” on National Forest Service (NFS) lands. EPA is supporting USFS by fostering partnerships with state, utilities, and other water stakeholders.

#### *National Water Quality Initiative (NWQI)*

The Agency works with the USDA Natural Resources Conservation Service (NRCS), which implements Farm Bill conservation programs that can help control nonpoint source pollution. The National Water Quality Initiative (NWQI) partnership with USDA focuses federal resources on agricultural sources of pollution in select watersheds in every state. Between FY 2017 and FY 2022, over \$43.3 million in Clean Water Act section 319 funding was invested in NWQI watersheds, which was matched by over \$52.4 million in nonfederal funding.<sup>2</sup> These conservation efforts have reduced sediment loss from cropland by >1.2 million tons, reduced phosphorous loss by >3.4 million pounds and reduced nitrogen loss by >15.2 million pounds.

#### *Gulf Hypoxia Task Force*

EPA, as the federal chair of the Gulf Hypoxia Task Force, works with member federal agencies (USDA, NOAA, USGS) and twelve member states to continue implementation of the 2008 Gulf Hypoxia Action Plan. A key goal of the Gulf Hypoxia Action Plan is to improve water quality in the Mississippi River Basin and reduce the size of the hypoxic zone in the Gulf of Mexico by implementing existing and innovative approaches to reduce nitrogen and phosphorus pollution in the Basin and the Gulf. The Hypoxia Task Force is developing basin-wide metrics, while Task Force member states are using Infrastructure Investment and Jobs Act resources to implement nutrient reduction strategies, partner with land grant universities, report on measures to track progress, and identify a need for adaptive management. State support for effective nutrient reduction in the Gulf is coordinated with other Hypoxia Task Force federal member agencies, such as the U.S. Department of Agriculture and U.S. Geological Survey, in high-priority watersheds.

#### *Coastal Nonpoint Pollution Control Program*

The Coastal Nonpoint Pollution Control Program, established by section 6217 of the Coastal Zone Act Reauthorization Amendments, addresses nonpoint source pollution problems in coastal waters. Section 6217 requires states and territories with approved Coastal Zone Management Programs to develop Coastal Nonpoint Pollution Control Programs. In its program, a state or territory describes how it will implement nonpoint source pollution controls, known as

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<sup>2</sup> Data as of February 20, 2024.

management measures. This program is administered jointly with the National Oceanic and Atmospheric Administration (NOAA).

#### *Deepwater Horizon Natural Resource Damage Assessment and Restoration*

The EPA Deepwater Horizon (DWH) Natural Resource Damage Assessment and Restoration (NRDA) Program works closely with federal (NOAA, DOI, USDA) and state (5 Gulf states) NRDA co-Trustees to evaluate, select, and implement projects to restore Gulf of Mexico natural resources injured by the DWH oil spill. This restoration effort provides the opportunity for EPA and co-Trustees to collaborate on a wide variety of issues across the Gulf that are important to the federal co-Trustees including water quality, nutrient reduction, fisheries, wetlands, marine debris, coastal resilience, monitoring, and adaptive management.

#### *The Marine Protection, Research and Sanctuaries Act (MPRSA)*

The Marine Protection, Research and Sanctuaries Act (MPRSA) regulates the disposition of any material in the ocean unless expressly excluded under MPRSA. Under the MPRSA, EPA is responsible for establishing criteria for reviewing and evaluating permit applications, as well as issuing MPRSA permits for materials other than dredged material (for example, MPRSA emergency, research, general, and special permits). This will include addressing MPRSA permitting requests for climate mitigation approaches including ocean-based carbon dioxide removal activities or ocean-based solar radiation management activities. In the United States, the primary material (in terms of volume) disposed of in the ocean is dredged material, which is sediment that is excavated or otherwise removed from our nation's waterways. The removal of sediment supports a network of coastal ports and harbors that are used for commercial, transportation, national defense and recreational purposes. Under the MPRSA, the U.S. Army Corps of Engineers (USACE) is responsible for issuing ocean dumping permits and federal project authorizations, using EPA's environmental criteria. All MPRSA permits and federal project authorizations for ocean dumping of dredged material are subject to EPA review and written concurrence. EPA and USACE together develop site management and monitoring plans for each designated ocean dredged material disposal site. In the United States, the MPRSA implements the requirements of the London Convention, where EPA collaborates with the State Department, USACE, USACE, USCG, DOE, NOAA, DOD, Navy, NASA, and DOI.

#### *Vessels*

EPA works closely under the Clean Water Act to jointly regulate vessels of the armed forces with the Department of Defense through the Department of the Navy. EPA works closely with the U.S. Coast Guard to regulate incidental discharges from commercial vessels – EPA establishes discharge standards that become effective once the Coast Guard issues implementing regulations under the Vessel Incidental Discharge Act.

#### *Urban Waters Federal Partnership*

EPA leads the Urban Waters Federal Partnership with over 15 federal partner agencies, including DOI and USDA, to support 21 Urban Waters locations. The Urban Waters Federal Partnership reconnects urban communities, particularly those that are overburdened or economically distressed, with their waterways by improving coordination among federal agencies and

collaborating with community-led revitalization efforts to improve our nation's waters and promote their economic, environmental, and social benefits.

### *Wetlands*

EPA works closely with USACE to oversee and implement the Clean Water Act section 404 permitting program. [Section 404 of the Clean Water Act](#) establishes a program to regulate the discharge of [dredged](#) or [fill](#) material into [waters of the United States](#), including wetlands. EPA develops and interprets policy, [guidance](#), and environmental criteria used in evaluating permit applications; determines scope of [geographic jurisdiction](#) and applicability of exemptions; and reviews and comments on individual permit applications. EPA also coordinates with the Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) on certain permitting actions.

### *Interagency Coastal Wetlands Workgroup*

EPA works on the Coastal Wetlands Initiative in partnership with a number of federal agencies involved in coastal wetlands conservation, including FWS, NMFS, DOT, USGS, USDA, and USACE. The goal of the Interagency Coastal Wetlands Workgroup is to reduce and reverse the trend of coastal wetland loss. The workgroup has developed a series of recommendations to address coastal wetland loss grouped under five themes: increasing the acreage of wetlands restored in coastal watersheds; reducing loss of coastal wetlands to development; reducing loss of coastal wetlands associated with silviculture in the Southeast; supporting the collection, enhancement, and dissemination of landscape-scale wetland monitoring data; and conducting targeted outreach and stakeholder engagement.

### *Coral Reef Task Force*

EPA partners with other federal agencies in support of the U.S. Coral Reef Task Force (USCRTF). The USCRTF was established in 1998 by Presidential Executive Order to lead U.S. efforts to preserve and protect coral reef ecosystems. The USCRTF includes federal agencies, states, territories, commonwealths, and Freely Associated States. The USCRTF helps build partnerships, strategies, and support for on-the-ground action to conserve coral reefs.

### *National Water Quality Monitoring Council (NWQMC)*

EPA partners with other federal agencies, states and other organizations to promote water quality monitoring. The NWQMC includes representatives from NOAA, Forest Service, NRCS, FWS, NPS and participation from USGS. A key deliverable of the NWQMC is the National Monitoring Conference. The NWQMC established a Justice, Equity, Diversity and Inclusion (JEDI) workgroup to advance inclusion of JEDI issues in programming and expand representation of Black, Indigenous, and people of color (BIPOC) and lesbian, gay, bisexual, transgender, queer, or questioning, intersex, asexual, and more (LGBTQ+) in the conference.

### *National Aquatic Resource Surveys*

EPA partners with other federal agencies, states, territories, and tribes in implementation of NARS, a national monitoring network producing statistically representative assessments on the condition of the nation's rivers and streams, lakes, wetlands, coastal estuaries, and Great Lakes nearshore waters. Federal agencies that have participated in NARS include NRCS, NPS, FS, BLM, and USGS.

### *Advice about Eating Fish and Shellfish*

FDA and EPA collaborate to issue advice regarding eating fish and shellfish that are lower in mercury and other contaminants. This advice is for those who might become pregnant, are pregnant, or are breastfeeding as well as parents and caregivers who are feeding children. It can help people make informed choices about the types of fish that are nutritious and safe to eat.

### National Water Reuse Action Plan Development and Implementation

EPA continues to lead the National Water Reuse Action Plan (WRAP) in close partnership with our Federal Partners across the full spectrum of water users. Since 2020, the effort has grown to include 157 organizations and 69 coordinated actions, with publicly available products that expand water reuse expertise and address implementation challenges. The Water Reuse Interagency Working Group, formally established under the Bipartisan Infrastructure Law with participants from more than ten federal agencies, demonstrates leadership through WRAP implementation and is celebrating its second year of coordinating and developing tools, actions and resources to advance water reuse. The Working Group will release a report to Congress in 2024 that presents key information and outcomes related to its duties and outlines anticipated future activities. Federal Partners include components of the Executive Office of the President, HHS, DHS, GSA, USAID, USDA, DOD, DOE, DOI, and the State Department.

### **Land and Emergency Management Programs**

#### *Brownfields*

EPA's Brownfields and Land Revitalization Programs partner with the NPS's River, Trails and Conservation Assistance Program to support *Groundwork USA* and individual Groundwork Trust organizations in their efforts to engage youth in brownfields redevelopment and community revitalization.

#### *Superfund Remedial Program*

The Superfund Remedial Program maintains ongoing coordination and collaboration with ATSDR, NIEHS, HUD, and USACE as well as with the Federal Mining Dialogue and the Federal Remediation Technologies Roundtable, two multi-agency consortia. Interaction with these entities enhances program implementation through activities that are mutually beneficial, such as information sharing and resource leveraging. For example, ATSDR has a statutory mandate to complete health assessments on sites listed on EPA's National Priorities List while EPA conducts site characterization and remediation. Moreover, EPA site managers work with their ATSDR counterparts to coordinate public human health messaging. For NIEHS, EPA collaborates and coordinates academic research related to contaminant toxicities, site characterization and remediation and risk communication. EPA collaborates with HUD on residential risk evaluation and mitigation, while the Agency's work with USACE spans a wide range of technical, management and acquisition support functions to implement or oversee responsible party Superfund project implementation for the remedial and removal programs. EPA's participation in the Federal Mining Dialogue has established the Agency's role in a multi-agency (*e.g.*, DOE, DOI, etc.) partnership to address abandoned hard rock mining sites on federal and mixed ownership lands. Membership in the Federal Remediation Technologies Roundtable facilitates EPA's collaboration with multiple federal entities, such as DOD, NASA, DOT, to advance the use of innovative technologies to clean up hazardous waste contamination. EPA also co-chairs with DOE



and DOD a subgroup of the PFAS Interagency Policy Committee (IPC) on PFAS cleanup and disposal. The purpose is to foster inter-agency collaboration and communication to accelerate PFAS cleanups. USDA, EPA, SBA, OMB/OIRA, DHS, DOT/FAA, OSTP and CEQ also participate in this IPC subgroup and CEQ leads the IPC group.

#### *Superfund Federal Facilities Restoration and Reuse Program*

EPA's Superfund Federal Facilities Restoration and Reuse Program coordinates with other Federal Agencies (OFAs); state, tribal, and local governments; and communities to implement its statutory responsibilities to ensure protective and efficient cleanup and reuse of federally contaminated land on the Federal Agency Hazardous Waste Compliance Docket and the NPL. Successful coordination requires strong partnerships and enhanced engagement by having regularly scheduled and ad hoc meetings that target and resolve critical programmatic issues, emphasize selection and implementation of protective cleanups, and recognize site reuse opportunities and successes. EPA has committed to early engagement with our partners that focus on issues with a problem-solving and action-oriented approach.

The Program also coordinates with national organizations that help to improve engagement such as the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), the Interstate Technology and Regulatory Council (ITRC), and the Environmental Council of the States (ECOS). ASTSWMO has a Federal Facilities Research Center Subcommittee that promotes and enhances state and territory involvement in the cleanup and reuse of contaminated federal facilities and fosters information exchange by and between states, territories, and OFAs. This includes identifying and researching emerging issues related to state and federal cleanup programs at federal facility sites, producing and disseminating resource documents and tools, and working with EPA and OFAs on a variety of federal facility issues and forums. Current topics of interest include addressing contaminants of emerging concern like PFAS; ensuring Applicable or Relevant and Appropriate Requirements (ARARs) are identified and implemented; coordination with civilian federal agencies; Performance-Based Contracting; and participating in the implementation and oversight of the Munitions Response Program. ITRC is a state-led coalition working to reduce barriers to the use of innovative air, water, waste, and remediation environmental technologies and processes. ITRC produces documents and training that broaden and deepen technical knowledge and expedite quality regulatory decision making while protecting human health and the environment. EPA, along with OFAs and industry representatives, works through ITRC in defining continuing research needs through its teams including on topics of relevance and benefit to federal facility sites, like PFAS, chemicals of emerging concern, and performance-based optimization of pump and treat systems.

Through the establishment of a national cleanup dialogue with the DOE and the states in coordination with ECOS, EPA supports special emphasis engagement for nuclear weapons sites, the largest and costliest portfolio of remaining federal facilities cleanup work. The Dialogue enhances ongoing working relationships in the cleanup of DOE Environmental Management sites and focuses on topics of mutual relevance and highest priority to ensure timely advancement of protective cleanups. The Dialogue exemplifies how collaboration can advance DOE sites and foster an understanding of challenges and successes nationally.

EPA also participates with OFAs and states on the Munitions Response Dialogue (MRD), partners with DOD research and development programs on munitions management and environmental restoration. Current MRD activities include EPA, DOD, Federal Land Management Agencies, and states updating and harmonizing previous munitions risk/hazard assessment methodologies. The MRD's goal is to achieve consensus on an updated munitions risk/hazard assessment methodology. EPA also co-chairs the Intergovernmental Data Quality Task Force (IDQTF) with DoD and DOE. The IDQTF works to ensure that environmental data are of known and documented quality and suitable for the intended use.

EPA actively participates in the Defense Environmental Restoration Program and Formerly Used Defense Sites (FUDS) forums hosted by the DOD. DOD's gathering of State and Federal regulators offers a unique opportunity to partner, share information, and facilitate more efficient and effective management of DoD's cleanup program. Recent forums focused on emerging issues, best practices, and lessons learned, as well as new policies and technology investments to maximize efficiencies and minimize the time it takes to complete cleanup at active, Base Realignment and Closure installations, and FUDS. Similar forums hosted by DOD service components provide EPA and states further opportunities for engagement, often focused on topics tailored to the unique aspects of the response programs of the Army, Navy or Air Force.

*Accelerate Work to Clean-up Contaminated Lands Under the Alaska Native Claims Settlement Act (ANCSA)*

EPA with the other federal agencies (DOI, DOD and others as needed) will use a whole-of-government approach to clean up and address lands that were contaminated when transferred under the Alaska Native Claims Settlement Act (ANCSA). Agencies will strengthen collaboration between the Federal government, the State of Alaska, Alaska Native Corporations, Tribes, and Alaska Native Organizations to improve data and transparency through the creation of a joint inventory and public facing dashboard; prioritize assessment and cleanup of contaminated sites; and initiate cleanup of sites that have not yet been addressed.

*RCRA Waste Minimization and Recycling: Supporting Sustainable Materials Management and a Circular Economy for All*

Natural resource extraction and processing make up approximately 50 percent of total GHG emissions. Under RCRA, EPA provides data, information, guidelines, tools, and technical assistance on resource conservation, recycling, and resource recovery. As part of this work, EPA focuses on increasing the conservation and recovery of municipal solid waste (e.g., plastics, aluminum, paper, food waste) and industrial waste (e.g., construction and demolition materials) to advance a circular economy. EPA is working closely with other federal agencies to implement EPA's 2021 National Recycling Strategy, the 2020 Save our Seas Act 2.0, and the 2021 Infrastructure Investment and Jobs Act (IIJA), as well as to develop, finalize and implement additional strategies on plastics, food waste and organics, critical minerals and electronics, textiles, and the built environment.

The Save our Seas Act 2.0, passed by Congress in December 2020, demonstrates bipartisan congressional support and provides EPA with authority to further act on domestic recycling and address plastic waste through new grant programs, studies, and extensive federal coordination. EPA is coordinating with DOE, several offices within the DOC (NIST, NOAA, USTR and ITA),

and USAID to implement the Save our Seas 2.0 Act, with particular emphasis on addressing the global plastic pollution challenge. In FY 2023, EPA released the *Draft National Strategy to Prevent Plastic Pollution* and anticipates implementing the final strategy in FY 2025.

EPA works collaboratively with USDA, and the U.S. Food and Drug Administration (FDA) to reduce food waste in support of the national goal of reducing food loss and waste by 50 percent by 2030. In FY 2024, EPA released the *Draft National Strategy for Reducing Food Loss and Waste and Recycling Organics* in partnership with USDA and FDA and anticipates implementing the final strategy in FY 2025. EPA also provides national estimates of food waste generation and management and convenes, educates, and supports communities seeking to reduce food waste.

The IJJA was enacted on November 15, 2021. The IJJA provides funding for the Waste Infrastructure for Recycling (SWIFR) grant program grants under section 302(a) of the Save Our Seas 2.0 Act as well as education and outreach grants focused on improving material recycling, recovery, management. The IJJA also establishes new programs focused on battery recycling and directs EPA to develop a model recycling program toolkit, increase coordination on federal procurement guidelines, and provide assistance to the educational community to incorporate recycling best practices into school curriculum. EPA coordinates closely with DOE on the development of battery recycling best practices and the voluntary labeling program, as DOE also received significant new IJJA funding to advance battery recycling.

#### *Resource Conservation and Recovery Act (RCRA) and Toxic Substances Control Act (TSCA) Polychlorinated Biphenyl (PCB) Programs*

The RCRA Corrective Action Program coordinates closely with OFAs, primarily DOD and DOE, which have many corrective action sites. A top agency priority is to help federal facilities meet the Program's goals of investigating and cleaning up hazardous releases. EPA also coordinates with other agencies on cleanup and disposal issues posed by PCBs under the authority of the Toxic Substances Control Act (TSCA).

#### *Emergency Preparedness and Response*

EPA plays a major role in reducing the risks that accidental and intentional releases of harmful substances and oil discharges pose to human health and the environment. EPA's leadership in federal preparedness begins with co-chairing the National Response Team (NRT) and the 13 Regional Response Teams (RRTs) with the USCG. These teams, which have member participation from 15 total federal agencies (EPA, USCG, DOS, DOD, DHS/FEMA, DOE, USDA, DHHS (including CDC, NIOSH, and ATSDR), DOI, DOC, DOT, U.S. Nuclear Regulatory Commission, U.S. General Services Administration (GSA), DOJ, and the U.S. Department of Labor [DOL] [including OSHA]), provide guidance and deliver federal assistance to state, local, and tribal governments to plan for and respond to natural disasters, acts of terrorism, and other major environmental incidents. This requires coordination with many federal, state, and local agencies. The Agency participates with other federal agencies to develop national planning and implementation policies at the operational level.

The National Response Framework (NRF), under the direction of DHS, provides for the delivery of federal assistance to states to help them deal with the consequences of terrorist events, acts of malfeasance, as well as natural and other significant disasters. EPA maintains the lead

responsibility for the NRF's Emergency Support Function #10 (covering inland hazardous materials and petroleum releases) and participates in the Federal Emergency Support Function Leaders Group which addresses NRF planning and implementation at the operational level.

EPA supports the Weapons of Mass Destruction Strategic Group (WMDSG) crisis-action team intended to coordinate the United States Government's efforts to successfully resolve a WMD threat and support interagency senior leader decision making. The WMDSG is comprised of over 50 SMEs representing over 15 different departments and agencies. The WMDSG is on call 24/7/365 to respond to the FBI's Strategic Information and Operations Center (SIOC) within two hours. The WMDSG – led by the FBI – provides enhanced coordination by focusing on information sharing and operation synchronization. The WMDSG helps maintain situational awareness by working directly with FBI Counterterrorism Division (CTD) regarding investigative activities, and the National Assets Command Post (NACP) regarding crisis operations.

EPA participates as a member of the FEMA Domestic Emergency Support Team (DEST) which, during a Weapon of Mass Destruction (WMD) incident or credible threat, serves to provide expert advice, guidance, and support to the Federal Bureau of Investigation (FBI) Assistant Director in Charge (ADIC) or Special Agent in Charge (SAC). The Consequence Management Coordination Unit (CMCU) is a national level incident support element responsible for strategic consequence management decision support to the FEMA Administrator, the FBI WMDSG, and provides support to the DEST.

The National Biodefense Strategy (NBS) provides a single coordinated effort to orchestrate the full range of activity that is carried out across the United States Government to protect the American people from biological threats. The National Security Presidential Memorandum (NSPM)-14 strategy explains how the United States Government will manage its activities more effectively to assess, prevent, detect, prepare for, respond to, and recover from biological threats by coordinating its biodefense efforts with those of international partners, industry, academia, non-governmental entities, and the private sector. The Biodefense Steering Committee, chaired by the Secretary of Health and Human Services, and comprising the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Agriculture, the Secretary of Veterans Affairs, the Secretary of Homeland Security, and the Administrator of the Environmental Protection Agency, will be responsible for overseeing and coordinating the execution of the strategy and its implementation plan, and ensuring federal coordination with domestic and international government and non-governmental partners. EPA regularly works with the Biodefense Steering Committee to address questions from the White House Security Council.

EPA supports the DHS Science and Technology Directorate through Interagency Agreements to conduct bench-scale research and full-scale field studies to improve the nation's ability to respond to and recover from terrorist incidents. These multi-year, interagency efforts include critical efforts to improve consequence management of wide-area biological events, chemical warfare agent attacks, and radiological incidents.

EPA continues to provide critical assets and expertise as members of DHS's nuclear incident response team (NIRT). EPA maintains mission capable systems and personnel trained to respond to a nuclear incident. EPA coordinates and collaborates with the DOE as part of NIRT. EPA and

DOE participate in joint exercises and data exchanges to ensure our national programs provide equivalent capabilities during response activities.

EPA continuously monitors DOD investments and technological developments as they mature from basic research through advanced manufacturing for potential transition to civilian applications and reducing or eliminating duplication of efforts. Through the DOD- sponsored multi-agency aligned irregular warfare support directorate program, EPA submits and reviews partner agency requirements to identify synergistic efforts throughout all of government. EPA is providing DOD organizations laboratory sampling capacity for chemical warfare demilitarization operations at army depots. EPA can mobilize units to these army depots and perform Chemical Agent Standard Analytical Reference Material (CASARM) Quality Assurance Plan compliant analytical services, which illustrates the strong partnership and alignment with the organizations.

#### *Chemical Accident Prevention and Response*

Under CAA Section 112(r), EPA administers the Risk Management Program (RMP) regulations designed to prevent and respond to chemical accidents at fixed facilities that use or store more than a threshold quantity (TQ) of listed highly toxic or flammable substances in a process. In administering these regulations, EPA collaborates closely with other federal agencies, including DOL, DOT, DHS, and others. An important nexus for this collaboration is the National Working Group on Chemical Safety and Security, which includes participation by EPA, DOL/OSHA, DHS, DOT, and BATF. The Working Group was initially formed as a result of Executive Order 13650 – Improving Chemical Facility Safety and Security – which tasked federal agencies with various actions to further improve chemical facility safety and security in coordination with facility owners and operators. Through the Working Group, EPA works with federal agency partners to share information, develop fact sheets and guidance, and coordinate regulatory and policy actions relating to chemical safety and security. EPA also conducts additional regular coordination with DOL and OSHA, which administer the OSHA Process Safety Management standard, a regulation that shares common provisions with EPA’s RMP regulations.

Under the Emergency Planning and Community Right-to-Know Act, EPA administers regulations that establish the list of extremely hazardous substances for community emergency response planning, as well as regulations that establish chemical inventory and release reporting requirements. In administering these regulations, EPA works closely with DOT, DHS, FEMA, and other agencies that are involved in planning for chemical emergencies. For example, EPA collaborates with the National Oceanic and Atmospheric Administration (NOAA) to develop the Computer Aided Management of Emergency Operations (CAMEO) software suite and Tier II Submit software, which provide free computer software tools to help fire departments, local emergency agencies and other stakeholders manage chemical inventory information and develop and implement emergency response plans.

#### *Oil and Chemical Spills*

EPA is responsible for maintaining the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which sets out the federal government’s blueprint for responding to oil and hazardous substance spills. More specifically, the NCP details federal responsibilities and procedures for preparing for and responding to discharges of oil or releases of hazardous substances, pollutants, or contaminants in inland and coastal zones of the U.S. EPA is authorized

to amend the NCP in consultation with other federal agencies. Under the NCP, EPA serves as the pre-designated On-Scene Coordinator for oil discharges and hazardous substance releases in the inland zone. As part of its responsibilities, EPA also maintains a list—called the Product Schedule—of dispersants and other chemical and bioremediation products that may be authorized for use during an oil spill.

EPA helps agencies such as FWS and the USCG and works in coordination to address oil discharges nationwide. EPA also assists agencies with judicial referrals when enforcement of violations becomes necessary. In addition, EPA and the USCG work in coordination to address oil spills nationwide. Under the authorities provided by the Federal Water Pollution Control Act (FWPCA) or Clean Water Act (CWA), EPA develops oil discharge response, prevention, and preparedness regulations. EPA also provides compliance monitoring activities to enforce these regulations and coordinates with USCG, DOT, and BSEE in their implementation.

EPA serves as member of the Interagency Coordinating Committee on Oil Pollution Research (ICCOPR) established under the Oil Pollution Act of 1990. ICCOPR coordinates a comprehensive program of oil pollution research, technology development, and demonstration among federal agencies in cooperation and coordination with external entities, such as industry, universities, research institutions, state governments, and other nations, as appropriate. Comprised of 16 federal agencies, ICCOPR is chaired by USCG, with EPA having served in a rotating Vice Chair capacity. ICCOPR develops priorities for oil spill research across the federal government on a 6-year cycle and prepares biennial reports to Congress on research activities and key interagency committee activities.

#### *Strengthen Human Health and Environmental Protection in Indian Country*

EPA, DOI, DHHS, USDA, and HUD work through several MOUs as partners to improve infrastructure on tribal lands. All five federal partners have committed to continue federal coordination in delivering services to tribal communities. The Infrastructure Task Force has built on prior partner successes, including improved access to funding and reduced administrative burden for tribal communities through the review and streamlining of agency policies, regulations, and directives as well as improved coordination of technical assistance to water service providers and solid waste managers through regular coordination meetings and web-based tools.

#### *Homeland Security*

EPA's Homeland Security, Preparedness and Response Program continues to develop and maintain agency assets and capabilities to respond to and support nationally significant incidents with emphasis on those involving chemical warfare agents. The Program implements a broad range of activities for a variety of internal and multi-agency efforts consistent with the NRF and the Homeland Security Presidential Directives that EPA leads or supports. This includes being the lead analytical agency for environmental sampling during a CWA incident. EPA also coordinates its preparedness activities with DHS, FEMA, FBI, and other federal, state, and local agencies.

#### *Research to Support Homeland Security*

EPA collaborates with numerous agencies on Homeland Security research to leverage funding across multiple programs and produce synergistic results. EPA's Homeland Security Research Program and OLEM work with DHS provide science-based information and options to support

decisions made in its role as a lead agency responsible for cleanup during a Stafford Act declaration under ESF-10 and as the lead agency for water infrastructure. EPA also works with the DOD and its sub-organizations in its research work related to biological and chemical warfare agents. Further, EPA participates in a tri-agency research partnership (Technical Coordination Working Group [TCWG]) with the DOD and DHS that focuses on chemical and biological defense needs and gaps. TCWG activities include information sharing; joint science and technology research projects; and complementing policies. EPA also collaborates with the CDC in conducting biological agent research.

EPA works with these aforementioned entities and others to address areas of mutual interest and concern related to both homeland security cleanup and water infrastructure protection issues. The Program conducts joint research with USDA and DOI focusing on addressing homeland security threats at the intersection of the environment/public health and agriculture/natural resources. EPA also works with DOE to access and conduct research at the DOE's National Laboratories specialized research facilities, such as to establish the Water Security Test Bed and develop analytical capabilities for biological and chemical agents in environmental matrices.

#### *Research to Support Land and Emergency Management Programs*

EPA has complementary and joint programs with DOI (e.g., USGS, BLM), DOE, HHS (e.g., NIEHS), DOA (e.g., USFS), USACE, NOAA, and many others to minimize duplication, maximize scope, and maintain a real-time information flow for land remediation, sustainable materials management, human and environmental health, and other wellbeing issues. EPA coordinates its research to support a range of environmental priorities at other federal agencies, including work with DOD in its Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program, and work with DOE and its Office of Health and Environmental Research. EPA also conducts collaborative laboratory research with DOD, DOI, and USGS to improve characterization and risk management options for dealing with subsurface contamination. Additionally, EPA works through the Environmental Research Institute of the States (ERIS) and its Interstate Technology Regulatory Council (ITRC) in defining continuing research needs through its teams on topics including PFAS, radionuclides, and brownfields. EPA leverages the leadership support provided by OSTP's National Science and Technology Council to coordinate our research and activities with other federal agencies.

### **Chemical Safety and Pollution Prevention Programs**

#### *Coordination for General Issues Relating to Chemical Safety*

EPA established an Interagency Policy Group comprised of other federal agencies with interest and expertise in chemical issues to hold periodic meetings to obtain input on significant actions such as the TSCA risk evaluations, rules, and potential existing chemical candidates for Prioritization under TSCA. The agencies on the Interagency Policy Group include: CPSC, DOD, OMB, NASA, DOL, SBA, NIH, FDA, and CDC. EPA has utilized this group to review TSCA materials including, but not limited to, documents related to the scoping of existing chemicals for risk evaluation. Additionally, EPA has initiated regular engagement with both NIOSH and OSHA to discuss occupational exposure assessments and risk management.

EPA also engages in biannual meetings with the OMNE Committee,<sup>3</sup> which includes the OSHA, Mine Safety and Health Administration (MSHA), NIOSH, and the NIEHS. The OMNE Committee exists to provide a venue for federal agencies to share information and coordinate activities regarding proposed rules, risk assessments, and risk management strategies for controlling exposure to chemicals.

Furthermore, EPA is actively engaged in multiple working groups related to the National Nanotechnology Initiative (NNI) including the US - EU Community of Researchers for Nanotechnology, the Interagency Nano-plastics group, the Nanotechnology Signature Initiative for Sensors and the Nanotechnology Environmental and Health Implications (NEHI) working group.

#### *Interagency Testing Committee*

TSCA section 4(e) created the TSCA Interagency Testing Committee (ITC) as an independent advisory committee to the Administrator of the U.S. EPA. The ITC was created to make recommendations to the EPA Administrator on prioritizing and selecting chemicals for testing or information reporting to meet the coordinated data needs of its member U.S. Government organizations. These chemicals are added to the “Priority Testing List”. The ITC meets every six months to discuss testing needs and transmits any recommended revisions to the Priority Testing List to the EPA Administrator for action and publication in the Federal Register. In addition to EPA, statutory members of the ITC include CPSC, CEQ, DOC, FDA, NIEHS, NIOSH, NSF, and OSHA. Liaison members include ATSDR, DOD, DOI and USDA.

#### *Federal Lead Action Plan*

Established by Executive Order 13045, the President’s Task Force on Environmental Health Risks and Safety Risks to Children comprises 17 federal departments and offices and is co-chaired by the Secretary of DHHS and the EPA Administrator. In December 2018, through cross-governmental collaboration, the Task Force unveiled the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts (Federal Lead Action Plan). The Federal Lead Action Plan is a blueprint for reducing lead exposure and associated harms by working with a range of stakeholders, including states, tribes, and local communities, along with businesses, property owners and parents. In 2019, EPA released the *Implementation Status Report for EPA Actions under the December 2018 Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts*<sup>4</sup> and *Progress Report on the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts*.<sup>5</sup> In FY 2025, the Agency will continue to lead those goals and actions, coordinate with federal, state, tribal and community partners to amplify the impacts, and report on activities and implementation, as appropriate.

#### *Participation in International Agreements addressing Chemicals and Pesticide Management*

To participate effectively in international agreements addressing chemicals and pesticide management (e.g., the Stockholm Convention on Persistent Organic Pollutants, the Minamata

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<sup>3</sup> The OMNE Committee is named for the first letter in each participating agency’s name.

<sup>4</sup> For additional information, please visit: [https://www.epa.gov/sites/default/files/2019-04/documents/leadimplementationbooklet\\_april2019.pdf](https://www.epa.gov/sites/default/files/2019-04/documents/leadimplementationbooklet_april2019.pdf).

<sup>5</sup> For additional information, please visit: [https://www.epa.gov/sites/default/files/2019-10/documents/lead\\_action\\_plan\\_booklet\\_v8\\_004.pdf](https://www.epa.gov/sites/default/files/2019-10/documents/lead_action_plan_booklet_v8_004.pdf).



Convention on Mercury, the Rotterdam Convention on the Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade, the Strategic Approach to International Chemicals Management, CODEX Alimentarius, and a wide range of multilateral, regional, and bilateral free trade agreements), EPA coordinates with other federal agencies, such as the Office of the U.S. Trade Representative (USTR), DOS, DOC, USDA, DOE, FDA, and DHHS on a regular basis to develop the policy views and positions of the United States.

EPA also coordinates with other parts of the U.S. Government, including the Agency for Toxic Substances and Disease Registry (ATSDR), NIH, and CPSC, on more technical international matters related to the safety and management of chemicals and pesticides. At the regional and global levels, EPA engages in bilateral cooperation and information exchange with a wide range of countries and regional organizations, such as the European Union (EU), Canada, China, Australia, Japan, Brazil, and many others.

In addition to participating in the U.S. Government trade development process, EPA also specifically engages in trilateral cooperation with Canada and Mexico through the U.S.-Mexico-Canada (USMCA) Free Trade Agreement, particularly with respect to the provisions related to agriculture, technical barriers to trade, and environment, among others. Such engagement is designed to promote further trade and regional cooperation among the three governments through targeted efforts and technical working groups. EPA is engaged within the USMCA's CEC on a project to build transparency on industrial chemical releases and transfers of waste to support increased data compatibility, digital tools for analyzing waste handling practices and identification of potential compliance issues and strategies to promote pollution prevention opportunities. More broadly, EPA is working within the USMCA's CEC on projects to identify strategies to address pollutants, especially short-lived climate pollutants, encourage nature-based solutions and other pollution prevention approaches, and support community resilience and climate adaptation strategies.

EPA has a longstanding program of cooperation with the Organisation for Economic Cooperation and Development (OECD) on various topics of mutual concern such as the development of guidance, methods, tools, and sharing of best practices in the areas of risk assessment and risk management of chemicals and pesticides. For example, EPA serves as the National Coordinator for the United States in support of the OECD Test Guidelines Program's mutual acceptance of data work, which aims to reduce the need to repeat health effects studies due to incompatible test protocols. Additionally, among others working groups and committees, EPA is engaged in the OECD Working Group on Pesticides (WGP), which shares pesticide registration work and develop tools to monitor and minimize pesticide risk to human health and the environment, and with the Chemicals and Biotechnology Committee, which oversees eleven working groups and other subsidiary bodies in the chemicals and pesticide arenas. In addition, EPA chairs the OECD Working Party on Risk Management, which share information relating to activities relevant to regulatory and non-regulatory risk management efforts.

#### *Capacity Building and Technical Assistance*

EPA also participates significantly with other agencies and international organizations in the development, coordination, and delivery of capacity-building and technical assistance. For example, EPA is collaborating with USDA's Foreign Agricultural Service and the Inter-American

Institute for Cooperation on Agriculture to address the many inquiries from foreign countries on pesticide registrations, standard setting processes, maximum residue level (MRL) harmonization, and risk assessment procedures. The Agency also collaborates with USDA's Animal and Plant Health Inspection Service on research on foreign animal disease to determine decontamination and waste management strategies following large outbreaks impacting livestock (e.g., African Swine Fever, Highly Pathogenic Avian Influenza).

#### *Certification and Training, Worker Protection, IPM, and Environmental Stewardship*

EPA will continue to coordinate with USDA, DOD, DOI, DOE, tribes, territories, and states to implement Certification Plans for pesticide applicators who use the riskiest pesticides. EPA provides technical guidance and assistance to the states and tribes in the implementation of all pesticide program activities, such as protecting workers, promoting Integrated Pest Management and environmental stewardship. EPA also provides support through grants, cooperative agreements, or interagency agreements with states, tribes, and other partners, including universities, non-profit organizations, other federal agencies, pesticide users, environmental groups, and other entities, as necessary, to assist in strengthening and implementing EPA's pesticide activities, such as worker protection, pollinator protection and certifying pesticide applicators.

#### *Assessing Potential Pesticide Risks with Supplemental Data*

EPA relies on data from DHHS and USDA to supplement data from the pesticide industry to assist the Agency in assessing the potential risks of pesticides in the diets of adults and children. Specifically, EPA uses National Health and Nutrition Survey (NHANES) food consumption survey data developed by the DHHS, as well as pesticide residue data in food commodities generated by the USDA in its Pesticide Data Program (PDP) as inputs for dietary risk assessment.

#### *Endangered Species & Pollinator Protection*

EPA will continue collaborating with the USDA, FWS, and NMFS on protecting endangered and threatened species and improving methods for assessing potential risks and effects of pesticides to them. EPA, in cooperation with USDA, other federal agencies, state agencies, tribes, territories, and other entities, will continue to address pesticide risks to bees and other pollinators which are critical to our environment and the production of food crops.

#### *Public Health Protection and Initiatives*

EPA regularly consults and collaborates with DHHS, USDA, FDA, and DOD on pesticide actions that may have implications for public health. Additional efforts are being made to implement a framework intended to expand the federal government's process for assessing the risk that certain antibacterial or antifungal pesticides may pose to the effectiveness of human and animal drugs.

#### *Homeland Security – Protecting Food & Agriculture Sectors*

EPA collaborates with the agencies such as DOD, DHS, DHHS, USDA, FDA, FEMA, and other federal, tribal, and state organizations on a variety of homeland security issues as part of the Government Coordinating Council (GCC) For Food and Agriculture. The issues focus on protecting the public and food and agriculture sector from various threats (e.g., biological agents, diseases, or natural disasters) which are vital to critical functions of the government and private sector. EPA collaborates with these organizations on many issues such as research pertaining to

effective disinfectants for high threat microorganisms, planning for response to various potential incidents, training and development of policies and guidelines. Technical and analytical support is provided to EPA Regions and states specific to enforcement and litigation of possible illegal pesticides and/or contamination of registered products. In addition to GCC efforts, EPA continues to partner with the OSHA, NIOSH, and CPSC on risk assessment and risk mitigation activities.

#### *Pesticide Program Dialogue Committee (PPDC) and State and Tribal Stakeholder Groups*

One of the Agency's methods for receiving input on pesticide issues has been the Pesticide Program Dialogue Committee (PPDC), a Federal Advisory Committee, that brings together a broad cross-section of knowledgeable stakeholders from organizations that represent divergent views in order to discuss pesticide regulatory, policy, and implementation issues. The PPDC includes members from federal and state governments, industry/trade associations, pesticide user and commodity groups, consumer and environmental/public interest groups, and others. The PPDC provides a structured environment for meaningful information exchanges and discussions, and keeping the public involved in decisions that affect them. Dialogue with outside groups is essential for the Agency to remain responsive to the needs of its many partners. EPA also works extensively with the Association of American Pest Control Officials and the Tribal Pesticide Program Council to maximize communication with states, tribes, and territories on pesticide implementation issues.

#### *General Research to Support Chemical Safety*

EPA participates in a multi-agency effort under the *Tox21* Consortium. *Tox21* pools chemical research, data and screening tools from multiple federal agencies including the NIH and FDA. EPA has contributed a chemical library, currently exceeding 4,000 chemicals, to the *Tox21* testing program.<sup>6,7</sup> Nearly all of this library includes data from EPA's Toxicity Forecaster (*ToxCast*<sup>TM</sup>), an effort that utilizes existing resources to develop faster, more thorough predictions of how chemicals may affect human and environmental health. The *Tox21* Consortium has screened thousands of chemicals with more than 70 assays, resulting in more than 120 million data points which can inform decision making regarding the safety of chemicals. The full *Tox21* library comprises approximately equal sized contributions from the EPA, the National Toxicology Program (NTP), and the National Center for Advancing Translational Sciences (NCATS).

EPA is committed to working collaboratively with federal, state, tribal and local partners to address the challenges posed by PFAS. Efforts include working with other federal agencies to address scientific challenges such as the lack of published toxicity data for most PFAS chemicals. The results will be used to identify categories of PFAS chemicals having similar structural and toxicological properties that may inform the development and strength of predictive toxicological models. EPA anticipates increased interagency collaboration on PFAS research and development efforts through an OSTP-led interagency working group, established as required by the FY 2021 National Defense Authorization Act.

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<sup>6</sup> Collins, F.S., Gray, G.M., and Bucher, J.R. (2008). Transforming environmental health protection. *Science*, 319, 906–907. doi: 10.1126/science.1154619.

<sup>7</sup> Tice, R.R., Austin, C.P., Kavlock, R.J., and Bucher, J.R. (2013). Improving the human hazard characterization of chemicals: a *Tox21* update. *Environmental Health Perspectives*, 121, 756–765. doi: 10.1289/ehp.1205784.

EPA's chemical safety research strongly supports the development of New Approach Methods (NAMs), which improve the Agency's understanding of chemical toxicity. EPA research informed development of a guidance document, published in June 2023,<sup>8</sup> on the use of developmental neurotoxicity NAMs data in Integrated Approaches to Testing and Assessment (IATA) case studies. This work was done in collaboration with the Organisation for Economic Co-operation and Development (OECD) and other international regulatory partners.

#### *Research to Support Agencywide Risk Assessment Activities*

EPA collaborates globally with other federal agencies on research to accelerate the pace of chemical risk assessment and to provide greater regulatory certainty for the public. EPA is working with Health Canada and the European Joint Research Center on the development and testing of new non-animal approach methodologies to evaluate chemicals quickly and cost-effectively for safety. These new approach methods are a critical part of implementing the TSCA Strategic Plan to reduce, refine, and replace the use of vertebrates in toxicity testing and evaluation. EPA also commenced work with Health Canada and ECHA to promote sharing of non-confidential chemical safety information with the intent of advancing chemical evaluations across regulatory jurisdictions. This collaborative approach will help EPA and other federal agencies screen, prioritize, and evaluate chemicals, and promote implementation of alternative methods to replace vertebrate animal testing under TSCA. Finally, EPA is engaged in multiple OECD chemical safety groups that share information, expertise, and research results related to chemical safety. Ultimately, these international efforts will work towards creating transparent data requirements for industry and reducing the regulatory uncertainty of multiple regulatory environments globally.

EPA consults and collaborates routinely with other federal agencies to improve the rigor and consistency of the science and practice of risk assessment. EPA engages on the science of individual assessments, such as the Integrated Risk Information System (IRIS) assessments. EPA also coordinates, respectively, with: ATSDR, through an MOU on the development of toxicological assessments; NIEHS and the National Toxicology Program, on assessment methodology, software, and assay development platforms; FDA on advisories and reports; and DOD on assessment development methods. EPA serves as advisors to federal and international agencies and departments (e.g., IARC, EFSA, Health Canada, WHO, ATSDR) to review and provide scientific input on risk assessment related topics. In addition, EPA collaborates with other federal agencies on complex human health assessment science topics through workshops, including those managed by National Academy of Sciences, Engineering, and Medicine (NASEM). EPA also participates in the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) to work towards increasing the efficiency and effectiveness of U.S. federal agency test method review, eliminating unnecessary duplication of effort, sharing experience among U.S. federal regulatory agencies, and reducing, refining, and replacing the use of animals in testing.

#### *Environmentally Preferable Purchasing*

EPA's Environmentally Preferable Purchasing Program (EPP) collaborates closely with partner federal agencies in developing, refining, and issuing EPA's Recommendations of Specifications, Standards, and Ecolabels for Federal Purchasing. Through FY 2023 these recommendations have

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<sup>8</sup> For more information on the OECD guidance document, see: <https://www.oecd.org/env/ehs/testing/developmental-neurotoxicity.htm>.

been maintained and updated to include 48 private sector standards and ecolabels that cover 30 product and service categories commonly acquired through federal purchasing. These recommendations help federal procurement officials determine which private sector standards and ecolabels, among sometimes dozens within a single purchase category, are appropriate and effective in meeting federal procurement goals and mandates for environmental performance. The EPP Program's work has generated significant cost savings and environmental benefits to the federal government.

EPA also coordinates federal procurement programs that integrate environmental performance into procurement, including building software tools for seamlessly integrating sustainable procurement conditions and language into government procurement solicitations and contracts. Environmental benefits calculators help federal agencies document the environment performance and benefits associated with their sustainable procurement. Working with the General Services Administration, the EPP Program assists in identifying and highlighting best-in-class existing blanket purchase contracts to further support and streamline efforts by federal procurement officials to meet federal environmental and cost effectiveness goals, putting tools into the hands of federal procurement officials, and collaborating with federal agencies such as the General Services Administration, National Institute of Standards and Technology, the Departments of Defense and Energy, and others.

### **Enforcement and Compliance Assurance Programs**

#### *General Enforcement Coordination*

The Enforcement and Compliance Assurance Program coordinates closely with:

- Department of Justice (DOJ) on all civil and criminal environmental enforcement matters. In addition, the Program has coordinated with other agencies on specific environmental issues as described herein.
- The Chemical Safety and Hazard Investigation Board, Occupational Safety and Health Administration (OSHA), and Agency for Toxic Substances and Disease Registry (ATSDR) in preventing and responding to accidental releases and endangerment situations.
- Department of Interior's (DOI) Bureau of Indian Affairs (BIA), and Department of Health and Human Service's (DHHS) Indian Health Service (IHS) on issues relative to compliance with environmental laws in Indian country.
- The Department of Commerce (DOC) and Small Business Administration (SBA) on the implementation of the Small Business Regulatory Fairness Act (SBREFA). In addition, it has collaborated with the SBA to maintain current environmental compliance information at *Business.gov*, a website initiated as an e-government initiative in 2004, to help small businesses comply with government regulations. The Internal Revenue Service (IRS) on cases that require defendants to pay civil penalties, thereby assisting the IRS in assuring compliance with tax laws.
- United States Army Corps of Engineers (USACE) on Clean Water Act (CWA) wetlands compliance issues.
- USACE on Formerly Utilized Sites Remedial Action Program (FUSRAP) sites.
- Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration on pipeline spills.
- United States Department of Agriculture (USDA) on the regulation of animal feeding

operations and on food safety issues arising from the misuse of pesticides and shares joint jurisdiction with the Federal Trade Commission on pesticide labeling and advertising.

- The U.S. Department of Defense (DoD) to target potential noncompliance with the TSCA lead-based paint regulations to reduce service members' and their children's exposure to lead-based paint in privatized military housing.
- The U.S. Department of Housing and Urban Development (HUD) to collaborate on ensuring compliance with lead-based paint regulations in pre-1978 housing.
- The U.S. Department of Homeland Security (DHS) and U.S. Immigrations and Customs Enforcement (ICE) in the compliance with and enforcement of FIFRA and its implementing regulations at immigration and detention facilities owned/operated by ICE and ICE contractor facilities.
- The U.S. Department of Homeland Security Customs and Border Protection (CBP) on compliance with and enforcement of imported products regulated under the Clean Air Act (CAA), American Innovation and Manufacturing Act (AIM Act), Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), and Toxics Substances Control Act (TSCA).
- The General Service Administration's Technology Transformation Services to advance modernization of IT solutions.

#### *International Trade*

EPA works with U.S. Customs and Border Protection (CBP) on implementing the secure International Trade Data System (ITDS) across all federal agencies and on chemical and pesticide imports, hazardous waste and Cathode Ray Tube exports, imports of internal combustion vehicles and engines that do not meet Clean Air Act requirements, implementation of the American Innovation and Manufacturing (AIM) Act, as well as on a variety of other import/export issues under the various statutes.

#### *Coordination on Issues Involving Shared Jurisdiction*

EPA and the Food and Drug Administration (FDA) share jurisdiction over general-purpose disinfectants used on non-critical surfaces and some dental and medical equipment surfaces. EPA and FDA also collaborate and share information on Good Laboratory Program inspections to avoid duplication of inspections and maximize efficient use of limited resources. EPA, FDA, and the Federal Aviation Administration (FAA) jointly regulate drinking water safety on airlines via the Aircraft Drinking Water Rule. EPA and the Department of Housing and Urban Development (HUD) entered into a new Memorandum of Understanding in 2024, to establish a framework for consultation, information-sharing, and collaboration on civil enforcement, thereby strengthening this partnership and ensuring efficient use of resources to reduce childhood lead exposures and associated health impacts. The Agency has coordinated with the United States Coast Guard (USCG) under the Act to Prevent Pollution from Ships, and on discharges of pollutant from ships and oil spills under the CWA. EPA also works with DOI on CWA permit enforcement on the Outer Continental Shelf, as well as both the Interior and Transportation Departments on enforcement of CWA requirements for offshore facilities.

#### *Criminal Enforcement*

EPA's Criminal Enforcement Program coordinates with FBI, CBP, DOL, U.S. Treasury, DHS, DOI, USCG, and DOJ and with international, state, tribal, and local law enforcement organizations in the investigation and prosecution of environmental crimes. EPA also works with DOJ to

establish task forces that bring together federal, state, tribal, and local law enforcement organizations to address environmental crimes. EPA has an Interagency Agreement with DOJ's Environment and Natural Resources Division to develop the first federal Environmental Crime Victim Assistance Program. This allows both agencies to meet their statutory obligations under the Crime Victims' Rights Act (CVRA) and the Victims' Rights and Restitution Act (VRRRA), to make sure that environmental crime victims are notified of and accorded their rights under the CVRA and VRRRA. In addition, the Program has an Interagency Agreement with the DHS to provide specialized criminal environmental training to federal, state, local, and tribal law enforcement personnel at the Federal Law Enforcement Center (FLETC) in Glynco, Georgia.

#### *Monitoring the Environmental Compliance of Federal Agencies*

Most environmental statutes require departments, agencies, and instrumentalities of the U.S. government to comply with environmental requirements just like any other regulated entity. EPA and states inspect federal facilities and take enforcement actions, as appropriate. In addition, Executive Order 12088 on *Federal Compliance with Pollution Control Standards* requires federal agencies to comply with pollution control standards and directs EPA to monitor compliance by federal agencies with all environmental laws and provide technical assistance. The Federal Facility Enforcement Program coordinates with other federal, state, tribal, and local agencies to ensure compliance by federal agencies with all environmental laws. EPA works with the Federal Facilities Environmental Stewardship and Compliance Assistance Center (*FedCenter*) ([www.fedcenter.gov](http://www.fedcenter.gov)), which is governed by a board of more than a dozen contributing federal agencies. FedCenter works with federal agencies to plan Federal Environmental Symposiums to encourage collaboration, information sharing, stewardship, and improved environmental compliance across the federal government. EPA is working with other Agencies through *FedCenter* to address Administration priorities including PFAS and Environmental Justice (EJ). EPA also partners with other federal agencies to identify ways to expedite cleanup of Superfund sites and prevent and address regulatory compliance issues.

EPA has commenced several specific collaborative efforts to work one-on-one with other federal agencies to help foster productive relationships through environmental compliance outreach efforts. EPA has developed partnerships with other federal agency headquarters offices including, for example, HHS, BIA, DoD, USCG, DHS, the Department of Energy (DOE), the National Aeronautics and Space Administration (NASA), the Veterans Health Administration and the Department of Interior to discuss EPA's National Enforcement and Compliance Initiatives (NECI) and explore ways EPA can best help federal agencies remain aware of their environmental compliance status and requirements nationwide. EPA has instituted a monthly dialogue with DoD to help address compliance issues in privatized military housing with a particular focus on compliance with TSCA lead-based paint requirements.

In the context of EPA's NECIs, the Agency proactively addresses potential significant noncompliance by sending letters to federal agencies highlighting facility noncompliance so facilities can expeditiously take the necessary actions to address the compliance issues. EPA also has issued multiple compliance advisories under, for example, the Safe Drinking Water Act and the Clean Water Act, to other federal agencies providing information on their compliance status, NECIs and other enforcement initiatives.

### *Superfund Enforcement*

coordinates with Other Federal Agencies (OFAs) in their use of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) enforcement authority. This includes the coordinated use of such authority at individual hazardous waste sites that are located on both non-federal land (generally EPA jurisdiction) and federal lands (generally other agency jurisdiction). As required by Executive Order No. 13016, other departments and agencies must receive concurrence from EPA before use of CERCLA Section 106 authority.

EPA coordinates closely with Federal Land Management Agencies (FLMAs), such as the Bureau of Land Management (BLM) and the United States Forest Service (USFS), at mixed ownership sites (*i.e.*, those sites located partially on privately-owned land and partially on federally owned land) pursuant to Executive Order No. 12580. EPA frequently enters into Memorandums of Understanding (MOUs) with FLMAs designed to provide a framework for agencies to coordinate response actions. EPA meets with DOI, USDA, and other agencies as part of the Federal Mining Dialogue, to discuss developments arising out of the CERCLA work at such sites. EPA leads the Federal Mining Dialogue's Enforcement Subcommittee.

EPA also coordinates with DOI, USDA, DOC, DOE, and DOD to ensure that appropriate and timely notices, required under CERCLA, are sent to the Natural Resource Trustees notifying them of potential damages to natural resources. EPA also coordinates with Natural Resource Trustees on natural resource damage assessments, investigations, and planning of response activities under Section 104 of CERCLA. When an enforcement action is initiated at a site where hazardous substances are found to have caused damages to natural resources, EPA coordinates with the Trustees by including them in negotiations with potentially responsible parties concerning the releases that have caused those damages.

EPA's Superfund Federal Facilities Enforcement Program ensures that: (1) all federal facility sites on the NPL have interagency agreements, also known as Federal Facility Agreements (FFAs) with enforceable cleanup schedules; (2) FFAs are monitored for compliance and enforcement taken, where appropriate; (3) federal sites are transferred to new owners in an environmentally responsible manner; and (4) compliance assistance is available to the extent possible. This program also ensures that federal agencies comply with Superfund cleanup obligations "in the same manner and to the same extent" as non-federal entities. To enable the cleanup and reuse of such sites, the Federal Facilities Enforcement Program also has coordinated on creative solutions that help restore facilities, so they can once again serve an important role in the economy and welfare of local communities, and the country. EPA also has established a partnership with the Environmental Council of the States (ECOS) and DOE, the DOE Dialogue, to build relationships and tackle enduring challenges at DOE cleanup sites.

### **International and Tribal Affairs Programs**

#### *Supporting Global Policy to Reduce Pollution and Harmful Chemicals*

EPA is working in close coordination with the Department of State, USAID, NOAA, and other key Agencies on the development of a global agreement on plastic pollution. These partnerships help identify domestic activities that EPA can implement to reduce plastic pollution and leakage into the marine environment. In addition, EPA continues to provide technical assistance to reduce



plastic pollution through the Agency's Trash Free Waters program.

EPA has a strong network of partners working to achieve reductions in global mercury use and emissions, particularly when adverse U.S. impacts would be likely. EPA works closely with the DOS in leading the technical and policy engagement for the U.S. in the Minamata Convention on Mercury and the multi-stakeholder Global Mercury Partnership. In addition, EPA collaborates with several federal agencies including USGS and USAID to advance robust implementation of the Minamata Convention by other countries. EPA also continues to share information through the Arctic Council on reducing releases of mercury which disproportionately impact indigenous arctic communities.

EPA also works with USDA, OMB, and FDA on the on reducing food waste which includes international cooperation on measuring food waste reductions and pilot activities that can create market opportunities for U.S. technologies and innovation.

*Tackling the Climate Crisis, Accelerating Environmental and Economic Justice*

EPA works with international partners, such as foreign governments and international organizations, to deploy assistance that can strengthen on the ground action to tackle the climate crisis, reduce transboundary pollution that impacts local communities and travels through the environment to impact other communities across the globe, and that strengthen fundamental environmental rule of law. An important example of this work is EPA's efforts to identify environmental best practices and standards in the critical minerals supply chain. This work entails significant dialogue and coordination. EPA also leads engagement on key issues in the Group of Seven (G7) and the Group of Twenty (G20) through environment ministerial meetings which negotiates key outcomes on issues such as climate change, food waste, marine litter, resource efficiency, air quality and pollution prevention. EPA's engagement with international financial institutions, United Nations (UN) entities, and the Organization for Economic Cooperation (OECD).

*Supporting Environmental Priorities in Global Trade Policy and Implementation of Environmental Cooperation Agreements*

EPA is a member of the Trade Policy Staff Committee, the Trade Policy Review Group, and relevant subcommittees – interagency mechanisms that provide advice, guidance, and clearance to USTR in the development of U.S. international trade and investment policy.

EPA continues 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 also will continue work on implementation of the Environment Chapter of the United States-Mexico-Canada Agreement (USMCA) and other free trade agreements. EPA also continues active participation in the United States Trade Representative (USTR)-led Interagency Environment Committee for Monitoring and Environment (IECME) established to promote Mexican and Canadian compliance with their environmental obligations. In addition, EPA continues to work with partners (including the U.S. Treasury, State Department, USAID, and the U.S. International Development Finance Corporation), to improve environmental governance of U.S. funded international development projects.

### *Addressing Transboundary Pollution*

EPA collaborates with countries around the world to address foreign sources of pollution in coordination with DOS, USAID, DOJ, Treasury, and others. EPA works closely with DHHS to advance recognition of environmental risk factors of non-communicable diseases (NCDs) and how to mitigate the risks, including from lead and mercury. In addition, EPA continues to strengthen its activities in the Arctic by working with Alaska, tribes, federal agencies, and the private sector to build international support for U.S. environmental policy objectives with the Arctic countries and continues to engage in Arctic Council cooperation pursuant to parameters set out by the National Security Council and the Department of State. These objectives cover a range of topics, including reducing harmful air emissions and exposure to mercury. Further, EPA collaborates with DOS, the Government of Canada, tribes, federal agencies, and other stakeholders to address transboundary water pollution caused by historic and current mining practices in the Kootenai watershed.

EPA continues to work in partnership with Mexico's National Water Commission (CONAGUA) and the U.S. Section of the International Boundary and Water Commission (USIBWC) to reduce the wastewater pollution in the Tijuana River, its tributaries, and the Pacific Ocean. In FY 2022, EPA and CONAGUA signed a Statement of Intent (SOI) identifying projects to be implemented in the short- and long-term to stem the flow of transboundary pollution in the San Diego/Tijuana region. Concurrently, the USIBWC and CILA (USIBWC's counterpart in Mexico) signed Minute 328 as the first step in binational implementation of the SOI, including operations and maintenance cost-sharing for the proposed expansion of the South Bay International Wastewater Treatment Plant (ITP). EPA actively participates in monthly meetings with USIBWC and CONAGUA to track progress on projects and advance the commitments made in these two binational agreements.

### *Working in Indian Country*

EPA is an active participant in the White House Council on Native American Affairs (WHCNA). The WHCNA is an interagency principals-level council established in June 2013 in response to requests from tribal leaders across Indian country for a Cabinet-level council to uphold treaty and trust obligations, support the Nation-to-Nation relationship, and improve tribal engagement and consultation. The Biden-Harris Administration reconvened the WHCNA and established six subcommittees: Climate Change, Tribal Homelands, and Treaties; Health; Education; Economic Development, Energy, and Infrastructure; Public Safety and Justice; and International Indigenous Issues.

EPA serves as the co-lead (with DOI and USDA) on the Climate Change, Tribal Homelands, and Treaties Committee. Within this Committee, EPA is a co-lead on the Climate Adaptation Subcommittee. Indigenous Knowledge (IK)-related work, also referred to as Traditional Ecological Knowledge, remains a priority within the WHCNA Climate Change, Tribal Homelands, and Treaties Committee. EPA is active in the National Science and Technology Council (NSTC) Subcommittee on Indigenous Knowledge.

EPA also serves as the co-lead (with DOI and the DOS) on the WHCNA International Indigenous Issues Committee. Within this Committee, EPA is co-lead on three subcommittees, including Human Rights and Environmental Justice, Cross Border Issues, and Climate Crisis.

Additionally, EPA is involved as a participant on the WHCNA Health Committee and the Economic Development, Energy, and Infrastructure Committee.

### **Central Planning, Budgeting and Finance Programs**

#### *Working with Federal Partners on Improving Management and Accountability throughout the Federal Government*

EPA coordinates appropriately with Congress and other federal agencies, such as the U.S. Treasury, the Government Accountability Office (GAO), and GSA. EPA participates and makes active contributions to standing interagency management committees, including:

- the Chief Financial Officers Council, which focuses on improving resources management and accountability throughout the federal government.
- the Performance Improvement Council, which coordinates and develops strategic plans, performance plans, and performance reports as required by law.
- OMB-led E-Government initiatives, such as the Financial Management and Budget Formulation and Execution Lines of Business.
- the Bureau of Census-maintained Federal Assistance Awards Data System.
- the President's Management Council, which oversees developing and implementing Cross-Agency Priority (CAP) goals; and
- the Evaluation Officer Council, which serves as a forum to exchange information with the broader Federal evaluation community.

#### *Provide Government-to-Government Employee Relocation Services*

EPA provides government-to-government employee relocation services via interagency agreements through EPA's Federal Employee Relocation Center (FERC) as a Working Capital Fund (WCF) activity. EPA-FERC provides "one-stop shop" domestic and international relocation services to other federal agencies to increase operational efficiency and save the government money. Relocation services are currently provided internally to all EPA offices, and externally to the Transportation Security Administration (TSA), Alcohol, Tobacco, Firearms, and Explosives (ATF), Department of Labor (DOL), Office of Personnel Management (OPM), United States Patent and Trademark Office (USPTO), Health and Human Services Office of Global Affairs (HHS-OGA), United States Agency of Global Media (USAGM), and Federal Bureau of Prisons (BOP).

### **Environmental Justice and External Civil Rights Programs**

#### *Environmental Justice*

Presidential EO 14008 on *Tackling the Climate Crisis at Home and Abroad* enhanced and expanded several important means of interagency coordination and collaboration related to environmental justice. EO 14008 elevated the existing Interagency Working Group on Environmental Justice, formerly chaired by EPA, to the White House Environmental Justice Interagency Council (IAC), chaired by the CEQ. This executive order also established a White House Environmental Justice Advisory Council (WHEJAC) to provide advice and recommendations to the IAC and CEQ on environmental justice recommendations for the entirety of the executive branch of the federal government. The IAC will be the primary venue for inter-agency coordination of executive branch federal activities related to environmental justice.

Through the Justice40 Initiative, also mandated in EO 14008, the IAC will work to achieve the goal that forty percent of federal benefits from certain federal programs flow to disadvantaged communities and will publish an annual public performance scorecard on implementation by federal agencies. The IAC will likewise coordinate recommendations on further updates to EO 12898 and provide leadership to interagency efforts to address current and historic environmental injustices. As stipulated in EO 14008, EPA will provide all support necessary for administration of the WHEJAC and is one of three agencies charged with providing support to CEQ for administration of the IAC. EPA also will play a prominent membership role within the IAC as a participating agency.

### **Mission Support Programs**

#### *Working with Federal Partners on Improving Management and Accountability throughout the Federal Government*

EPA provides leadership and expertise to government-wide activities in various areas of human resources, grants management, contracts management, suspension and debarment, and homeland security. These activities include specific collaboration efforts through:

- The Chief Human Capital Officers Council, a group of senior leaders that discuss human capital initiatives across the federal government.
- The Legislative and Policy Committee, a committee comprised of other federal agency representatives who assist OPM in developing plans and policies for training and development.
- The Chief Acquisition Officers Council, the principal interagency forum for monitoring and improving the federal acquisition system. The Council also is focused on promoting the President's specific initiatives and policies in all aspects of the acquisition system.
- The Award Committee for E-Government (E-Gov) provides strategic vision for the portfolio of systems/federal wide supporting both federal acquisition and financial assistance. Support also is provided to the associated functional community groups, including the Procurement Committee for E-Gov, the Financial Assistance Committee for E-Gov, and the Intergovernmental Transaction Working Group.
- The Grants Quality Service Management Office (QSMO) leads efforts to transform the federal grants management process by focusing on standardization and modernization of grants systems to increase efficiency and reduce burden for grant applicants, recipients, and the federal grants workforce; and better leveraging the buying power of the government to access high-quality shared solutions and reduce costs. The Grants QSMO supports the work of OMB's Office of Federal Financial Management and Office of the Federal Chief Information Officer and GSA's Office of Shared Solutions and Performance Improvement.
- The Interagency Suspension and Debarment Committee (ISDC), a representative committee of federal agency leaders in suspension and debarment. The Committee facilitates lead agency coordination, serves as a forum to discuss current suspension and debarment related issues, and assists in developing unified federal policy. Besides participating in the ISDC, EPA: (1) provides instructors for the National Suspension and Debarment Training Program offered through the Federal Law Enforcement Training Center, and (2) supports the development of coursework and training on the suspension and debarment process for the Inspector General Academy and the Council of the Inspectors General on Integrity and Efficiency.

- The Financial Management Line of Business (FMLoB) has been expanded to also encompass the Grants Management Line of Business. The combined FMLoB, with U.S. Treasury as the managing partner, will more closely align the financial assistance and financial management communities around effective and efficient management of funds. EPA also participates in the Grants.gov Users' Group, as well as the Federal Demonstration Partnership which is designed to reduce the administrative burdens associated with research grants.
- The Interagency Committee on Federal Advisory Committee Management (Committee Management Officer Council) provides leadership and coordination on federal advisory committee issues and promotes effective and efficient committee operations government-wide. In addition to serving on the Council, EPA works with the GSA Committee Management Secretariat to establish and renew advisory committees, conduct annual reviews of advisory committee activities and accomplishments, maintain committee information in a publicly accessible online database, and develop committee management regulations, guidance, and training. Further, EPA participates on the GSA Federal Advisory Committee Act (FACA) Attorney Council Interagency Workgroup to keep abreast of developments in the statutory language, case law, interpretation, and implementation of the FACA.
- The Interagency Security Committee (ISC) is the leading organization for nonmilitary federal departments and agencies in establishing policies for the security and protection of federal facilities, developing security standards, and ensuring compliance with those standards. EPA participates in the ISC as a primary member and in sub-committees and workgroups to facilitate EPA's compliance with ISC standards for facilities nationwide.
- The OPM Background Investigations Stakeholder Group (BISG) is a collaborative organization that is derived from the Intelligence Reform and Terrorism Prevention Act of 2004. The BISG is comprised of senior security officials across the federal government who are responsible for the submission, adjudication and/or oversight of personnel security programs. EPA works with this group to discuss topics regarding background investigations, focusing on standardizing and improving the Agency's personnel security program.
- EPA manages the Senior Environmental Employment (SEE) Program's interagency agreements with other federal agencies. The interagency agreements are with the White House/CEQ, the CDC/ATSDR, and the Gulf Coast Ecosystem Restoration Council. SEE enrollees provide administrative, technical, and professional support to these agencies for projects relating to pollution prevention, abatement, and control.
- EPA's Office of Administrative Law Judges (OALJ) partners with other Federal agencies, including the USPTO, NOAA, and the Equal Employment Opportunity Commission, to serve as Presiding Officers for proceedings to adjudicate complaints brought before the partner organizations. This collaboration allows partner organizations the ability to provide constitutionally guaranteed legal due process and review without staffing and supporting their own Offices of Administrative Law Judges, while EPA's judges expand their experience and knowledge in the area of administrative law. The services OALJ provides to other agencies are reimbursed by the borrowing organization.

*Work with the Department of Interior's Interior Business Center*

In FY 2025, EPA will continue working with DOI's Interior Business Center (IBC), an OPM- and OMB-approved Human Resources Line of Business shared service center. IBC offers HR transactional processing, compensation management and payroll processing, benefits administration, time and attendance, HR reporting, talent acquisition systems, and talent

management systems. EPA also continues its charter membership on the OPM HR Line of Business (LoB) Multi Agency Executive Strategy Committee (MAESC), providing advice and recommendations to the Director of OPM as well as additional government-wide executive leadership, for the implementation of the HR LoB vision, goals, and objectives.

#### *Partnering with GSA on the USAccess Program*

EPA continues partnering with GSA on the *USAccess* Program for Personal Identity Verification cards and identity credential solutions, which provides an efficient, economical and secure infrastructure to support its credentialing needs, and migrations to the Enterprise Physical Access Control System, allowing the Agency to control access in EPA space, including restricted and secure space.

#### *Environmental Information Programs*

To support EPA's overall mission, the Agency continues to collaborate with federal, state, and tribal agencies on a variety of initiatives focused on making government more efficient and transparent in protecting human health and the environment. EPA's Environmental Information programs are primarily involved in the information technology (IT), information management (IM), and information security aspects of the projects on which it collaborates.

#### *The Chief Information Officer (CIO) Council*

The CIO Council is the principal interagency forum for improving practices in the design, modernization, sharing, and performance of federal information resources. The Council develops recommendations for IT/IM policies, procedures, and standards; identifies opportunities to share information resources; and assesses and addresses the needs of the federal IT workforce.

#### *The Chief Data Officer (CDO) Council*

The CDO Council was established by statute in the Foundations for Evidence-Based Policymaking Act of 2018. The Council's vision is to improve government mission achievement and increase the benefits to the Nation through improvement in the management, use, protection, dissemination, and generation of data in government decision-making and operations.

#### *eRulemaking*

The eRulemaking Program is a Federal E-Government shared LoB that manages the Federal Docket Management System (FDMS) and Regulations.gov. The Program provides the public with one-stop access to electronic dockets and the ability to electronically comment on proposed rulemakings and de-regulatory actions for multiple federal agencies.

#### *The National Environmental Information Exchange Network (EN)*

EPA's EN Program and U.S. Customs and Border Protection (CBP) are coordinating on using the Automated Commercial Environment (ACE) system. This coordination will lead to automated processing of over eight million EPA-related electronic filings needed to clear legitimate imports and exports. With the move from paper filings to electronic filings combined with automated processing through ACE, filing time can be reduced from weeks/days to minutes/days. This significant processing improvement directly impacts the movement of goods into commerce and the economy while helping to ensure compliance with environmental and CBP laws and regulations. It also helps the U.S. Government keep pace with the speed of business.

### *Automated Commercial Environment/International Trade Data System (ACE/ITDS)*

ITDS is the electronic information exchange capability, or “single window,” through which businesses will transmit data required by participating agencies for the import or export of cargo. ACE is the system built by CBP to ensure that its customs officers and other federal agencies have the information they need to decide how to handle goods and merchandise being shipped into or out of the United States. It also will be the way those agencies provide CBP with information about potential imports/exports. ITDS eliminates the need, burden, and cost of paper reporting. It also allows importers and exporters to report the same information to multiple federal agencies with a single submission and facilitates movement of cargo by automating processing of the import and exports. ITDS provides the capability for industry to consolidate reporting for commodities regulated by multiple agencies. For these consolidated reports, the industry filers will receive the appropriate status response when their filings meet each agency’s reporting requirements. Once all agency reporting requirements have been met, filers can receive a coordinated single U.S. government response to proceed into the commerce of the United States.

EPA has the responsibility and legal authority to make sure pesticides, toxic chemicals, vehicles and engines, ODS, and other commodities entering and hazardous waste exiting the country meet its human health and environmental standards. EPA’s ongoing collaboration with CBP on the ACE/ITDS effort will improve the efficiency of processing these shipments through information exchange between EPA and CBP and automated processing of electronic filings. As resources permit, EPA will continue to work with CBP to automate the manual paper review process for admissibility so that importers and brokers (referred to collectively as Trade) can know before these commodities are loaded onto an airplane, truck, train, or ship if their shipment meets EPA’s reporting requirements. Because of this automated review, Trade can greatly lower its cost of doing business and customs officers at our nation’s ports will have the information on whether shipments comply with our environmental regulations. EPA will continue to collaborate with CBP to support regulatory changes and integrate with new ACE capabilities for streamlining the import and export processes for America’s businesses.

### *Geospatial Information*

EPA works with 31 federal agencies through the activities of the Federal Geographic Data Committee (FGDC) and the OMB Geospatial Line of Business (Geo LoB). EPA also participates in the FGDC Steering Committee. A key component of EPA’s work with FGDC is developing and implementing the National Spatial Data Infrastructure (NSDI) and the National *GeoPlatform*. The key objective of the NSDI is to make a comprehensive array of national spatial data – data that portrays features associated with a location or tagged with geographic information and can be attached to and portrayed on maps – easily accessible to both governmental and public stakeholders. Use of this data, in tandem with analytical applications, supports several key EPA and government-wide business areas. These include ensuring that human health, demographics and environmental conditions are represented in the appropriate contexts for targeting and decision making; enabling the assessment, protection, and remediation of environmental conditions; and aiding emergency first responders and other homeland security activities. EPA supports geospatial initiatives through efforts such as EPA’s *GeoPlatform*, the Exchange Network, National Environmental Policy Act (NEPA) Assist, *EJScreen*, the EPA Metadata Editor, Facilities Registry System (FRS) Web Services, and *My Environment*. EPA also works closely with its state, tribal, and international partners in a collaboration that enables consistent implementation of data

acquisition and development, standards, and technologies supporting the efficient and cost-effective sharing and use of geographically based data and services.

#### *Federal Executive Boards*

The Federal Executive Boards Line of Business will be established in FY 2023. This LoB will provide more support to regional Federal Executive Board staff members. In line with the Biden Administration's initiatives, the Federal Executive Boards support and strengthen the Federal Workforce, including by serving as a forum for communication and collaboration among Federal agencies outside of Washington, DC.

### **The Administrator's Office**

#### *Regulatory Management and Economic Analyses*

EPA's Policy Office (OP) interacts with federal agencies during its rulemaking activities. Per governing statutes and agency priorities, OP submits "significant" regulatory actions to OMB for interagency review prior to signature and publication in the Federal Register. In addition, OP coordinates EPA's review of other agency's regulatory actions submitted to OMB for review. Under the Congressional Review Act, rules are submitted to each chamber of Congress and to the Comptroller General of the United States. For regulations that may have a significant economic impact on a substantial number of small entities, OP collaborates extensively with SBA and OMB. OP also collaborates with other federal regulatory and natural resource agencies to collect data used in economic benefit-cost analyses of environmental regulations and policies and to foster improved interdisciplinary research and reporting. Activities include representing EPA on interagency workgroups or committees tasked with measuring the economic benefits and costs of federal policies and programs. Occasionally, OP also provides technical reviews of other agencies research and analyses. In addition, OP's Office of Federal Activities, engages early with the lead federal agency and supports CEQ for significant regulatory actions that require compliance with National Environmental Policy Act via an Environmental Impact Statement (EIS). In so doing, EPA provides technical assistance, as needed, to help scope and develop the draft EIS, recommending ways to avoid and minimize impacts to improve environmental outcomes.

#### *Children's Health*

The Administrator of EPA and the Secretary of DHHS co-chair the President's Task Force on Environmental Health Risks and Safety Risks to Children. The Task Force comprises 17 federal departments, agencies, and White House offices. A senior staff steering committee, co-chaired by the Director of EPA's Office of Children's Health Protection (OCHP), coordinates interagency cooperation on Task Force priority areas, including lead, asthma disparities, climate change, emergencies, and disasters. As part of this effort, OCHP coordinates with other agencies to improve government-wide support in implementing children's health legislative mandates and outreach, including providing children's environmental health expertise on interagency activities and coordinating EPA expertise. OCHP also coordinates with ATSDR to support provision of training and hands on consultations with doctors, nurses, and other medical professionals to address issues of potential exposures of children to environmental contaminants, such as lead and asthma triggers including mold and vermin. OCHP also works the Interagency Policy Council's groups on Maternal Health and Child Development, as well as with other federal agencies to address emerging risks to children's environmental health and supports federal interagency



information exchange and cooperation, such as on lead and wildfires. This work supports not only Presidential Executive Order (EO) 13045: *Protection of Children from Environmental Health Risks and Safety Risks*, but also addresses climate change and environmental justice under Presidential EO 14008: *Tackling the Climate Crisis at Home and Abroad*.

#### *Climate Adaptation and Resilience*

Presidential EO 14008 on *Tackling the Climate Crisis at Home and Abroad* created the National Climate Task Force which facilitates the organization and deployment of a government-wide approach to combat the climate crisis. EPA is one of 25 federal agencies participating in the Task Force, where the Agency focuses on increasing resilience and adaptation to the impacts of climate change, including protection of public health and conservation of our lands, waters, oceans, and biodiversity.

EPA works with other federal agencies through the U.S. Global Change Research Program's (USGCRP's) Federal Adaptation and Resilience Group to coordinate federal research related to climate resilience and adaptation. EPA is collaborating with USGCRP/Subcommittee on Global Change Research (SGCR) on Climate Literacy, including development of the USGCRP's new "Climate Literacy Guide".

EPA participates in CEQ's "Tiger Team" developing performance measures on adaptation for all federal agencies. EPA participates in the new Climate Resilience Sub-IPC overseeing the development of the National Climate Resilience Framework. EPA participates in numerous Interagency Work Groups (IWGs) related to resilience and adaptation, including the Coastal Workgroup, OMB's Infrastructure Resilience Work Group, the Climate Adaptation Subcommittee of the White House Council on Native American Affairs, and the CEQ Federal Climate Adaptation Plan Network.

EPA works closely with NOAA, in number of efforts: EPA's Integrated Climate Sciences Division (ICSD) collaborates with NOAA's Regional Climate Service Centers to improve the provision of practical real-time and projected climate information and services to communities nationwide; NOAA, EPA and HHS are co-leads of the Extreme Heat IWG; NOAA staff have been detailed to EPA to support the development of "climate layers" in EJScreen; and NOAA collaborates with EPA geographic programs in the Great Lakes, Chesapeake Bay, Puget Sound, Long Island Sound, Gulf of Mexico, Lake Champlain, Southeast New England, South Florida, Pacific Northwest Forest.

EPA chairs the Subgroup on Tribal Climate Adaptation to enable a whole-of-government approach to supporting tribes as they anticipate, prepare for, adapt to, and recover from the devastating impacts of climate change. EPA collaborates with DOI/BIA to leverage funding for Tribes as well as developing a "Money Map" platform for Tribes to identify all federal resources specifically available to them. EPA also engages the NIST's Climate Resiliency Program to share experiences, expertise, and support areas of mutual interests.

#### *National Climate Task Force*

The Administrator of EPA is a member of the National Climate Task Force. The Task Force shall facilitate the organization and deployment of a Government-wide approach to combat the climate

crisis. This Task Force shall facilitate planning and implementation of key Federal actions to reduce climate pollution; increase resilience to the impacts of climate change; protect public health; conserve our lands, waters, oceans, and biodiversity; deliver environmental justice; and spur well-paying union jobs and economic growth. As necessary and appropriate, members of the Task Force will engage on these matters with state, local, tribal, and territorial governments; workers and communities; and leaders across the various sectors of our economy.

#### *National Environmental Policy Act*

EPA's National Environmental Policy Act (NEPA) Implementation Program implements the environmental requirements of NEPA and Section 309 of the Clean Air Act (CAA) to review other federal agency environmental impact statements (EIS) and NEPA regulations. Through a Memorandum of Understanding (MOU) with CEQ,<sup>9</sup> EPA regularly supports and assists CEQ in the development of guidance and technical tools. This work also includes engaging with officials throughout the federal government and across EPA while supporting EPA's lead NEPA Official. EPA has special authority and responsibilities under CAA section 309 to review and publicly comment on NEPA environmental analyses for major projects across the federal government. This work is expected to increase substantially in scope and importance based on projected increases in energy development and infrastructure projects.

EPA focuses on early engagement with other federal agencies consistent with NEPA principles and uses interagency cooperation for early identification of issues and potential solutions to reduce impacts and improve environmental outcomes. EPA's expertise helps other agencies analyze complex NEPA issues. Through our review of other federal agencies' EISs and the tools and training provide, EPA facilitates the robust consideration of impacts related to climate change and EJ; further, EPA plays a critical role in identifying ways to mitigate environmental impacts, including on overburdened and underserved communities.

#### *Fixing America's Surface Transportation (FAST) Act Title 41 Coordination*

The Office of Federal Activities (OFA) coordinates across 13 other federal agencies, the Federal Permitting Improvement Steering Council (FPISC), the Council on Environmental Quality, and the Office of Management and Budget to coordinate on permitting and meet EPA's Permitting Action Implementation Plan goals. EPA uses its EPA Permitting Action Implementation Plan to help address the expansion of permitting for major infrastructure projects, expanded FAST-41 covered sectors, and to address seven critical elements of the Plan:

- Accelerating smart permitting through early cross-agency coordination.
- Establishing clear timeline goals and tracking key project information.
- Engaging in early and meaningful outreach and communication with states, tribes, territories, and local communities.
- Improving agency responsiveness, technical assistance, and support.
- Using agency resources and the environmental review process to improve environmental and community outcomes.
- Ensuring staffing levels are adequate to address anticipated environmental review and permitting-related workloads.

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<sup>9</sup> 1977 Memorandum of Understanding (MOU) between CEQ and EPA addressed the allocation of responsibilities between the two agencies for assuring government-wide implementation of NEPA. This includes the operational duties associated with the administrative aspects of EISs. Through this MOU, EPA became the official recipient for all copies of EISs.

- Addressing, elevating, and resolving schedule delays, disputes and other issues impacting the environmental and permitting process in a timely manner.

#### *Community Revitalization and Sustainable Communities*

OP participates in several Interagency Working Groups (IWG) and Interagency Policy Committees (IPC), including the Rural Prosperity IPC, Urban Equity IPC, Food Strategy IPC, and the Coal and Powerplant Communities IWG. These interagency efforts support improving community outcomes on a range of issues including climate resilience, economic transition, diversification, prosperity, and environmental protection. These work groups have grown out of recent executive orders and policy initiatives taken on by the Administration. OP works collaboratively with national program offices and EPA regions to support their involvement in these interagency efforts so that the full range of EPA equities are at the table and engaged to advance Administration priorities.

As part of the Coal and Power Communities Interagency Work group (IWG), OP is working closely with the eleven other federal agencies to support coal, oil and gas, and power plant communities to create good-paying union jobs, spur economic revitalization, remediate environmental degradation, and support energy workers. OP is actively participating in the IWG's working group activities, including community engagement, integration, policy, and investments. OP also supports the efforts of the IWG by engaging with EPA's regional offices (particularly R3 and R5) as well as national programs to support the Administration's efforts to help coal and power plant communities transition their economies.

The EPA Administrator co-chairs the Extreme Heat IWG and OP's Associate Administrator is co-leading the work group with colleagues from HHS and NOAA with over a dozen federal agencies and White House participation. OP also works alongside OAR, ORD, and OEJ to contribute knowledge and experience on green infrastructure, effective communication, and climate adaptation approaches to help communities reduce the occurrence and impact of heat islands and extreme heat (advancing both climate adaptation and mitigation).

OP works with EPA's Office of Air and Radiation, the Joint Office of Energy and Transportation, the DOE Vehicle Technologies Office and the National Renewable Energy Lab to explore interagency approaches that advance the Administration's priorities and Presidential commitments on electric vehicles. This work has a specific emphasis on helping communities identify policies and funding opportunities that ensure charging infrastructure and clean transportation policies support more equitable outcomes in low-income neighborhoods in both rural and urban areas.

OP has several inter-agency efforts on priority projects funded through the American Rescue Plan. OP works with DOT and HUD to ensure that infrastructure funding investments advance communities' visions and priorities. OP also works with federal partners to advance community-level efforts to simultaneously advance community priorities and climate goals. Both of these projects model the application of a community-driven approach to efficiently advance agencies' mission. They also demonstrate an effective way to advance the goals outlined in EO 14008 on *addressing the climate crisis and environmental justice*.

OP is the lead on EPA's Memorandum of Agreement with FEMA, which allows the two agencies to work together to help communities become safer, healthier, and more resilient. The agencies collaborate to help communities hit by disasters rebuild in ways that protect the environment, create long-term economic prosperity, and enhance neighborhoods. FEMA and EPA also help communities incorporate strategies, such as green infrastructure, into their hazard mitigation plans and direct development away from vulnerable areas. EPA and FEMA are using the lessons they learn from working together under this agreement and with other federal agencies to better coordinate assistance to communities on hazard mitigation planning, climate adaptation actions, and post-disaster recovery. OP coordinates closely with all 10 Regions and many National Programs on this partnership.

Through an interagency agreement with GSA, OP continues updating the Smart Location Calculator and Smart Location Database to give the federal government more information to guide decisions about locating new federal investments. GSA and EPA also are collaborating on technical assistance around a new site selection support tool to help GSA and other federal agencies make decisions on where to site new government facilities informed by the cost local and state governments would likely incur to provide infrastructure and services. The tool will be based on known relationships between the built environment and the cost to provide infrastructure for a site and related costs for operation and maintenance over time. EPA also has historically coordinated with GSA on their Good Neighbor Program by helping communities leverage major federal investments, such as courthouses or ports of entry, to focus on downtown revitalization. In FY 2025, EPA will continue work with GSA and Nogales, AZ to evaluate strategies to leverage the Federal investments in the land port of entry to support community goals for downtown and neighborhood revitalization.

OP has in the past and continues to coordinate with agencies and departments that work in communities across the country. This has been through formal and semi-formal arrangements like the HUD-DOT-EPA Partnership for Sustainable Communities (PSC) and Strong Cities, Strong Communities (SC2). Further, OP has a number of Interagency Agreements (IA) and Memoranda of Agreements to partner with other agencies on technical assistance in areas like disaster recovery, capacity building at the community level, and economic revitalization that supports improved environmental and human health results. Partnering agencies include and have included: USDA (Rural Development, Forest Service, Agricultural Marketing Service), DOT, FEMA, GSA, HUD, HHS, Appalachian Regional Commission, Northern Border Regional Commission, Delta Regional Authority, and EDA. These agencies often participate in community workshops that OP offers through technical assistance programs such as: Local Foods, Local Places, Building Blocks, and Recreation Economy for Rural Communities.

#### *Interagency Policy Committees*

EPA participates in interagency groups and collaborates with federal partners on the implementation of Executive Orders including EO 14017 on *America's Supply Chains*, Climate Innovation, Climate and Economics, and the US-EU Summit on Trade and Technology Council. EPA is working with NSC, NEC, CEQ, DOC, DOE, DOD, State, and other agencies on supply chain issues associated with semiconductors, critical minerals, EV batteries, and other critical materials. EPA also actively participates on the Federal Permitting Improvement Steering Council,

the White House Task Force on Worker Organizing and Empowerment and the Interagency Policy Committee (IPC) on Workforce Development and the White House Gender Policy Council.

#### *Interagency Council on Statistical Policy*

The Interagency Council on Statistical Policy (ICSP) is the coordinating body for the Federal Statistical System and plays a leading role in implementing the Evidence Act and advancing the Federal Data Strategy. The ICSP sets strategic goals for modernizing agency statistical practices and products and advances those goals through cross-agency collaborations on strategic initiatives. EPA will continue to work with the ICSP to advance the Federal statistics and availability of robust information to support evidence-based policy.

### **The Inspector General**

#### *Work with the Council of Inspectors General on Integrity and Efficiency (CIGIE)*

EPA's Inspector General is a member of the Council of Inspectors General on Integrity and Efficiency (CIGIE), an organization comprised of federal Inspectors General (IGs), GAO, and the FBI. The CIGIE coordinates and improves the way IGs conduct audits, investigations, and internal operations. The CIGIE also promotes joint projects of government-wide interest and reports annually to the President on the collective performance of the IG community.

#### *Activity Coordination, Information Exchange, and Training*

EPA's OIG coordinates criminal investigative activities with other law enforcement organizations such as the FBI, Secret Service, and DOJ. In addition, the OIG participates with various inter-governmental audit forums and professional associations to exchange information, share best practices, and obtain or provide training. The OIG also promotes collaboration among EPA's partners and stakeholders in its participation of disaster response and its outreach activities.

#### *Collaborative Work with Inspectors General and Other Partners*

EPA's OIG initiates and participates in collaborative audits, program evaluations, and investigations with OIGs of agencies with an environmental mission such as the DOI, USDA, as well as other federal, state, and local law enforcement agencies as prescribed by the IG Act, as amended.

#### *Statutory Duties*

As required by the IG Act, EPA's OIG coordinates and shares information with the GAO. EPA's OIG currently serves as the Inspector General of the U.S. Chemical Safety and Hazard Investigations Board (CSB). EPA's OIG will continue to perform its duties with respect to the CSB until otherwise directed.

**FY 2025 Estimated Cybersecurity Resources**

| <b>NIST Framework Function<sup>10</sup></b> | <b>NIST Capability<sup>10</sup></b>                             | <b>FY 2025 President's Budget<br/>(Dollars in Millions)</b> |
|---|---|---|
| Identify                                    | Continuous Diagnostics and Mitigation (CDM)                     | \$0.000   |
|   | Non-CDM Information Security Continuous Monitoring              | \$10.251  |
|   | Mobile Device Management  | \$0.865   |
|   | Authorization and Policy  | \$19.734  |
|   | Standards Development and Propagation                           | \$0.610   |
|   | Data Categorization and Classification                          | \$0.019   |
|   | Supply Chain Risk Management (SCRM) and Acquisitions Management | \$0.931   |
|   | Other Identify Capabilities                                     | \$0.049   |
| <b>Identify Total</b>                       |   | <b>\$32.459</b>   |
| Protect                                     | Trusted Internet Connections                                    | \$0.906   |
|   | Credentialing and Access Management                             | \$0.347   |
|   | Insider Threat  | \$0.000   |
|   | System Security Testing and Analysis                            | \$4.381   |
|   | Security Training   | \$1.244   |
|   | Cloud Security  | \$1.961   |
|   | Data Safeguarding   | \$2.545   |
|   | Secure Data Transmission  | \$3.624   |
|   | Research & Development  | \$0.227   |
|   | Counterintelligence   | \$1.142   |
|   | Zero Trust Network Architecture                                 | \$2.106   |
|   | Security Log Management   | \$1.400   |
|   | Secure Patch Management   | \$2.618   |
|   | Other Protect Capabilities                                      | \$1.530   |
| <b>Protect Total</b>                        |   | <b>\$24.031</b>   |
| Detect                                      | Anti-Phishing and Malware Defense                               | \$0.915   |
|   | Data Loss Prevention  | \$0.406   |
|   | Intrusion Prevention  | \$0.000   |
|   | Endpoint Detection and Response                                 | \$0.292   |
|   | Other Detect Capabilities                                       | \$0.261   |
| <b>Detect Total</b>                         |   | <b>\$1.874</b>  |

<sup>10</sup> These estimates are presented using the National Institute of Standards and Technology Framework functions and capabilities. For more information, please see: <https://nvlpubs.nist.gov/nistpubs/CSWP/NIST.CSWP.04162018.pdf>.

| <b>NIST Framework Function<sup>10</sup></b> | <b>NIST Capability<sup>10</sup></b>               | <b>FY 2025 President's Budget</b><br><i>(Dollars in Millions)</i> |
|---|---|---|
| Respond                                     | Incident Management and Response                  | \$3.659   |
|   | Prosecution and Investigation of Cyber Intrusions | \$0.610   |
|   | Other Respond Capabilities                        | \$0.642   |
| <b>Respond Total</b>                        |   | <b>\$4.911</b>  |
| Recover                                     | Disaster Recovery                                 | \$0.583   |
|   | Incident Recovery                                 | \$0.512   |
|   | Incident Notification                             | \$0.915   |
|   | Other Recover Capabilities                        | \$0.158   |
| <b>Recover Total</b>                        |   | <b>\$2.168</b>  |
| <b>Cybersecurity Total</b>                  |   | <b>\$65.443</b>   |

## EPA Budget by National Program Manager and Major Office

Dollars in Thousands

|                     |   | FY 2025 President's Budget |                    |                    |                |
|---------------------|---|----------------------------|--------------------|--------------------|----------------|
| NPM                 | Major Office  | Pay (\$K)                  | Non-Pay (\$K)      | Total (\$K)        | FTE            |
| <b>AO</b>           | Immediate Office  | \$8,663                    | \$6,490            | \$15,153           | 48.1           |
|                     | Office of Administrative and Executive Services         | \$3,200                    | \$1,343            | \$4,543            | 14.6           |
|                     | Office of Congressional and Intergovernmental Relations | \$8,983                    | \$917              | \$9,900            | 45.4           |
|                     | Office of Public Affairs                                | \$6,114                    | \$343              | \$6,457            | 35.2           |
|                     | Office of Public Engagement and Environmental Education | \$2,153                    | \$11,118           | \$13,271           | 12.5           |
|                     | Office of Policy  | \$31,924                   | \$19,652           | \$51,576           | 164.2          |
|                     | Office of Children's Health Protection                  | \$2,999                    | \$3,476            | \$6,475            | 13.9           |
|                     | Office of Civil Rights                                  | \$3,995                    | \$518              | \$4,513            | 22.5           |
|                     | Office of Executive Secretariat                         | \$4,124                    | \$154              | \$4,278            | 21.7           |
|                     | Office of Homeland Security                             | \$2,858                    | \$1,647            | \$4,505            | 13.1           |
|                     | Office of Small and Disadvantaged Business Utilization  | \$2,131                    | \$1,114            | \$3,245            | 9.5            |
|                     | Science Advisory Board                                  | \$3,479                    | \$1,230            | \$4,709            | 18.4           |
|                     | Regional Resources                                      | \$54,534                   | \$29,279           | \$83,813           | 289.5          |
| <b>AO Total</b>     |   | <b>\$135,157</b>           | <b>\$77,281</b>    | <b>\$212,438</b>   | <b>708.6</b>   |
| <b>OEJECR</b>       | Immediate Office  | \$9,086                    | \$80,001           | \$89,087           | 49.7           |
|                     | Office of Resource Management and Communications        | \$2,000                    | \$100              | \$2,100            | 12.0           |
|                     | Office of Community Support                             | \$7,498                    | \$100,001          | \$107,499          | 42.0           |
|                     | Office of Policy, Partnerships and Program Development  | \$11,286                   | \$81,025           | \$92,311           | 64.8           |
|                     | Office of External Civil Rights Compliance              | \$9,282                    | \$2,765            | \$12,047           | 48.7           |
|                     | Regional Resources                                      | \$27,800                   | \$18,369           | \$46,169           | 155.5          |
| <b>OEJECR Total</b> |   | <b>\$66,952</b>            | <b>\$282,261</b>   | <b>\$349,213</b>   | <b>372.7</b>   |
| <b>OAR</b>          | Immediate Office  | \$11,312                   | \$235,699          | \$247,011          | 56.9           |
|                     | Office of Air Quality Planning and Standards            | \$87,430                   | \$188,823          | \$276,253          | 462.7          |
|                     | Office of Atmospheric Protection                        | \$58,952                   | \$222,911          | \$281,863          | 308.9          |
|                     | Office of Transportation and Air Quality                | \$79,921                   | \$213,660          | \$293,581          | 400.1          |
|                     | Office of Radiation and Indoor Air                      | \$39,653                   | \$56,222           | \$95,875           | 207.5          |
|                     | Regional Resources                                      | \$143,129                  | \$200,202          | \$343,331          | 777.0          |
| <b>OAR Total</b>    |   | <b>\$420,397</b>           | <b>\$1,117,517</b> | <b>\$1,537,914</b> | <b>2,213.1</b> |
| <b>OCFO</b>         | Immediate Office  | \$3,249                    | \$11,062           | \$14,311           | 17.0           |
|                     | Office of Budget  | \$8,260                    | \$2,998            | \$11,258           | 40.2           |
|                     | Office of Planning, Analysis and Accountability         | \$4,779                    | \$361              | \$5,140            | 25.0           |
|                     | Office of Technology Solutions                          | \$9,254                    | \$27,521           | \$36,775           | 43.4           |
|                     | Office of Resource and Information Management           | \$3,155                    | \$1,659            | \$4,814            | 16.5           |
|                     | Office of the Controller                                | \$26,403                   | \$2,936            | \$29,339           | 130.7          |
|                     | OCFO eEnterprise  | \$956                      | \$598              | \$1,554            | 5.0            |
|                     | Office of Continuous Improvement                        | \$1,912                    | \$510              | \$2,422            | 10.0           |
|                     | Regional Resources                                      | \$29,051                   | \$2,497            | \$31,548           | 160.0          |
| <b>OCFO Total</b>   |   | <b>\$87,019</b>            | <b>\$50,142</b>    | <b>\$137,161</b>   | <b>447.8</b>   |
| <b>OCSPP</b>        | Immediate Office  | \$2,594                    | \$1,405            | \$3,999            | 12.2           |
|                     | Office of Pesticide Programs                            | \$70,313                   | \$53,509           | \$123,822          | 369.0          |
|                     | Office of Pollution Prevention and Toxics               | \$91,193                   | \$66,553           | \$157,746          | 477.6          |
|                     | Office of Program Support                               | \$38,282                   | \$3,714            | \$41,996           | 185.5          |
|                     | Regional Resources                                      | \$26,586                   | \$45,397           | \$71,983           | 151.8          |
| <b>OCSPP Total</b>  |   | <b>\$228,968</b>           | <b>\$170,578</b>   | <b>\$399,546</b>   | <b>1,196.1</b> |
| <b>OECA</b>         | Immediate Office  | \$7,415                    | \$4,893            | \$12,308           | 40.4           |
|                     | Office of Civil Enforcement                             | \$36,085                   | \$28,159           | \$64,244           | 172.6          |
|                     | Office of Criminal Enforcement, Forensics, and Training | \$75,208                   | \$14,837           | \$90,045           | 339.9          |
|                     | Office of Compliance                                    | \$25,385                   | \$59,004           | \$84,389           | 127.5          |
|                     | Federal Facilities Enforcement Office                   | \$3,493                    | \$1,910            | \$5,403            | 17.2           |
|                     | Office of Site Remediation Enforcement                  | \$1,651                    | \$693              | \$2,344            | 8.6            |
|                     | Regional Resources                                      | \$246,754                  | \$64,866           | \$311,620          | 1,347.7        |
| <b>OECA Total</b>   |   | <b>\$395,991</b>           | <b>\$174,362</b>   | <b>\$570,353</b>   | <b>2,053.9</b> |



| <b>NPM</b>         | <b>Major Office</b>  | <b>Pay (\$K)</b> | <b>Non-Pay (\$K)</b> | <b>Total (\$K)</b> | <b>FTE</b>     |
|--------------------|--|------------------|----------------------|--------------------|----------------|
| <b>OGC</b>         | Immediate Office   | \$57             | \$40                 | \$97               | 10.6           |
|                    | Air and Radiation Law Office   | \$743            | \$3                  | \$746              | 40.5           |
|                    | Pesticides and Toxic Substances Law Office   | \$819            | \$2                  | \$821              | 20.8           |
|                    | Solid Waste and Emergency Response Law Office  | \$1,666          | \$131                | \$1,797            | 17.3           |
|                    | Water Law Office   | \$522            | \$114                | \$636              | 22.2           |
|                    | Resource Management Office   | \$574            | \$3                  | \$577              | 8.7            |
|                    | Civil Rights and Finance Law Office  | \$672            | \$4                  | \$676              | 27.1           |
|                    | Ethics Office  | \$14             | \$22                 | \$36               | 2.7            |
|                    | General Law Office   | \$322            | \$15                 | \$337              | 26.8           |
|                    | National FOIA Office   | \$48             | \$554                | \$602              | 9.2            |
|                    | Cross-Cutting Issues Law Office  | \$619            | \$9                  | \$628              | 17.4           |
|                    | Alternate Dispute Resolution   | \$165            | \$6                  | \$171              | 0.9            |
|                    | Other Legal Support  | \$50,515         | \$10,472             | \$60,987           | 34.1           |
| Regional Resources | \$39,458   | \$1,378          | \$40,836             | 174.0              |                |
| <b>OGC Total</b>   |  | <b>\$96,194</b>  | <b>\$12,753</b>      | <b>\$108,947</b>   | <b>412.3</b>   |
| <b>OIG</b>         | Immediate Office   | \$1,347          | \$316                | \$1,663            | 7.0            |
|                    | Office of Congressional and Public Affairs   | \$2,469          | \$579                | \$3,048            | 12.8           |
|                    | Office of Counsel  | \$2,469          | \$579                | \$3,048            | 12.8           |
|                    | Office of Audit  | \$22,892         | \$5,365              | \$28,257           | 119.0          |
|                    | Office of Information Technology   | \$4,489          | \$1,052              | \$5,541            | 23.3           |
|                    | Office of Mission Support  | \$3,366          | \$790                | \$4,156            | 17.5           |
|                    | Office of Strategic Analysis and Results   | \$2,693          | \$631                | \$3,324            | 14.0           |
|                    | Office of Special Review and Evaluation  | \$11,222         | \$2,631              | \$13,853           | 58.3           |
|                    | Office of Investigations   | \$13,242         | \$3,104              | \$16,346           | 68.8           |
| <b>OIG Total</b>   |  | <b>\$64,189</b>  | <b>\$15,047</b>      | <b>\$79,236</b>    | <b>333.5</b>   |
| <b>OITA</b>        | Immediate Office   | \$1,598          | \$201                | \$1,799            | 8.0            |
|                    | Office of International Affairs  | \$10,740         | \$17,064             | \$27,804           | 53.8           |
|                    | Office of Management and International Services  | \$2,595          | \$2,591              | \$5,186            | 13.0           |
|                    | American Indian Environmental Office   | \$7,390          | \$3,220              | \$10,610           | 37.0           |
|                    | Regional Resources   | \$25,526         | \$112,865            | \$138,391          | 141.6          |
| <b>OITA Total</b>  |  | <b>\$47,849</b>  | <b>\$135,941</b>     | <b>\$183,790</b>   | <b>253.4</b>   |
| <b>OLEM</b>        | Federal Facilities Restoration and Reuse Office  | \$3,368          | \$7,466              | \$10,834           | 16.2           |
|                    | Office of Land and Emergency Management Assistant Administrator and Deputy Assistant Administrator | \$6,590          | \$2,036              | \$8,626            | 30.0           |
|                    | Office of Communication, Partnership, and Analysis   | \$1,804          | \$889                | \$2,693            | 9.3            |
|                    | Office of Superfund Remediation and Technology Innovation  | \$1,786          | \$2,195              | \$3,981            | 10.1           |
|                    | Office of Resource Conservation and Recovery   | \$31,022         | \$31,752             | \$62,774           | 160.0          |
|                    | Office of Underground Storage Tanks  | \$4,293          | \$3,251              | \$7,544            | 22.6           |
|                    | Office of Brownfields and Land Revitalization  | \$3,114          | \$13,200             | \$16,314           | 16.6           |
|                    | Office of Emergency Management   | \$14,067         | \$46,726             | \$60,793           | 69.0           |
|                    | Regional Resources   | \$166,793        | \$720,572            | \$887,365          | 919.1          |
| <b>OLEM total</b>  |  | <b>\$232,837</b> | <b>\$828,087</b>     | <b>\$1,060,924</b> | <b>1,252.9</b> |

| <b>NPM</b>                    | <b>Major Office</b>                                      | <b>Pay (\$K)</b>   | <b>Non-Pay (\$K)</b> | <b>Total (\$K)</b>  | <b>FTE</b>      |
|-------------------------------|--|--------------------|----------------------|---------------------|-----------------|
| <b>OMS</b>                    | Immediate Office   | \$4,187            | \$4,483              | \$8,670             | 21.6            |
|                               | Office of Resources and Business Operations              | \$7,736            | \$13,567             | \$21,303            | 39.9            |
|                               | Office of Engagement and Program Management              | \$8,569            | \$3,800              | \$12,369            | 44.2            |
|                               | Office of Chief Sustainability Officer                   | \$1,114            | \$591                | \$1,705             | 6.0             |
|                               | Office of Administrative Law Judges                      | \$2,676            | \$175                | \$2,851             | 13.8            |
|                               | Environmental Appeals Board                              | \$2,326            | \$175                | \$2,501             | 12.0            |
|                               | Office of Acquisition Solutions                          | \$50,859           | \$7,541              | \$58,400            | 262.1           |
|                               | Office of Grants and Debarment                           | \$14,830           | \$1,341              | \$16,171            | 76.5            |
|                               | Office of Site Management and Operations                 | \$13,416           | \$58,425             | \$71,841            | 69.2            |
|                               | Office of Real Property, Safety and Security             | \$11,264           | \$381,706            | \$392,970           | 58.1            |
|                               | Office of Inclusive Excellence                           | \$5,777            | \$1,791              | \$7,568             | 29.8            |
|                               | Office of HR Strategy                                    | \$15,354           | \$13,095             | \$28,449            | 79.2            |
|                               | Office of Human Capital Operations                       | \$32,802           | \$4,817              | \$37,619            | 169.2           |
|                               | Office of Information Technology and Operations          | \$931              | \$9,219              | \$10,150            | 4.8             |
|                               | Office of Digital Services & Technical Architecture      | \$6,301            | \$4,637              | \$10,938            | 32.5            |
|                               | Office of Information Management                         | \$15,529           | \$45,983             | \$61,512            | 80.1            |
|                               | Office of Information Security & Privacy                 | \$3,703            | \$28,054             | \$31,757            | 19.1            |
|                               | Office of Records, Administrative Systems and eDiscovery | \$8,938            | \$21,778             | \$30,716            | 46.1            |
| Regional Resources            | \$96,957   | \$57,701           | \$154,658            | 534.3               |                 |
| <b>OMS Total</b>              |  | <b>\$303,269</b>   | <b>\$658,879</b>     | <b>\$962,148</b>    | <b>1,598.5</b>  |
| <b>ORD</b>                    | ORD Headquarters   | \$54,042           | \$68,201             | \$122,243           | 284.9           |
|                               | Center for Computational Toxicology & Exposure           | \$50,491           | \$38,082             | \$88,573            | 266.7           |
|                               | Center for Environmental Measurements & Modeling         | \$74,640           | \$66,093             | \$140,733           | 393.7           |
|                               | Center for Public Health & Environmental Assessment      | \$75,457           | \$56,652             | \$132,109           | 396.6           |
|                               | Center for Environmental Solutions & Emergency           | \$49,772           | \$41,431             | \$91,203            | 264.2           |
|                               | Office of Science Advisor, Policy and Engagement         | \$13,856           | \$58,472             | \$72,328            | 73.2            |
|                               | Regional Resources                                       | \$21,102           | \$7,640              | \$28,742            | 122.1           |
| <b>ORD Total</b>              |  | <b>\$339,360</b>   | <b>\$336,571</b>     | <b>\$675,931</b>    | <b>1,801.4</b>  |
| <b>OW</b>                     | Immediate Office   | \$13,969           | \$8,806              | \$22,775            | 66.2            |
|                               | Office of Ground Water and Drinking Water                | \$41,961           | \$134,122            | \$176,083           | 216.5           |
|                               | Office of Science and Technology                         | \$27,491           | \$32,191             | \$59,682            | 133.6           |
|                               | Office of Wastewater Management                          | \$31,178           | \$211,415            | \$242,593           | 156.6           |
|                               | Office of Wetlands, Oceans and Watersheds                | \$23,689           | \$38,079             | \$61,768            | 116.3           |
|                               | Regional Resources                                       | \$247,574          | \$3,905,577          | \$4,153,151         | 1,386.2         |
| <b>OW Total</b>               |  | <b>\$385,862</b>   | <b>\$4,330,190</b>   | <b>\$4,716,052</b>  | <b>2,075.4</b>  |
|                               | Reimbursable FTE*  | <b>2,425.8</b>     |                      |                     |                 |
| <b>Total Agency Resources</b> |  | <b>\$2,804,044</b> | <b>\$8,189,609</b>   | <b>\$10,993,653</b> | <b>17,145.4</b> |

\*This includes the FTE for the Superfund Enforcement, Remedial, and Emergency Response and Removal accounts that are proposed to be transitioned from annual appropriations to Superfund Tax receipts.

## EPA Response to OIG Top Management Challenges

The mission of the U.S. Environmental Protection Agency is to protect human health and the environment. The Office of Inspector General's (OIG) FY 2024 Top Management Challenges report highlights risks that the EPA regularly tracks progress through its robust performance management process and the *EPA FY 2022-2026 Strategic Plan*. The EPA will continue to focus on the following seven challenge areas to drive continued progress and change in the ongoing environmental and human health challenges. In addition, as mentioned in the management challenge descriptions, the FY 2025 President's Budget request includes resources to assist in expanding work in a number of these areas and other key priorities. The responses below provide a summary of the major topics.

### Challenge 1: Mitigating the Causes and Adapting to the Impacts of Climate Change.

**Agency Response:** The EPA is working to achieve greenhouse gas emission reductions through an integrated approach of regulations, partnerships, and technical assistance. The Agency is taking multiple actions to limit carbon dioxide (CO<sub>2</sub>) and methane emissions as well as working to reduce high-global warming potential greenhouse gases (GHG), like hydrofluorocarbons (HFCs), that will help the U.S. realize near-term climate benefits. These actions include but are not limited to:

- Issued American Innovation and Manufacturing (AIM) Act rules to phase down production and consumption of HFCs by 85 percent by 2036: final rules to amend the production and consumption baselines and methodology to issue allowances for 2024 through 2028; a final rule to facilitate the transition to next-generation heating and cooling technologies; and a proposed rule to maximize reclamation and minimize releases of HFCs.
- Proposed emissions standards for light-, medium-, and heavy-duty vehicles (phase 3) for model year 2027 and beyond to avoid nearly 10 billion tons of CO<sub>2</sub> emissions, twice more than total U.S. CO<sub>2</sub> emissions in 2022.
- Issued proposed rules to limit GHG emissions from new and existing power plants under section 111(b) and (d) of the CAA.
- Issued proposed rule to reduce emissions of methane and other harmful air pollution from new and existing sources in the oil and natural gas industry.
- Issued a proposal to amend reporting requirements for petroleum and natural gas systems under the Greenhouse Gas Reduction Program (GHGRP) consistent with directives in the Inflation Reduction Act (IRA).
- Launched Climate Pollution Reduction Grant program under the IRA, awarding \$250 million in planning grants to states, Tribes, and major cities and announcing the Notice of Funding Opportunity (NOFO) for \$4.6 billion in implementation grants.
- Launched the Greenhouse Gas Reduction Fund (GGRF) under the IRA, which will award, by the end of FY 2024 and in accordance with its statutory deadline, nearly \$27 billion across three competitive grants competitions: the \$14 billion National Clean Investment Fund, the \$6 billion Clean Communities Investment Accelerator, and the \$7 billion Solar for All competition.

The EPA works with federal, state, Tribal, and local government agencies and key GHG emitting sectors to tackle the climate crisis and deliver environmental and public health benefits for all

Americans. The EPA builds partnerships, provides tools, and verifies and publishes GHG data, economic modeling, and policy analysis, all of which increase the understanding of climate science, impacts, and protection. The EPA also extends this expertise internationally and plays critical roles in shaping and advancing international agreements and solutions. This international collaboration helps to both improve public health and air quality in the U.S. and level the global playing field for American businesses.

The EPA is maintaining its strong commitment to help strengthen the nation's adaptive capacity and resilience, with a particular focus on advancing EJ. The Agency is ensuring its programs, policies, rulemaking processes, enforcement and compliance assurance activities, and operations consider current and future impacts of climate change and how those impacts disproportionately affect certain communities.

Consistent with Executive Order 14008, the EPA has made advances implementing the agencywide priorities identified in the Climate Adaptation Action Plan. It is integrating climate adaptation into rulemaking processes, including regulations and permitting. It also is modernizing its financial assistance programs to encourage climate-resilient investments across the nation. The immediate focus is on the Infrastructure Investment and Jobs Act (IIJA) and the IRA, to ensure that the outcomes of investments made with those funds are resilient to the impacts of climate change.

The EPA is embedding climate adaptation into enforcement activities. The Agency's enforcement and compliance assurance program includes climate adaptation and resilience in case conclusions whenever appropriate and providing technical assistance to achieve climate-related solutions and build climate change capacity among the EPA's staff and our state and local partners.

In addition to implementing measures to protect the Agency's workforce, facilities, and critical infrastructure from climate change risks, the EPA also partners with other federal agencies to build the nation's resilience to the impacts of climate change. The Agency contributed to the development of the National Climate Resilience Framework, which was released at the White House Summit on Building Climate Resilient Communities. The EPA is now supporting implementation of the Framework to partner with states, Tribes, territories, local governments, community groups, EJ organizations, and businesses to strengthen adaptive capacity and increase the resilience of the nation, with a particular focus on advancing EJ.

**Responsible Agency Official(s):** Betsy Shaw, Deputy Assistant Administrator, Office of Air and Radiation; Victoria Arroyo, EPA Senior Climate Adaptation Official; David Widawsky, Director, Office of the Greenhouse Gas Reduction Fund.

## **Challenge 2: Integrating and Implementing Environmental Justice.**

**Agency Response:** In FY 2023, the EPA continued to build out its newest national program, the Office of Environmental Justice and External Civil Rights (OEJECR). The Program, founded in September 2022, brought together the Office of Environmental Justice, the Office of General Counsel's External Civil Rights Compliance Office, and the Office of General Counsel's Conflict Prevention and Resolution Center. Consistent with the *EPA FY 2022-2026 Strategic*

*Plan* and fueled by historic investment for the EPA and through the IRA for the Environment and Climate Justice block grants, the OEJECR is providing an unprecedented level of support throughout the EPA to: 1) engage and support communities; 2) work with and support external partners such as states, Tribes, and local government ; and 3) bring a stronger structural and systemic ability to integrate EJ and comply with civil rights requirements throughout all of the EPA's policies, programs, and activities. This approach provides support for communities and their partners to advance solutions to on-the-ground challenges and the integration of EJ and civil rights throughout other levels of government while also advancing the integration of EJ and civil rights within the EPA's policies, programs, and actions.

The OEJECR currently is working, along with all other EPA programs, on the next iteration of its National Program Guidance to carry actions successfully to the end of the current strategic plan. Efforts are in conjunction with the EPA's updated Equity Action Plan (EAP), crafted and published in accordance with Executive Order 14091. Among other priorities, the EAP specifically prioritizes developing a comprehensive framework for considering cumulative impacts in relevant EPA decisions and operationalizing that framework in EPA's programs and activities.

The EPA also continues to provide direct support to the White House Council on Environmental Quality (CEQ) as it leads implementation of EO 14008 and EO 14096. In particular, the EPA continues to support the management of the White House Environmental Justice Interagency Council (IAC) and regularly engages and supports the CEQ's staff in leading the IAC on Environmental Justice, as well as providing advice based upon the Agency's experience on specific elements such as development of the Climate and Economic Justice Screening Tool and the EJ Scorecard.

Also reflecting the EPA's federal leadership role, the Agency is working directly with other federal agencies to coordinate and align efforts through the IJA, commonly referred to as the Bipartisan Infrastructure Law, the IRA, and annual appropriations by serving as co-chair with the Department of Transportation for the federal Thriving Communities Network (TCN). This effort is especially critical as so many agencies, through the Justice40 Initiative, look for ways to ensure that the benefits of their programs and investments reach disadvantaged communities. The EPA complements these efforts by providing direct support to build the capacity of those disproportionately impacted communities to push from the bottom up and connect with the resources of numerous federal agencies. Since its inception, the TCN has grown from four initial federal agencies to a current total of nine.

**Responsible Agency Official:** Theresa Segovia, Principal Deputy Assistant Administrator, Office of Environmental Justice and External Civil Rights

### **Challenge 3: Safeguarding the Use and Disposal of Chemicals.**

**Agency Response:** The Frank R. Lautenberg Chemical Safety for the 21st Century Act, enacted in 2016, dramatically increased the EPA's Toxic Substances Control Act (TSCA) authorities, responsibilities, and workload. Despite this significant increase in responsibility, appropriations for the TSCA program were flat for the first six years and had minor increases since. In FY 2023,

the EPA requested \$124.2 million and received \$82.6 million, which is being used across the EPA's TSCA program to support an additional 65 full time equivalents. In November 2021, the EPA's OIG estimated that the EPA's capacity needed to increase by 140 percent to meet the deadlines for the existing chemical risk evaluations ongoing at that time. The FY 2023 appropriations for the TSCA represented a 39 percent increase from 2020 levels, far less than the OIG estimated was needed. Without resources commensurate with the Lautenberg Act's expectations, the TSCA implementation may remain a challenge for EPA.

The EPA's approach to improving implementation of the Lautenberg Act is twofold. First, the EPA will continue to seek sufficient resources, including ensuring that the TSCA's fees reflect the true costs of implementation. The EPA is investing more resources in recruitment and more timely hiring of scientists with expertise in various human health risk assessment disciplines. This is needed in part to provide senior level scientific peer review of chemical risk assessment products earlier in the risk evaluation process. In November 2022, the Agency published a supplemental notice of proposed rulemaking on fees for administering the TSCA. As of November 2023, the final fees rule is undergoing interagency review.

Second, the EPA will increasingly seek to identify and implement additional process and program efficiencies. These efficiencies include tailoring risk evaluation steps and processes for existing chemicals in a "fit for purpose" manner and minimizing re-work by ensuring appropriate internal scientific peer review is occurring as the risk evaluations are completed. The EPA also is better utilizing existing comprehensive risk assessments completed by other authoritative governmental bodies and modifying the peer review process for risk evaluations in cases in which the Agency's and OMB's guidance on peer review provide the EPA with appropriate options that are less resource intensive.

For the new chemicals program, efficiencies include developing category approaches to streamline risk assessment and regulatory decisions for similar chemicals with similar uses. In FY 2023, the EPA continued its project to inventory, screen, and revise its existing standard operating procedures (SOP) and guidance for new chemicals review. Also in FY 2023, the EPA released standardized approaches for risk assessment and risk management of new alternative fuels, mixed metal oxides (MMOs) including cathode active materials, and per- and polyfluoroalkyl substances (PFAS). MMOs are a key component in lithium-ion batteries used in electric vehicles and can be used for semi-conductors and renewable energy generation and storage. Additionally, an SOP for addressing differing scientific opinions has been in practice since 2022. The EPA proposed amendments in FY 2023 to the new chemical procedural regulations under the TSCA that are intended to align the regulatory text with new chemicals review provisions of the Lautenberg Act and to improve the efficiency of the EPA's review processes.

The EPA continues to make significant strides in using its authority under the TSCA to reduce risks posed by existing and new chemicals. In FY 2023, the EPA proposed three TSCA section six rules to address unreasonable risks to health and submitted two additional rules to the OMB for interagency review. The Agency also issued six final and one draft revised unreasonable risk determinations amending the TSCA's risk evaluations to better address worker risks. The EPA also released for public comment and peer review a set of principles for evaluating cumulative risks under the TSCA and an approach for applying those principles to the evaluation of the

cumulative risk posed by certain phthalate chemicals undergoing the TSCA's section six risk evaluation.

Turning to the EPA's Pesticide Program, the prioritization of review of Pesticide Registration Improvement Act (PRIA) actions with statutory decision timeframes over non-PRIA actions without statutory due dates has led to a decrease in the number of non-PRIA completions in recent years, and the development of a backlog. During this same period of time, the EPA has seen an increase in new submissions for PRIA actions as well as renegotiation of PRIA-fee-for-service actions or the non-PRIA backlog. Currently, there are more than 11,000 non-PRIA pesticide actions from previous years that are still pending completion. Despite completing record numbers of PRIA actions in the past few years, the EPA's FY 2022 renegotiation rate for PRIA actions rose to almost 52 percent for all PRIA applications and to over 70 percent for conventional pesticides. For comparison, five years ago in FY 2018 the PRIA renegotiation rate was 17 percent, and at the end of FY 2021, the renegotiation rate was 34 percent.

The EPA recognizes that greater market predictability around the EPA's decision review timeframes is one of the main objectives of the PRIA and its reauthorizations. The PRIA 5 increased fees related to the EPA's review of new applications and reevaluation of pesticides currently in the marketplace, but due to increasing use of maintenance fees to the OIG-recommended levels, these increased fees and appropriated funding are at best maintaining the EPA's resource levels. The EPA is in the middle of a multi-year upgrade to its information technology systems that, when completed, is expected to result in increased efficiency and increased transparency to applicants about their actions pending with the EPA.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires the Agency to review each registered pesticide every 15 years. The initial review is to be completed by October 1, 2026, in the case of pesticides registered before October 1, 2007. As of April 2023, a total of 789 pesticide cases had that registration review deadline. However, the EPA has been unable to complete all required registration review processes. As of the end of FY 2023, 614 final or interim decisions were completed of the 789, and 717 draft risk assessments were completed. However, court decisions relating to the Endangered Species Act (ESA) have increased the scientific complexity of the EPA's registration review decisions and dictated changes in the registration review workplan.

To address a decades-old challenge of protecting endangered species from pesticides while minimizing regulatory impacts to pesticide users, the first-ever comprehensive workplan, *Balancing Wildlife Protection and Responsible Pesticide Use*, was released in April 2022. The workplan describes new and creative solutions for the EPA to come into compliance with the ESA and establishes four overall strategies and dozens of actions to adopt those protections while providing farmers, public health authorities, and others with access to pesticides. The workplan also sets a new vision for a successful ESA-FIFRA program that focuses on supporting the development of safer technologies to control pests, completing timely FIFRA decisions, and collaborating with other agencies and stakeholders on implementing the plan. The EPA released a workplan update in November 2022, explaining how it will adopt early mitigation for the ESA's species as part of registration review decisions. In addition to the ESA workplan, the Agency received in the FY 2023 enacted budget additional funding of approximately \$5 million in

contracts and payroll to support 10 additional FTE to make incremental progress toward meeting the ESA's mandates.

**Responsible Agency Official:** Rick Keigwin, Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention

#### **Challenge 4: Promoting Ethical Conduct and Protecting Scientific Integrity.**

**Agency Response:** The EPA's Scientific Integrity Policy has been in effect since 2012 and is one of the longest standing scientific integrity policies in the federal government. In recognition of the EPA's leadership in scientific integrity, the White House's Office of Science and Technology Policy (OSTP) appointed the EPA's Scientific Integrity Official as a co-chair of three related White House initiatives that implement the January 2021 Executive Memorandum on scientific integrity and drive such policy across federal executive branch agencies. Scientific integrity at the EPA will be further strengthened by updating the policy to meet the OSTP's requirements for policy content, implementation, and evaluation. The EPA anticipates releasing its updated policy later this year. The updated draft policy was released for public comment in early 2024.

The EPA is unwavering in its commitment to promptly address scientific integrity concerns and investigate and adjudicate allegations. The Agency will continue to strengthen mechanisms to protect and maintain a culture of scientific integrity and is on target to develop and implement procedures to address allegations, including violations involving high-profile issues or senior officials, including political appointees. The EPA's steadfast commitment to implementing its Scientific Integrity Policy in support of a culture of scientific integrity, enhanced transparency, and the protection of scientists is evidenced by Agencywide training and outreach activities that engage employees on scientific integrity. The Agency has recognized the important role of leaders in enhancing a culture of scientific integrity and accordingly added a scientific integrity requirement into the performance plan requirements for its Senior Executive Service, Scientific and Professional, and Senior-Level leaders in FY 2022 and General Schedule supervisors in FY 2024. This language requires these leaders and supervisors to be responsible for exemplifying firm commitment to principles of scientific integrity in all relevant situations.

The EPA will continue to maintain scientific integrity's high visibility throughout the Agency through regular outreach, including hosting an annual meeting with the EPA's employees and launching updated training for new employees, to build upon 10 years of the Scientific Integrity Program at the Agency. This combined with the release of the FY 2024 update to the Scientific Integrity Policy, based on the White House's guidance, will position the EPA to maintain its position when it comes to advancing scientific integrity within the Agency and across the federal government.

**Responsible Agency Official:** Maureen Gwinn, Principal Deputy Assistant Administrator, Office of Research and Development



## **Challenge 5: Managing Grants, Contracts, and Data Systems.**

**Agency Response:** The EPA has identified “Grantee Engagement and Outreach: Pre- and Post-Award Oversight of Recipients of Federal Financial Assistance” as one of the Agency’s Enterprise Risks. Significant new grant funding through the IIJA, IRA, and Congressionally Directed Spending will result in an increase in the number of new grant applicants, including from underserved communities and those that are first-time applicants. Effective grants management is a key focus of the EPA’s implementation of the IIJA and IRA and the Agency is undertaking several actions to reduce fraud, waste and abuse risks to the Agency. The EPA is providing extensive outreach, training, and technical assistance to potential new recipients of federal funding that may find it challenging to comply with federal grants management requirements throughout the grant lifecycle. This outreach includes live and recorded training, direct programmatic support, and technical assistance, and publishing new policy and guidance to strengthen compliance where needed. Further, the Agency is continuing to collaborate with the OIG on providing training to potential grant recipients. The EPA also is working to strengthen existing post-award monitoring and internal processes to strengthen internal controls to prevent improper payments or waste, fraud, and abuse. Lastly, the Agency continues to make progress partnering with domestic manufacturers and supply networks to support the implementation of the Build America, Buy America Act.

Additionally, the EPA’s Office of Continuous Improvement within the Office of the Chief Financial Officer is leading an effort to map out grants processes and systems across the Agency to identify potential opportunities to streamline grant timeliness pre- and post-award and improve grants data management to ensure the Agency has access to high-quality, timely data, which its programs and stakeholders will rely on for monitoring program results. Further, to effectively manage contracts funded by the IIJA and IRA, the EPA has a contract monitoring dashboard that includes the percentage of those supplemental appropriation funds placed on each contract awarded. Reviews of invoices for contracts that are funded with IIJA and IRA resources will occur to ensure proper billing and progress are made under those contracts.

**Responsible Agency Officials:** Kimberly Patrick, Principal Deputy Assistant Administrator, Office of Mission Support; Gregg Treml, Deputy Chief Financial Officer, Office of the Chief Financial Officer

## **Challenge 6: Maximizing Compliance with Environmental Laws and Regulations.**

**Agency Response:** The EPA recognizes enforcement as a critical part of the Agency’s mission and maintains a strong enforcement program. Under the current Administration, the EPA has increased its focus on traditional civil and criminal enforcement tools, with particular attention on environmental and public health threats to overburdened communities. The revitalization of the EPA’s enforcement and compliance program is underway, and in FY 2023, the program received an increase of nearly \$70 million and 112 FTEs over FY 2022 levels. In addition, the Agency requests an increase of nearly 201 FTE in the FY 2025 President’s Budget. The Enforcement and Compliance Assurance program had an excellent FY 2023 with the most on-site inspections since FY 2019, 70 percent more criminal cases opened than during FY 2022, and 60 percent of the program’s inspections and more than 50 percent of the case conclusions in EJ communities. The program is positioned to have a particularly strong FY 2024, with a significant number of new

hires and building on the successes from FY 2023. In addition to the increase in FTE for the program, the EPA has invested significant resources to purchase new equipment for our inspectors.

With respect to climate enforcement and compliance strategy, the EPA will prioritize enforcement and compliance actions to mitigate climate change and include climate adaptation and resilience in case conclusions, whenever appropriate. The requirements will apply across all the EPA's enforcement and compliance efforts, including criminal, civil, federal facilities, and cleanup actions. Earlier this year, the OECA announced six initiatives for FYs 2024 through 2027. For the first time, the Agency is pursuing an initiative focused on mitigating climate change, as well as initiatives addressing exposure to PFAS, and protecting communities from carcinogenic coal ash contamination. The EPA is strengthening efforts to address hazardous air pollution in overburdened communities by adding, also for the first time ever, a geographical focus to the Agency's existing air toxins initiative. We are continuing existing initiatives focused on providing safe drinking water and reducing the risk of deadly chemical accidents. (These activities also relate to and address the Management Challenge 1, Mitigating the Causes and Adapting to the Impacts of Climate Change).

During FY 2023, the OECA conducted ~4,700 on-site inspections in areas of potential EJ concern to increase our presence in low-income and minority communities, up from 57 percent in FY 2022 to over 60 percent in FY 2023. Where the EPA found noncompliance with environmental statutes that were potentially impacting these overburdened and vulnerable communities, the Agency pursued enforcement cases with the following results: initiated 957 enforcement actions, a 28 percent increase over FY 2022; concluded 986 enforcement actions, a 33 percent increase over FY 2022; assessed a total of \$167 million in penalties up \$7 million over FY 2022; estimated value of \$3.7 billion in injunctive relief; and commitments to reduce/treat/dispose ~1.2 billion pounds of air/toxics/water. These FY 2023 results show a continued trend to increase enforcement and compliance efforts in overburdened communities. (These activities also relate to and address the Management Challenge 2, Integrating and Implementing Environmental Justice).

The OIG issued multiple reports focused on improving oversight of and collaboration with states to ensure compliance with environmental laws and regulations. This year, the EPA updated its policies to reflect that states and the EPA, as co-regulators, have a shared commitment to work together to protect human health and the environment, taking advantage of the strengths and capabilities of both federal and state authorities.

The Agency remains actively engaged with the OIG in implementing corrective actions that will respond to concerns raised in the reports. The OECA looks forward to working with colleagues across the Agency, as well as state and Tribal partners, stakeholders, and the OIG in addressing issues presented in the FY 2024 Top Management Challenges report.

**Responsible Agency Official:** Cecil Rodrigues, Acting Principal Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance

## **Challenge 7: Overseeing, Protecting, and Investing in Water and Wastewater Systems.**

*Agency Response:* The EPA helps to identify and better understand the needs for water infrastructure across the country, through the Drinking Water Infrastructure Needs Survey or the Clean Watersheds Needs Survey. EPA funds infrastructure projects through multiple funding and financing programs and provides technical assistance to connect communities and Tribes to federal funding. The IIJA delivers more than \$50 billion to the Agency to improve our nation's drinking water, wastewater, and stormwater infrastructure. Additionally, the Water Infrastructure Improvements for the Nation Act and the America's Water Infrastructure Act established various grant programs that improve drinking water and water quality, deepen infrastructure investments, enhance public health and quality of life, increase jobs, and bolster the economy.

The EPA oversees programs that are specifically designed to help address technical, managerial, and financial capacity issues that may contribute to water system non-compliance. Under the Agency's capacity development program, the EPA works with states and Tribes to ensure there is a framework in place for systems to acquire and maintain the knowledge, tools, and resources they need. The Agency assists systems in identifying solutions to problems and provides access to funding through the EPA WaterTA, which provides hands-on support for communities to assess their needs, identify potential solutions, and develop funding applications. The Agency also has a number of long-standing technical assistance programs that support communities in identifying water challenges, developing plans, building capacity, and developing application materials to access water infrastructure funding. These programs include the Area-Wide Optimization Program, Creating Resilient Water Utilities, and EPA's cybersecurity program. The Agency's Water Finance Center provides financing information to help local decision makers make informed decisions for drinking water, wastewater, and stormwater infrastructure to protect human health and the environment.

The EPA continues to underscore that adopting cybersecurity best practices at drinking water and wastewater utilities is essential to protect communities from the increasing number and severity of cyber-threats facing our nation's water systems. The Agency is taking steps to support states and Tribes, technical assistance providers, and drinking water and wastewater systems by providing ongoing technical assistance in the form of cybersecurity assessments, subject-matter expert consultations, training, and funding. The EPA conducts cybersecurity assessments for utilities through the Water Sector Cybersecurity Evaluation Program where utilities work with a cybersecurity professional to complete an assessment using the Water Cybersecurity Assessment Tool. The Agency offers direct technical assistance through the Cybersecurity Technical Assistance Program for the Water Sector where primacy agencies, technical assistance providers, and utilities can submit cybersecurity questions and receive one-on-one remote assistance (via phone or email) from a cybersecurity subject-matter expert. The Agency offers cybersecurity training and tabletop exercises free to the water sector and hosts workshops across the country to assist primacy agencies with promoting cybersecurity best practices for their water and wastewater systems.

To assist with costs, the EPA has several funding resources available to support drinking water and wastewater systems in implementing cyber projects including the EPA managed Clean Water State Revolving Fund, Drinking Water State Revolving Fund, Water Infrastructure Finance and

Innovation Act, and the Drinking Water System Infrastructure Resilience and Sustainability Program. In addition, EPA works with the Cybersecurity and Infrastructure Security Agency (CISA) and Federal Emergency Management Agency (FEMA) jointly managed Cybersecurity and Infrastructure Security Agency State and Local Cybersecurity Grant Program, and the Tribal Cybersecurity Grant Program regarding additional funding for drinking water and clean water cyber projects.

In addition, the Agency's Cybersecurity Incident Action Checklist provides utilities with guidance for preparation, response, and recovery of a cybersecurity incident. The EPA, in conjunction with the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security and the Federal Bureau of Investigation, coordinates with water systems to share information regarding water or wastewater system cybersecurity threats.

**Responsible Agency Official:** Benita Best-Wong, Deputy Assistant Administrator, Office of Water

## **EPA User Fee Programs**

In FY 2025, EPA will have several user fee programs in operation. These user fee programs and proposals are referenced below. EPA will continue to review whether fees should be assessed for programs that provide special benefits to recipients beyond those that accrue to the public, in accordance with OMB Circular A-25.

### **Current Fees: Pesticides**

Fee collection authority exists under the Federal Insecticide, Fungicide, and Rodenticide Act of 1988, as amended by the Pesticide Registration Improvement Act of 2022 (“PRIA-5”), which was part of the FY 2023 omnibus (P. L. 117-328) passed in December 2022. PRIA-5 reauthorizes these fee authorities through fiscal year 2027 and adjusts fee amounts for certain registration activities.

- **Pesticides Maintenance Fee (7 U.S.C. §136a-1(i))**

The Maintenance Fee provides funding for the registration review programs and a certain percentage supports the processing of applications not covered by a fee table under Section 33(b)(3)(B). PRIA-5 reauthorizes collection of this fee through FY 2027 and raises the collection target by \$11 million to an average collection of \$42 million over five years of PRIA-5 authorization.

- **Enhanced Registration Services (7 U.S.C. §136w-8(b))**

Entities seeking to register pesticides for use in the United States pay a fee at the time the registration action request is submitted to EPA, setting specific timeframes for the registration decision service. This process has introduced new pesticides to the market more quickly. PRIA-5 reauthorizes collection of these fees through FY 2027 and adjusts fee amounts for certain types of registrations. In FY 2025, EPA expects to collect approximately \$26 million from this fee program.

### **Current Fees: Other**

- **Clean Air Part 71 Operating Permits Program**

Title 40 CFR Part 71 § 71.9 authorizes and establishes requirements for the Clean Air Part 71 program - a comprehensive Federal air quality operating permit program for air pollution control agencies that do not have a delegated Title V program on charging and collecting user fees, as required by Section 502(b)(3) of the Clean Air Act. All sources subject to the operating permit requirements of Title V shall have a permit to operate that assures compliance with all applicable requirements. The owners or operators shall pay annual fees that are sufficient to cover the permit program costs, in accordance with the procedures described in this section.

- **Service Fees for the Administration of the Toxic Substances Control Act (TSCA Fees Rule)**

On June 22, 2016, the “Frank R. Lautenberg Chemical Safety for the 21st Century Act” (P.L. 114-182) was signed into law, amending numerous sections of TSCA, including providing authority for the establishment of a new, broader TSCA User Fee program to replace and expand the former Section 5 Pre-Manufacturing Notification Fee. Section 26 of TSCA authorizes EPA to collect user fees to offset 25 percent of the Agency’s full costs for implementing TSCA Sections 4, 5, 6, and 14.<sup>11</sup> Fees are charged for: issuance of Test Orders, Test Rules and Enforceable Consent Agreements under TSCA Section 4; submission of Pre-Manufacturing Notices, Significant New Use Notices and Microbial Commercial Activity Notices and certain submissions for exemptions under TSCA Section 5; and development of EPA-Initiated Risk Evaluations and Manufacturer-Requested Risk Evaluations (MRREs) under TSCA Section 6.

EPA promulgated the TSCA User Fee Rule in October 2018.<sup>12</sup> EPA proposed revisions to the fee rule in January 2021. Based on public comments received on the proposed rule, as well as stakeholder engagement and an analysis by EPA of its workforce and budget to develop a more accurate estimate of its anticipated costs to implement TSCA, in November 2022 the Agency issued a supplemental notice of proposed rulemaking that modifies and adjusts this earlier proposal. As of August 2023, EPA was developing a final rule the Agency expects to publish in early CY 2024. EPA is proposing these changes to ensure that the fees collected will provide the Agency with up to 25 percent of eligible TSCA costs consistent with direction in the FY 2022 and FY 2023 appropriations law to consider the “full” implementation costs of TSCA. An adjustment of the fees, via the rulemaking, would impact the estimates of fee collections below.

EPA collected \$2.74 million in fee revenue in FY 2019 from Section 5 submissions. In FY 2020, the Agency collected \$3.03 million in fee revenue from Section 5 submissions as well as \$2.5 million from two Section 6 MRREs for chemicals within the TSCA Work Plan (Di-isodecyl Phthalate [DIDP] and Diisononyl Phthalate [DINP]). In FY 2021, the Agency collected \$28.6 million: \$3.3 million from Section 5, \$24.05 million from 19 of the 20 Section 6 EPA-Initiated Risk Evaluations, and \$1.25 million from one Section 6 MRRE for a TSCA Work Plan chemical (Octamethylcyclotetrasiloxane [D4]). (The Agency invoiced \$88.2 thousand for Section 4 Test Orders in FY 2020 and FY 2021 but did not start receiving submissions until FY 2022.) Because nearly \$17 million of the collections for the 19 Section 6 Risk Evaluations was not due to be paid until September 2, 2021, those funds were not accessible to EPA until early FY 2022. In FY 2022, EPA collected approximately \$5.1 million (\$1.46 million from the remaining Section 6 EPA-Initiated Risk Evaluations invoices, \$3.5 million from Section 5 submissions, and \$88.2 thousand from invoiced Section 4 Test Order submissions) and is projected to collect \$5.23 million in FY 2023 (\$3.65 million in Section 5 submissions, \$93.2 thousand from Section 4 Test Order invoices, and an additional amount from one TSCA Section 6 Manufacturer-Requested Risk Evaluation at \$1.49 million if the MRRE request is granted) and \$11.9 million in FY 2024 (\$ 10.2 million in Section 5 submissions, \$125 thousand from section 4 Test Order invoices and an additional amount from one TSCA Section 6 Manufacturer-Requested Risk Evaluation at \$1.497M if the MRRE request is granted. ), all subject to potential fee level changes. In FY 2025 EPA estimates to collect

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<sup>11</sup> TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, Section 26(b)(1) and (4)

<sup>12</sup> For additional information, please see: <https://www.epa.gov/tscfa-fees/fees-administration-toxic-substances-control-act>.

approximately \$31 million (\$8.7 million in Section 5 submissions, \$21.2 million from the next round of Section 6 EPA-initiated chemical risk evaluations \$125 thousand from section 4 Test Order invoices, and an additional amount from one TSCA Section 6 Manufacturer-Requested Risk Evaluation at \$1.52M if the MRRE request is granted). Collections estimates in FY 2024 and 2025 are based on fees from EPA's November 16, 2022, supplemental notice of proposed rulemaking that proposed revisions to the current fee schedule. EPA will allocate FY 2021 Section 6 collections over the risk evaluation lifecycle (3-3.5 years). TSCA requires EPA to update the fees every three years.<sup>13</sup> Fees collected/projected to be collected in FY 2019 through FY 2021 equated to approximately 14 percent of associated expenditures for those three fiscal years, below the 25 percent target. While TSCA allows the Agency to collect up to 25 percent of its costs for eligible TSCA activities via fees, to date, EPA has collected roughly half of that amount due to the insufficiencies of the current fees rule.

- **Motor Vehicle and Engine Compliance Program Fee**

This fee is authorized by the Clean Air Act of 1990 and is administered by the Office of Transportation and Air Quality. Fee collections for manufacturers of light-duty vehicles, light- and heavy-duty trucks, and motorcycles began in August 1992. In 2004, EPA promulgated a rule that updated existing fees and established fees for newly regulated vehicles and engines. The fees established for new compliance programs are paid by manufacturers of heavy-duty and nonroad vehicles and engines, including large diesel and gas equipment (earthmovers, tractors, forklifts, compressors, etc.), handheld and non-handheld utility engines (chainsaws, weed-whackers, leaf-blowers, lawnmowers, tillers, etc.), marine (boat motors, watercraft, jet-skis), locomotive, aircraft and recreational vehicles (off-road motorcycles, all-terrain vehicles, snowmobiles) for in-use testing and certification. In 2009, EPA added fees for evaporative emissions requirements for nonroad engines. EPA intends to apply certification fees to additional industry sectors as new programs are developed. In FY 2025, EPA expects to collect approximately \$25.3 million from this fee program based upon a projection of the original rulemaking cost study adjusted for inflation.

- **Hazardous Waste Electronic Manifest**

The Hazardous Waste Electronic Manifest Establishment Act (P. L. 112-195) provides EPA with the authority to establish a program to finance, develop, and operate a system for the electronic submission of hazardous waste manifests supported by user fees. In accordance with the Act, EPA established the e-Manifest program. EPA finalized the user fee rule, *Hazardous Waste Management System: User Fees for the Electronic Hazardous Waste Manifest System and Amendments to Manifest Regulations*, in December 2017, and the e-Manifest system launched in June 2018.

In FY 2025, EPA will continue to operate the e-Manifest system and the Agency anticipates collecting and depositing approximately \$20 million in e-Manifest user fees into the Hazardous Waste Electronic Manifest System Fund. Based upon authority to collect and spend e-Manifest fees provided by Congress in annual appropriations bills, the fees will fully support the e-Manifest

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<sup>13</sup> For additional information, please see: <https://www.epa.gov/tsca-fees/fees-administration-toxic-substances-control-act>.

program, including the operation of the system, necessary program expenses, and future development costs.

- **Water Infrastructure Finance and Innovation Program Account (WIFIA) Program Fees**

The FY 2025 OMB Submission requests authorization for the Administrator to collect and obligate fees established in accordance with Title V, subtitle C, Sections 5029 and 5030 of Public Law 113-121, the Water Resources Reform and Development Act of 2014. These funds shall be deposited in the Water Infrastructure Finance and Innovation Program Account (WIFIA) and remain available until expended. WIFIA fee regulations were first promulgated in FY 2017. Fee revenue will be used for the cost of contracting with expert services such as financial advisory, legal advisory, and engineering firms.

The requested WIFIA program fee expenditure authority would be in addition to the \$8 million request for administrative and operations expenses. Fee revenue does not take the place of the request for WIFIA administration. The appropriated administrative level and the anticipated fee revenue are both needed to successfully implement the WIFIA Program. In FY 2025, EPA estimates that \$10 million in WIFIA fees could be collected.



## Eliminated Programs

### Eliminated Program Projects<sup>14</sup>

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#### **Water Quality Research and Support Grants** (also referred to as Congressional Priorities) (FY 2025 President's Budget: \$0.0, 0.0 FTE)

This program is proposed for elimination in the FY 2025 President's Budget. Work to advance water quality protection can be accomplished within core statutory programs funded in the Budget request. This program focuses on water quality and water availability research, the development and application of water quality criteria, the implementation of watershed management approaches, and the application of technological options to restore and protect water bodies. For training and technical assistance aspects of the Program, 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). For research and development components of the Program, EPA was instructed by Congress to award grants on a competitive basis, independent of the Science to Achieve Results (STAR) program and give priority to not-for-profit organizations that: conduct activities that are national in scope; can provide a twenty-five percent match, including in-kind contributions; and often partner with the Agency. In addition, this program was directed by Congress to work with the U.S. Department of Agriculture to invest in agronomic research to better understand PFAS uptake into plants and animals to help reduce PFAS exposure in our food supply farm viability. It also includes a number of Congressional Directed Spending grants.

#### **Infrastructure Assistance: Clean Water Congressionally Directed Spending** (FY 2025 President's Budget: \$0.0, 0.0 FTE)

This program is proposed for elimination in the FY 2025 Budget. The purpose of this Congressionally Directed Spending (CDS) is to provide grants to specific communities to work on specific clean water infrastructure projects. Congress has set aside funding from the State Revolving Funds (SRFs) to fund these CDS projects, which do not move through the SRFs, and do not recycle to facilitate future projects. Grants and work provided by this program can be accomplished with the restoration of funding for non-CDS projects within the Clean Water State Revolving Fund (CWSRF).

#### **Infrastructure Assistance: Drinking Water Congressionally Directed Spending** (FY 2025 President's Budget: \$0.0, 0.0 FTE)

This program is proposed for elimination in the FY 2025 Budget. The purpose of this CDS is to provide grants to specific communities to work on specific drinking water infrastructure projects. Congress has set aside funding from the State Revolving Funds (SRFs) to fund these CDS projects, which do not move through the SRFs, and do not recycle to facilitate future projects. Grants and work provided by this program can be accomplished with the restoration of funding for non-CDS projects within the Drinking Water State Revolving Fund (DWSRF).

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<sup>14</sup> Although not eliminated, funding for Superfund Enforcement, Remedial and Emergency Response and Removal programs is proposed to be transitioned from annual appropriations to Superfund Tax receipts in FY 2025. Work will continue and FTE will be funded through the tax receipts as reimbursable FTE and included in the annual FTE count.

## Expected Benefits of E-Government Initiatives

### **Budget Formulation and Execution Line of Business**

The Budget Formulation and Execution Line of Business (BFELoB) allows EPA and other agencies to access budget-related benefits and services. The Agency has the option to implement LoB-sponsored tools, training, and services.

EPA has benefited from the BFELoB by sharing valuable information on how systems and software being developed by the LoB have enhanced work processes. This effort has created a government-only capability for electronic collaboration (Wiki) in which the Budget Community website allows EPA to share budget information internally, with OMB, and with other federal agencies. The Agency also made contributions to the Human Capital Workgroup, participating in development of online training modules for budget activities – a valuable resource to all agency budget staff. The LoB has developed the capability to have secure, virtual online meetings where participants can view budget-related presentations from their workspace and participate in the discussion through a conference line. The LoB provides regularly scheduled symposia as an additional forum for EPA budget employees.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-99-99-99-99-3200-24 | \$120.0                                    |
| 2024               | 020-99-99-99-99-3200-24 | \$125.0                                    |
| 2025               | 020-99-99-99-99-3200-24 | \$130.0                                    |

### **eRulemaking**

The eRulemaking Line of Business is designed to: enhance public access and participation in the regulatory process through electronic systems; reduce the burden on citizens and businesses in finding relevant regulations and commenting on proposed rulemaking actions; consolidate redundant docket systems; and improve agency regulatory processes and the timeliness of regulatory decisions. EPA has served as the managing partner for this Line of Business; however, in FY 2020, EPA transferred management services to the General Services Administration (GSA). EPA continues to be involved as a partner agency.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Service Fee<br/>(in thousands)</b> |
|--------------------|-------------------------|---|
| 2023               | 020-99-99-99-99-0060-24 | \$1,380.0                                 |
| 2024               | 020-99-99-99-99-0060-24 | \$1,145.0                                 |
| 2025               | 020-99-99-99-99-0060-24 | \$1,470.0                                 |

### **Federal Audit Clearinghouse**

In FY 2024, the Federal Audit Clearinghouse (FAC) will transition from the U.S. Census Bureau to the General Services Administration and has been added to the E-Gov and LoB initiatives. This LoB supports the ongoing maintenance and modernization of the FAC. The FAC distributes single audit reporting packages to federal agencies, supports OMB oversight and assessment of federal award audit requirements, and maintains a public database of completed audits.<sup>15</sup>

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               |                         |  |
| 2024               | 020-99-99-99-99-1400-24 | \$65.0                                     |
| 2025               | 020-99-99-99-99-1400-24 | \$77.0                                     |

### **Federal Human Resources Line of Business**

OPM’s Human Resources Line of Business (HR LoB) provides the federal government the infrastructure to support pay-for-performance systems, modernized HR systems, and the core functionality necessary for the strategic management of human capital. The HR LoB offers common solutions that enable federal departments and agencies to work more effectively, and to provide managers and executives across the federal government an improved means to meet strategic objectives. EPA will benefit by supporting an effective program management activity which evaluates provider performance, customer satisfaction, and compliance with program goals.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-00-01-16-04-1200-24 | \$69.0                                     |
| 2024               | 020-00-01-16-04-1200-24 | \$69.0                                     |
| 2025               | 020-00-01-16-04-1200-24 | \$69.0                                     |

### **Federal PKI Bridge**

Federal Public Key Infrastructure (FPKI) provides the government with a common infrastructure to administer digital certificates and public-private key pairs, including the ability to issue, maintain, and revoke public key certificates. FPKI leverages a security technique called Public Key Cryptography to authenticate users and data, protect the integrity of transmitted data, and ensure non-repudiation and confidentiality.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-99-99-99-99-0090-24 | \$46.0                                     |
| 2024               | 020-99-99-99-99-0090-24 | \$55.0                                     |
| 2025               | 020-99-99-99-99-0090-24 | \$49.0                                     |

<sup>15</sup> For additional information, please refer to: <https://facweb.census.gov/uploadpdf.aspx>.

### **Financial Management Line of Business**

The Financial Management Line of Business (FM LoB) is a multi-agency effort whose goals include achieving process improvements and cost savings in the acquisition, development, implementation, and operation of financial management systems. By incorporating the same FM LoB-standard processes as those used by central agency systems, interfaces among financial systems are streamlined, and the quality of information available for decision-making is improved.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-00-01-01-04-1100-24 | \$96.0                                     |
| 2024               | 020-00-01-01-04-1100-24 | \$96.0                                     |
| 2025               | 020-00-01-01-04-1100-24 | \$96.0                                     |

### **Freedom of Information Act Portal**

The Freedom of Information Act (FOIA) Improvement Act of 2016 directed the Office of Management and Budget and Department of Justice to build a consolidated online request portal that allows a member of the public to submit a request for records to any agency from a single website. DOJ is managing the development and maintenance of this National FOIA Portal. EPA and other federal agencies were requested to contribute to this effort.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-99-99-99-99-0099-24 | \$36.0                                     |
| 2024               | 020-99-99-99-99-0099-24 | \$35.0                                     |
| 2025               | 020-99-99-99-99-0099-24 | \$37.0                                     |

### **Geospatial Line of Business**

The Geospatial Line of Business, an intergovernmental project managed by the Department of the Interior, serves to improve the ability of the public and government to use geospatial information to support the business of government and facilitate decision-making. The intent of the initiative is to reduce costs and improve agency operations in several areas. This line of business is the mechanism for coordinating implementation of the Geospatial Data Act and Office of Management and Budget (OMB) guidance on Coordination of Geographic Information and Related Spatial Data Activities and the National Geospatial Platform. The National Geospatial Platform incorporates many national geospatial data and analytical services for federal agencies, their partners, and stakeholders.

A primary benefit to EPA in participating in and contributing to the line of business is access to geospatial data sets known as National Geospatial Data Assets (NDGA) supported by multiple agencies. These datasets and services are easily accessible by federal agencies, their partners, and stakeholders. EPA uses the National Geospatial Platform to obtain data and services for internal

analytical purposes as well as to publish outward-facing geospatial capabilities to the public. EPA is expected to contribute to the operation of the National Geospatial Platform in FY 2025. The intent is to reduce base costs by providing an opportunity for EPA and other agencies to share approaches on procurement consolidation and include shared services for hosting geospatial data, services, and applications.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-99-99-99-99-3100-24 | \$225.0                                    |
| 2024               | 020-99-99-99-99-3100-24 | \$225.0                                    |
| 2025               | 020-99-99-99-99-3100-24 | \$225.0                                    |

### **Grants.gov**

The Grants.gov initiative benefits EPA and its grant programs by providing a single location to publish grant opportunities and application packages, and by providing a single site for the grants community to apply for grants using common forms, processes, and systems. EPA believes that the central site raises the visibility of its grant opportunities to a wider diversity of applicants.

The grants community benefits from savings in postal costs, paper, and envelopes. Applicants save time in searching for agency grant opportunities and in learning the application systems of various agencies. In order to streamline the application process, EPA offers Grants.gov application packages for mandatory state grants (i.e., Continuing Environmental Program Grants).

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-00-04-00-04-0160-24 | \$262.0                                    |
| 2024               | 020-00-04-00-04-0160-24 | \$259.0                                    |
| 2025               | 020-00-04-00-04-0160-24 | \$276.0                                    |

### **Integrated Award Environment**

The Integrated Award Environment (IAE) is comprised of a number of government-wide automated applications and/or databases that streamline the acquisition business process across the government and support EPA’s contracting and grants programs. In FY 2012, GSA began the process of consolidating the systems into one central repository called the System for Award Management (SAM). Until the consolidation is complete, EPA leverages some IAE systems via electronic linkages to EPA’s Acquisition System (EAS); other IAE systems are not linked directly to EAS but benefit the Agency’s contracting staff and vendor community as stand-alone resources.

EAS uses SAM vendor data: contracting officers can download vendor-provided representation and certification information electronically via SAM, which allows vendors to submit this information once rather than separately for every contract proposal. Additionally, contracting officers access the Federal Awardee Performance and Integrity Information System, which contains records on contractor performance, including past performance evaluations, and suspensions and debarments.

Through the IAE, contracting officers also can review Wage Determinations to obtain information required under the Service Contract Act and the Davis-Bacon Act. EAS links to the Federal Procurement Data System (FPDS) and SAM.gov, which includes the Contract Opportunities platform, for submission of contract actions at the time of award. FPDS provides public access to government-wide contract information. The Electronic Subcontracting Reporting System supports vendor subcontracting data submission for contracts identified as requiring this information. EPA publishes notices of proposed contract actions expected to exceed \$25 thousand to the Contract Opportunities listing. Vendors use this publicly available information to identify business opportunities in federal contracting.

The IAE houses Assistance Listings (formerly called Catalog of Federal Domestic Assistance (CFDA), which provides a comprehensive description of all federal assistance including information on eligibility, how to apply, and matching requirements for public consumption. Further, EPA’s IAE fee supports use of services for standardized obligations and award-related information reporting for all Federal financial assistance and procurement awards as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA) and the DATA Act of 2014.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               | 020-00-01-16-04-0230-24 | \$720.0                                    |
| 2024               | 020-00-01-16-04-0230-24 | \$650.0                                    |
| 2025               | 020-00-01-16-04-0230-24 | \$520.0                                    |

**Performance Management Line of Business**

Beginning in FY 2025, EPA will contribute to the Performance Management LoB which provides government-wide performance management capabilities to help meet the transparency requirements of the Government Performance and Results Modernization Act of 2010 (GPRAMA). The Performance Management LoB also supports government-wide performance management efforts from data collection and governance to internal and external reporting.

| <b>Fiscal Year</b> | <b>Account Code</b>     | <b>EPA Contribution<br/>(in thousands)</b> |
|--------------------|-------------------------|--|
| 2023               |                         |  |
| 2024               |                         |  |
| 2025               | 020-00-01-16-04-0900-24 | \$100.0                                    |

### FY 2025 Administrator's Priorities

Funding for the Administrator's priorities are allocated by program project in the FY 2025 President's Budget with a total of \$2.375 million in the Environmental and Program Management Account and \$125 thousand in the Science and Technology Account.

These funds, which are set aside for the Administrator's priorities, are used to address unforeseen issues that may arise during the year. These funds are used by the Administrator to support critical unplanned issues and the amounts shown in the below table will be reallocated as needed, in accordance with reprogramming limits.

#### FY 2025 President's Budget Funding for Administrator's Priorities

| Appropriation | Program Project   | Dollars in Thousands |
|---------------|---|----------------------|
| EPM           | Acquisition Management                                  | \$150                |
| EPM           | Brownfields   | \$25                 |
| EPM           | Civil Enforcement                                       | \$150                |
| EPM           | Civil Rights / Title VI Compliance                      | \$75                 |
| EPM           | Compliance Monitoring                                   | \$100                |
| EPM           | Criminal Enforcement                                    | \$145                |
| EPM           | Drinking Water Programs                                 | \$100                |
| EPM           | Exchange Network  | \$75                 |
| EPM           | Federal Stationary Source Regulations                   | \$100                |
| EPM           | Federal Support for Air Quality Management              | \$130                |
| EPM           | Human Resources Management                              | \$25                 |
| EPM           | International Sources of Pollution                      | \$50                 |
| EPM           | IT / Data Management                                    | \$175                |
| EPM           | Legal Advice: Environmental Program                     | \$100                |
| EPM           | Legal Advice: Support Program                           | \$75                 |
| EPM           | NEPA Implementation                                     | \$100                |
| EPM           | Pesticides: Protect Human Health from Pesticide Risk    | \$150                |
| EPM           | Pesticides: Protect the Environment from Pesticide Risk | \$150                |
| EPM           | Pesticides: Realize the Value of Pesticide Availability | \$100                |
| EPM           | RCRA: Waste Management                                  | \$25                 |
| EPM           | Science Advisory Board                                  | \$100                |
| EPM           | State and Local Prevention and Preparedness             | \$100                |
| EPM           | Surface Water Protection                                | \$50                 |
| EPM           | TRI / Right to Know                                     | \$75                 |
| EPM           | Tribal - Capacity Building                              | \$50                 |
| S&T           | Federal Support for Air Quality Management              | \$25                 |

|              |  |                |
|--------------|--|----------------|
| S&T          | Research: Air, Climate and Energy            | \$50           |
| S&T          | Research: Chemical Safety and Sustainability | \$50           |
| <b>Total</b> |  | <b>\$2,500</b> |



## **EPA Consolidations, Reorganizations, Realignments, or Other Transfer of Resources**

### **Office of the Administrator**

In FY 2023, the Office of the Administrator (OA) submitted a reorganization proposal to strengthen internal operations and programs to enhance and streamline its mission support functions; improve products and services to its customers, partners, and stakeholders; and better align resources with Administration priorities. The reorganization also realigns functions to balance workload across OA, eliminate organizational layers, and consolidate similar or duplicative functions to better leverage personnel and resources. This reorganization does not affect any other EPA program office or regional office. OA anticipates completing the reorganization in FY 2024.

### **Office of Air and Radiation**

In FY 2023, the Office of Air and Radiation (OAR) submitted a proposal to reorganize the Office of Atmospheric Protection and the Office of Transportation and Air Quality to better align with its workload and missions. The Office of Atmospheric Protection (OAP) reorganized three organizational units: the Climate Change Division (CCD), the Climate Protection Partnership Division (CPPD) and the Clean Air Markets Division (CAMD). The reorganization creates new units in these three divisions to distribute existing and new functions more efficiently. In addition, the title of CAMD is changing to the Clean Air and Power Division (CAPD). The Office of Transportation and Air Quality (OTAQ) reorganized three organizational units: the Assessment & Standards Division, the Compliance Division (CD), and the Transportation and Climate Division (TCD). The reorganization consolidates and realigns work across OTAQ to better distribute existing work and manage the increased programmatic and budget responsibilities under the Inflation Reduction Act. This reorganization does not affect any other EPA program office or regional office. OAR anticipates completing the reorganization in FY 2024.

### **Office of Chemical Safety and Pollution Prevention**

In FY 2023, the Office of Chemical Safety and Pollution Prevention (OCSPP) submitted a proposal to reorganize the Risk Assessment Branch 8 (RAB 8) in the Office of Pesticide Programs (OPP)'s Health Effects Division (HED). RAB 8, although technically housed in HED, is a dynamic branch that supports the science needs across the entire OPP, working on multiple high-level projects dealing with emerging science and risk assessment issues. The branch provides scientific support to all divisions in OPP for areas where they may currently lack expertise (e.g., data analytics, Structure-Activity Relationship and other predictive methods, physiologically-based pharmacokinetic modeling, New Approach Methods, etc.). To increase efficiency and maximize the FTE allocation, OCSPP plans to dissolve the structure of RAB 8 and move those staff under the direct supervision of the divisions under which they currently work. Divisions propose to receive staff to include the Environmental Fate and Effects Division (EFED), the Biological and Economic Analysis Division (BEAD), the Antimicrobials Division (AD), the Biopesticides and Pollution Prevention Division (BPPD), and the Registration Division (RD). This reorganization

does not to affect any other EPA program office or regional office. OCSPP anticipates completing the reorganization in FY 2024.

### **Office of the Chief Financial Officer**

In FY 2024, the Office of the Chief Financial Officer (OCFO) plans to submit a reorganization proposal to address important new legislation and mandates and formalize existing ones (Foundations for Evidence-Based Policymaking Act of 2018, updates to OMB Circulars A-11 and A-123, and others); improve efficiency by consolidating and aligning related functions; better explain the work of OCFO organizational units in the Agency's official functional statements; promote operational efficiency and balance workload by flattening and streamlining OCFO's organizational structure; and rename organizational units for greater clarity and to comply with requirements for agency Human Resources systems and reporting.

### **Office of Environmental Justice and External Civil Rights**

In September 2022, EPA established a new national program manager, the Office of Environmental Justice and External Civil Rights (OEJECR) to: bolster the integration of EJ considerations, conflict mitigation and collaboration, and civil rights compliance across all EPA policies, programs, and activities; support the efforts of regulatory partners to similarly integrate EJ and fully comply with civil rights requirements; and enhance EPA's ability to meaningfully engage with and directly support communities with EJ and civil rights concerns. This change reflects and helps to bolster EPA efforts to fully achieve the many commitments in the *FY 2022-2026 EPA Strategic Plan*, Goal 2, *Take Decisive Action to Advance Environmental Justice and Civil Rights*, which similarly elevates EJ and external civil rights compliance priorities.

In FY 2023, EPA submitted a reorganization proposal to ensure OEJECR can most effectively meet its commitments and critical mission functions in an efficient manner by establishing an Environmental Justice, Community Health, and Environmental Review Division (EJCHERD) in each regional office. The Regional EJCHERD is to manage regional implementation of the environmental justice program and coordination of the external civil rights program. Other core functions include managing regional National Environmental Policy Act (NEPA), children's health, and environmental education programs. This alignment of national and regional program management functions supports effective and efficient delivery of new and expanded programs. It also supports more effective joint planning and coordination with tribal, state, and local partners in program delivery. This reorganization does not affect any other EPA program office or regional office.

In addition to the regional reorganizations, OEJECR plans to implement an additional minor reorganization in its Headquarter office in FY 2024. The primary impetus for this reorganization is to accommodate the additional structural and supervisory needs of the national program brought about by the introduction of numerous term-limited positions to implement the Environmental and Climate Justice Block Grants funded by the Inflation Reduction Act, as well as to make minor adjustments based upon the national program's first year of operations. This proposed reorganization does not affect any other EPA program office. OEJECR anticipates completing the reorganization in FY 2024.

**FY 2025 Environmental Justice Estimated Program Budget<sup>1</sup>**  
**Dollars in Thousands**

| <b>Appropriation</b>                                     | <b>Program Activities</b>  | <b>FY 2025 PB Resources<sup>2</sup></b> | <b>FY 2025 PB FTE<sup>3</sup></b> |
|--|--|---|-----------------------------------|
| EPM  | HQ Environmental Justice (EJ) Program Management and Coordination <sup>4</sup>                                     | \$108,500.0                             | 107.8                             |
| EPM  | EJSCREEN and Information Tools   | \$10,900.0                              |                                   |
| EPM  | White House (WH) EJ Inter-Agency Council (formerly EJ IWG) Support and EJ coordination with Other Federal Agencies | \$3,000.0                               |                                   |
| EPM  | National EJ Advisory Council/WHEJ Advisory Council Support, and Climate EJ Advisory Council                        | \$4,000.0                               |                                   |
| EPM  | Environmental Justice Community Grant Program <sup>5,6</sup>   | \$33,000.0                              |                                   |
| EPM  | Environmental Justice Government to Government Grant Program <sup>7</sup>  | \$31,500.0                              |                                   |
| EPM  | Community-based Participatory Research Grant Program   | \$15,000.0                              |                                   |
| EPM  | Environmental Justice Training Program   | \$3,000.0                               |                                   |
| EPM  | Environmental Justice Clearinghouse  | \$5,000.0                               |                                   |
| EPM  | Environmental Justice Legal Support  | \$3,837.0                               |                                   |
| EPM  | Thriving Community Technical Assistance Centers <sup>8</sup>   | \$69,715.0                              |                                   |
| EPM  | Regional Resources for Environmental Justice Program   | \$30,260.0                              |                                   |
| <b><i>Subtotal of EPM EJ Resources and FTE</i></b>       |  | <b><i>\$317,712.0</i></b>               | <b><i>259.1</i></b>               |
| Superfund  | Superfund Environmental Justice Program Coordination <sup>9</sup>  | \$5,901.0                               | 5.5                               |
| <b><i>Subtotal of Superfund EJ Resources and FTE</i></b> |  | <b><i>\$5,901.0</i></b>                 | <b><i>5.5</i></b>                 |
| <b>TOTAL</b>   |  | <b>\$323,613.0</b>                      | <b>264.6</b>                      |

<sup>1</sup> The Explanatory Statement accompanying the Consolidated Appropriations Act, 2021 instructs EPA to provide "allocations for each component of funding for environmental justice programs". Please see page 228: <https://www.govinfo.gov/content/pkg/CREC-2020-12-21/pdf/CREC-2020-12-21-house-bk4.pdf>.

<sup>2</sup>Estimated program activity resources include both payroll and non-payroll resources.

<sup>3</sup>Estimated FTE per program activity.

<sup>4</sup>The former Agency Technical Assistance, Research, Training, Education, and Communication program activity has been incorporated into the HQ Environmental Justice (EJ) Program Management and Coordination program activity.

<sup>5</sup>In FY 2022, The Environmental Justice Collaborative Problem-Solving Cooperative Agreement Grants Program was renamed as the Environmental Justice Competitive Grant Program. The Environmental Justice Small Grants Program was renamed as the Environmental Justice Community Grant Program.

<sup>6</sup>In FY 2023, EPA combined the Environmental Justice Competitive Grant Program with the Environmental Justice Community Grant Program.

<sup>7</sup>In FY 2023, EPA renamed the State, Tribes, and Territories Environmental Justice Grants to the Environmental Justice Government to Government Grants.

<sup>8</sup>In FY 2023, EPA renamed the Regional Outreach Centers to the Thriving Community Technical Assistance Centers (TCTACs).

<sup>9</sup>The Superfund Environmental Justice Program Coordination includes resources in support of the Agency's Superfund Program and will include the following: coordination and support for HQ activities that align with or focus on Superfund issues such as: efforts of the NEJAC Superfund working group, collaboration with Superfund on data enhancements for EJScreen and other information tools, collaboration of EJ program staff with the Superfund Program on equity and justice efforts, and coordination of regional staff with Superfund staff and Community Involvement Coordinators on place-based EJ and Superfund issues of clean-up, risk communication, engagement, and revitalization.

**FY 2025 STAG Categorical Program Grants  
Statutory Authority and Eligible Uses  
(Dollars in Thousands)**

| <b>Grant Title</b>                     | <b>Statutory Authorities</b> | <b>Eligible Recipients</b>   | <b>Eligible Uses</b>   | <b>FY 2023 Operating Plan Dollars (X1000)</b> | <b>FY 2024 Annualized CR Dollars (X1000)</b> | <b>FY 2025 President's Budget Dollars (X1000)</b> |
|--|------------------------------|--|--|---|--|---|
| State and Local Air Quality Management | CAA, Section 103             | Air pollution control agencies as defined in Section 302(b) of the CAA | S/L monitoring and data collection activities in support of the PM <sub>2.5</sub> monitoring network and associated program costs. | \$43,875.0                                    | \$43,875.0                                   | \$75,000.0  |
| State and Local Air Quality Management | CAA, Section 103             | Air pollution control agencies as defined in Section 302(b) of the CAA | S/L monitoring and data collection activities in support of air toxics monitoring.   | \$8,300.0                                     | \$8,300.0                                    | \$20,000.0  |
| State and Local Air Quality Management | CAA, Section 103             | Air pollution control agencies as defined in Section 302(b) of the CAA | S/L monitoring procurement activities in support of the NAAQS.   | \$4,970.0                                     | \$4,970.0                                    | \$7,000.0   |

| Grant Title                            | Statutory Authorities       | Eligible Recipients   | Eligible Uses   | FY 2023 Operating Plan Dollars (X1000)  | FY 2024 Annualized CR Dollars (X1000)   | FY 2025 President's Budget Dollars (X1000)  |
|--|-----------------------------|---|---|---|---|---|
| State and Local Air Quality Management | CAA, Sections 103, 105, 106 | Air pollution control agencies as defined in Section 302(b) of the CAA; Multi-jurisdictional organizations (non-profit organizations whose boards of directors or membership is made up of CAA Section 302(b) agency officers and whose mission is to support the continuing environmental programs of the States); Interstate air quality control region designated pursuant to Section 107 of the CAA or of implementing Section 176A, or Section 184. NOTE: only the Ozone Transport Commission is eligible. | Carrying out the traditional prevention and control programs required by the CAA and associated program support costs, including all monitoring activities, including PM 2.5 monitoring and associated program costs (Section 103 and/or 105); Coordinating or facilitating a multi-jurisdictional approach to carrying out the traditional prevention and control programs required by the CAA (Sections 103 and 106); Supporting training for CAA Section 302(b) air pollution control agency staff (Sections 103 and 105); Supporting research, investigative, and demonstration projects (Section 103). | \$191,254.0<br>Section 105 grants<br><br><br><br><br><br><br><br><br><br>\$639.0<br>Section 106 grants<br><br><br><br><br><br><br><br><br><br><b>Total:</b><br><b>\$249,038.0</b> | \$191,254.0<br>Section 105 grants<br><br><br><br><br><br><br><br><br><br>\$639.0<br>Section 106 grants<br><br><br><br><br><br><br><br><br><br><b>Total:</b><br><b>\$249,038.0</b> | \$297,498.0<br>Section 105 grants<br><br><br><br><br><br><br><br><br><br>\$700.0<br>Section 106 grants<br><br><br><br><br><br><br><br><br><br><b>Total:</b><br><b>\$400,198.0</b> |

| Grant Title                   | Statutory Authorities  | Eligible Recipients   | Eligible Uses   | FY 2023 Operating Plan Dollars (X1000) | FY 2024 Annualized CR Dollars (X1000) | FY 2025 President's Budget Dollars (X1000) |
|-------------------------------|--|---|---|--|---------------------------------------|--|
| Tribal Air Quality Management | CAA, Sections 103 and 105; Tribal Cooperative Agreements (TCA) in annual Appropriations Acts.                                    | Tribes; Intertribal Consortia; State/Tribal College or University | Conducting air quality assessment activities to determine a tribe's need to develop a CAA program; Carrying out the traditional prevention and control programs required by the CAA and associated program costs; Supporting CAA training for federally- recognized tribes. | \$11,415.0                             | \$11,415.0                            | \$18,126.0                                 |
|                               |  |   |   | Section 103 grants                     | Section 103 grants                    | Section 103 grants                         |
|                               |  |   |   | \$5,000.0                              | \$5,000.0                             | \$5,000.0                                  |
|                               |  |   |   | Section 105 grants                     | Section 105 grants                    | Section 105 grants                         |
|                               |  |   |   | <b>Total:</b>                          | <b>Total:</b>                         | <b>Total:</b>                              |
|                               |  |   |   | <b>\$16,415.0</b>                      | <b>\$16,415.0</b>                     | <b>\$23,126.0</b>                          |
| Radon                         | TSCA, Sections 10 and 306.   | State Agencies, Tribes, Intertribal Consortia                     | Assist in the development and implementation of programs for the assessment and mitigation of radon.  | \$10,995.0                             | \$10,995.0                            | \$12,487.0                                 |
| Multipurpose Grants           | Annual Appropriations Acts; all other major environmental legislation including, but not limited to, CAA, CWA, SDWA, and CERCLA. | State Agencies, Tribes  | Implementation of mandatory statutory duties delegated by EPA under pertinent environmental laws.   | \$0.0                                  | \$0.0                                 | \$10,200.0                                 |

| <b>Grant Title</b>                     | <b>Statutory Authorities</b>  | <b>Eligible Recipients</b>   | <b>Eligible Uses</b>  | <b>FY 2023 Operating Plan Dollars (X1000)</b> | <b>FY 2024 Annualized CR Dollars (X1000)</b> | <b>FY 2025 President's Budget Dollars (X1000)</b> |
|--|---|--|---|---|--|---|
| Water Pollution Control (Section 106)  | FWPCA, as amended, Section 106; TCA in annual Appropriations Acts.        | States, Tribes, Intertribal Consortia, Interstate Agencies   | Develop and carry out surface and ground water pollution control programs, including NPDES permits, TMDLs, WQ standards, monitoring, and NPS control activities.                        | \$237,000.0                                   | \$237,000.0                                  | \$288,720.0                                       |
| Nonpoint Source (NPS – Section 319)    | FWPCA, as amended, Section 319(h); TCA in annual Appropriations Acts.     | States, Tribes, Intertribal Consortia  | Implement EPA-approved state and tribal nonpoint source management programs and fund projects as selected by the state.   | \$182,000.0                                   | \$182,000.0                                  | \$188,999.0                                       |
| Wetlands Program Development           | FWPCA, as amended, Section 104 (b)(3); TCA in annual Appropriations Acts. | States, Local Governments, Tribes, Interstate Organizations, Intertribal Consortia, Non-Profit Organizations | To develop new wetland programs or enhance and/or expand existing programs for the protection, management, and restoration of wetland resources.  | \$14,692.0                                    | \$14,692.0                                   | \$22,000.0  |
| Public Water System Supervision (PWSS) | SDWA, Section 1443(a); TCA in annual Appropriations Acts.                 | States, Tribes, Intertribal Consortia  | Assistance to implement and enforce National Primary Drinking Water Regulations to ensure the safety of the Nation's drinking water resources and to protect public health.             | \$121,500.0                                   | \$121,500.0                                  | \$132,566.0                                       |
| Underground Injection Control (UIC)    | SDWA, Section 1443(b); TCA in annual Appropriations Acts.                 | States, Tribes, Intertribal Consortia  | Implement and enforce regulations that protect underground sources of drinking water by controlling Class I-V underground injection wells.  | \$13,164.0                                    | \$13,164.0                                   | \$11,387.0  |
| Beaches Protection                     | BEACH Act of 2000; TCA in annual Appropriations Acts.                     | States, Tribes, Intertribal Consortia, Local Governments   | Develop and implement programs for monitoring and notification of conditions for coastal recreation waters adjacent to beaches or similar points of access that are used by the public. | \$10,619.0                                    | \$10,619.0                                   | \$9,811.0   |

| Grant Title                                  | Statutory Authorities  | Eligible Recipients                   | Eligible Uses  | FY 2023 Operating Plan Dollars (X1000) | FY 2024 Annualized CR Dollars (X1000) | FY 2025 President's Budget Dollars (X1000) |
|--|--|---------------------------------------|--|--|---------------------------------------|--|
| Resource Recovery and Hazardous Waste Grants | Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act § 3011; Consolidated Appropriations Act, 2018 (Public Law 115-141). | States, Tribes, Intertribal Consortia | Develop and implement solid and hazardous waste programs.  | \$105,000.0                            | \$105,000.0                           | \$108,247.0                                |
| Brownfields                                  | Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA § 128(a)).   | States, Tribes, Intertribal Consortia | Establish and enhance state and tribal response programs which will survey and inventory brownfields sites; develop oversight and enforcement authorities to ensure response actions are protective of human health and the environment; develop ways for communities to provide meaningful opportunities for public participation; and develop mechanisms for approval of a cleanup plan and verification and certification that cleanup is complete. | \$47,195.0                             | \$47,195.0                            | \$53,954.0                                 |
| Underground Storage Tanks (UST)              | Solid Waste Disposal Act of 1976, as amended by the Superfund Amendments and Reauthorization Act of 1986, § 2007(f); Energy Policy Act, § 9011.        | States                                | Provide funding for States' underground storage tanks and to support direct UST implementation programs.   | \$1,505.0                              | \$1,505.0                             | \$1,505.0                                  |



| Grant Title                       | Statutory Authorities  | Eligible Recipients                   | Eligible Uses   | FY 2023 Operating Plan Dollars (X1000)  | FY 2024 Annualized CR Dollars (X1000)   | FY 2025 President's Budget Dollars (X1000)  |
|-----------------------------------|--|---------------------------------------|---|---|---|---|
| Pesticides Program Implementation | FIFRA, Sections 23(a)(1); Federal Food, Drug, and Cosmetic Act (FDCA); Food Quality Protection Act (FQPA); Endangered Species Act (ESA). | States, Tribes, Intertribal Consortia | Implement the following programs through grants to States, tribes, partners, and supporters for implementation of pesticide programs, including:<br><br>Certification and Training (C&T); Worker Protection; Endangered Species Protection Program (ESPP) Field Activities; Pesticides in Water; and Tribal Programs. | \$12,683.0<br>– States formula<br><br><hr/> \$1,344.0<br><br>HQ Programs:<br>- Tribal: \$865.0<br>- PREP: \$285.0<br>- AAPCO: \$165.0<br>-Regions: \$29.0<br><br><hr/> <b>Total: \$14,027.0</b> | \$12,759.0<br>– States formula<br><br><hr/> \$1,268.0<br><br>HQ Programs:<br>- Tribal: \$818.0<br>- PREP: \$285.0<br>- AAPCO: \$165.0<br><br><hr/> <b>Total: \$14,027.0</b> | \$12,759.0<br>– States formula<br><br><hr/> \$1,268.0<br><br>HQ Programs:<br>- Tribal: \$818.0<br>- PREP: \$285.0<br>- AAPCO: \$165.0<br><br><hr/> <b>Total: \$14,027.0</b> |

| Grant Title                  | Statutory Authorities  | Eligible Recipients  | Eligible Uses  | FY 2023 Operating Plan Dollars (X1000)  | FY 2024 Annualized CR Dollars (X1000)   | FY 2025 President's Budget Dollars (X1000)  |
|------------------------------|--|--|--|---|---|---|
| Lead                         | TSCA, Sections 401-412.  | States, Tribes, Intertribal Consortia  | Aid states, territories, the District of Columbia, and tribes to develop and implement authorized lead-based paint abatement programs and authorized Renovation, Repair, and Painting (RRP) programs. EPA directly implements these programs in all areas of the country that are not authorized to do so and will continue to operate the Federal Lead-based Paint Program Database (FLPP) of trained and certified lead-based paint professionals. | \$12,301.0<br><br>404(g) State/Tribal Certification<br><br>_____<br>\$4,025.0<br>404(g) Direct Implementation<br><br><b>Total:</b><br><b>\$16,326.0</b> | \$12,301.0<br><br>404(g) State/Tribal Certification<br><br>_____<br>\$4,025.0<br>404(g) Direct Implementation<br><br><b>Total:</b><br><b>\$16,326.0</b> | \$22,653.0<br><br>404(g) State/Tribal Certification<br><br>_____<br>\$1,986.0<br>404(g) Direct Implementation<br><br><b>Total:</b><br><b>\$24,639.0</b> |
| Toxics Substances Compliance | Toxic Substances Control Act (TSCA) § 28(a) and 404(g); TCA in annual Appropriations Acts. | States, Federally Recognized Indian Tribes, Intertribal Consortia, and Territories of the U.S. | Assist in developing, maintaining, and implementing compliance monitoring programs for PCBs, asbestos, and Lead Based Paint. In addition, enforcement actions by 1) the Lead Based Paint program and 2) States that obtained a "waiver" under the Asbestos program.  | \$5,010.0   | \$5,010.0   | \$6,877.0   |
| Pesticides Enforcement       | FIFRA § 23(a)(1); TCA in annual Appropriations Acts.                                       | States, Federally Recognized Indian Tribes, Intertribal Consortia, and Territories of the U.S. | Assist with implementation of cooperative pesticide enforcement programs.  | \$25,580.0  | \$25,580.0  | \$25,580.0  |

| Grant Title   | Statutory Authorities   | Eligible Recipients   | Eligible Uses  | FY 2023 Operating Plan Dollars (X1000) | FY 2024 Annualized CR Dollars (X1000) | FY 2025 President's Budget Dollars (X1000) |
|---|---|---|--|--|---------------------------------------|--|
| Pollution Prevention  | Pollution Prevention Act of 1990, Section 6605; TSCA Section 10; FY 2000 Appropriations Act (P.L. 106-74); TCA in annual Appropriations Acts.   | States, Tribes, Intertribal Consortia   | Provides assistance to States and State entities ( <i>i.e.</i> , colleges and universities) and federally-recognized tribes and intertribal consortia to deliver pollution prevention technical assistance to small and medium-sized businesses. A goal of the Program is to assist businesses and industries with identifying improved environmental strategies and solutions for reducing waste at the source. | \$4,973.0                              | \$4,973.0                             | \$5,755.0                                  |
| Tribal General Assistance Program                           | Indian Environmental General Assistance Program Act (42 U.S.C. § 4368b); TCA in annual Appropriations Acts.   | Tribal Governments, Intertribal Consortia   | Plan and develop tribal environmental protection programs.   | \$74,750.0                             | \$74,750.0                            | \$85,009.0                                 |
| Direct Implementation Tribal Cooperative Agreements (DITCA) | DITCAs were initially authorized in the FY 2001 Appropriations Act (Pub. L. No. 107-73, 115 Stat. 686 (2001)) and have been authorized on an annual basis every fiscal year since then. | Tribal Governments participation in EPA direct implementation activities that respect tribes' interest in determining the scope of tribal involvement and provide tribes the opportunity to undertake these activities to support future delegations, authorizations, and approvals of EPA authorities. | Respects tribes' interest in determining the scope and pace of tribal involvement. Provides tribes the opportunity to "test" their capacity to undertake these activities for potential applications for delegation, authorization, or approval of EPA authorities in the future. Of the total amount, \$13 million will be available to address/focus on climate-related concerns.                              | \$0.0                                  | \$0.0                                 | \$25,000.0                                 |

| Grant Title   | Statutory Authorities  | Eligible Recipients   | Eligible Uses  | FY 2023 Operating Plan Dollars (X1000) | FY 2024 Annualized CR Dollars (X1000) | FY 2025 President's Budget Dollars (X1000) |
|---|--|---|--|--|---------------------------------------|--|
| National Environmental Information Exchange Network (NEIEN, aka "the Exchange Network") | 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). | States, U.S. Territories, Federally Recognized Tribes and Native Villages, Interstate Agencies, Tribal Consortia, Other Agencies with Related Environmental Information Activities. | Helps States, U.S. Territories, tribes, and intertribal consortia develop the information management and technology (IM/IT) capabilities they need to participate in the Exchange Network, to continue and expand data-sharing programs, and to improve access to environmental information. | \$10,836.0                             | \$10,836.0                            | \$15,000.0                                 |

**Making Litigation Costs Transparent – Equal Access for Justice Act  
(EAJA)<sup>16</sup> FY 2023**

| <b>Date of final fee agreement or court disposition</b> | <b>Case Name</b>   | <b>Court</b>   | <b>Case Number</b>            | <b>Judge</b>   | <b>Amount of Fees and/or Costs Paid</b> | <b>Source of Funds</b> | <b>Was amount negotiated or court ordered?</b> | <b>Recipients</b>  | <b>Nature of Case and Findings Basis</b>   | <b>Hourly Rate of Attorney<sup>17</sup></b> | <b>Hourly Rate of Expert Witness</b> |
|---|--|--|-------------------------------|--|---|------------------------|--|--|--|---|--------------------------------------|
| 11/14/2022  | <i>Earth Island Institute, et al. v. Wheeler, et al.</i>     | <i>United States District Court for the Northern District of California San Francisco Division</i> | 3:20-cv-00670-WHO (N.D. Cal.) | William H. Orrick  | \$92,934                                | EPA Appropriations     | Negotiated                                     | Center for Biological Diversity; Environmental Law Clinic, UC Berkeley School of Law | CWA 505 claim for failure to perform non-discretionary duty under CWA 311(d) to update National Oil and Hazardous Substances Contingency Plan; APA claim for unreasonable delay in taking action on petition for rulemaking and proposed rule regarding revisions to the National Oil and Hazardous Substances Contingency Plan. | N/A   | None                                 |
| 12/21/2022  | <i>Center for Food Safety v. EPA</i>                         | <i>United States District Court for the Northern District of California San Francisco Division</i> | 3:21-cv-9640-JSC (N.D. Cal.)  | Jacqueline Scott Corley  | \$12,539                                | EPA Appropriations     | Negotiated                                     | Center for Food Safety   | APA claim of unreasonable delay in responding to petition filed in 2017 requesting amendment to treated article exemption for treated seeds.   | N/A   | None                                 |
| 03/28/2023  | <i>National Family Farm Coalition, et al. v. EPA, et al.</i> | <i>United States Court of Appeals for the Ninth Circuit</i>  | 19-70115 (9th Cir.)           | Michael Daly Hawkins, M. Margaret McKeown, William A. Fletcher | \$675,000                               | EPA Appropriations     | Negotiated                                     | Center for Food Safety   | Challenge under FIFRA and the Endangered Species Act to EPA's 2018 amendment of registration for use in 34 states of the herbicide dicamba on cotton and soybean that have been  | N/A   | None                                 |

<sup>16</sup> In the FY 2019 Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (P.L. 116-6), the House and Senate Committees on Appropriations requested Department of Interior, EPA, and the Forest Service make publicly available the EAJA fee information as specified in the explanatory statement accompanying Division G of the Consolidated Appropriations Act, 2017 (P.L. 115-31).

<sup>17</sup> In prior reports EPA had erroneously included hourly rates used in the plaintiff's fee requests. Upon further review, as the final Equal Access to Justice Act settlements are negotiated, it is not possible to provide the hourly rates reflected in the actual amounts paid.

| Date of final fee agreement or court disposition | Case Name   | Court   | Case Number                    | Judge  | Amount of Fees and/or Costs Paid | Source of Funds    | Was amount negotiated or court ordered? | Recipients  | Nature of Case and Findings Basis  | Hourly Rate of Attorney <sup>2</sup> | Hourly Rate of Expert Witness |
|--|---|---|--------------------------------|--|----------------------------------|--------------------|---|---|--|--------------------------------------|-------------------------------|
|  |   |   |                                |  |                                  |                    |   |   | genetically engineered to resist dicamba.  |                                      |                               |
| 03/10/2023                                       | <i>Center for Biological Diversity, et al. v. EPA, et al.</i> | <i>United States Court of Appeals for the Ninth Circuit</i>                                 | 20-73146 (9th Cir.)            | Ryan Nelson, Kenneth Lee, Jed Rakoff                       | \$175,000                        | EPA Appropriations | Negotiated                              | Center for Biological Diversity; Center for Food Safety | Challenge under FIFRA and the Endangered Species Act to EPA's 2020 approval of registrations for products contain the new active ingredient inpyrfluxam. | N/A                                  | None                          |
| 11/14/2022                                       | <i>Northwest Environmental Advocates v. EPA</i>               | <i>United States District Court for the Western District of Washington Seattle Division</i> | 2:20-cv-1362-MJP (W.D. Wash.)  | Marsha J. Pechman  | \$193,320                        | EPA Appropriations | Negotiated                              | Earthrise Law Center                                    | APA claims alleging EPA's denial of a rulemaking petition to promulgate aquatic life criteria for the state of Washington was arbitrary and capricious.  | N/A                                  | None                          |
| 03/10/2023                                       | <i>Rural Coalition, et al. v. EPA, et al.</i>                 | <i>United States Court of Appeals for the Ninth Circuit</i>                                 | 20-70787 & 20-70801 (9th Cir.) | J. Clifford Wallace, Danny J. Boggs, Michelle T. Friedland | \$260,000                        | EPA Appropriations | Negotiated                              | Center for Food Safety                                  | Challenge under FIFRA and the Endangered Species Act to EPA's 2020 Interim Registration Review Decision for glyphosate.                                  | N/A                                  | None                          |

**Office of Enforcement Compliance Assurance Travel by Program Project  
FY 2019 – FY 2025\***

| Appr.              | Program Project                               | FY 2019          |                  | FY 2020          |                  | FY 2021          |                  | FY 2022          |                  | FY 2023          |                  | FY 2024          | FY 2025          |
|--------------------|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
|                    |   | Enacted          | Actuals **       | Enacted          | Actuals **       | Enacted          | Actuals **       | Enacted          | Actuals **       | Enacted*         | Actuals **       | Annualized CR*** | Pres Bud****     |
| <b>EPM</b>         |   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|                    | 43 - Brownfields                              | \$16.0           | \$4.2            | \$16.0           | \$18.2           | \$3.0            | \$0.0            | \$3.0            | \$2.3            | \$3.0            | \$3.3            | \$3.0            | \$12.0           |
|                    | 44 - Civil Enforcement                        | \$2,216.0        | \$1,942.2        | \$2,197.0        | \$886.2          | \$742.0          | \$602.0          | \$742.0          | \$1,230.7        | \$2,932.0        | \$2,637.5        | \$2,932.0        | \$3,236.0        |
|                    | 50 - Compliance Monitoring                    | \$1,529.0        | \$1,397.2        | \$1,516.0        | \$694.8          | \$567.0          | \$301.0          | \$582.0          | \$658.0          | \$835.0          | \$1,217.5        | \$835.0          | \$2,336.0        |
|                    | 52 - Criminal Enforcement                     | \$1,522.0        | \$1,458.1        | \$1,522.0        | \$748.4          | \$548.0          | \$467.0          | \$548.0          | \$606.0          | \$1,518.0        | \$1,381.8        | \$1,518.0        | \$1,690.0        |
|                    | 57 - Environmental Justice                    | \$0.0            | \$5.3            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$4.0            | \$148.2          | \$4.0            | \$248.9          | \$4.0            | \$0.0            |
|                    | 63 - Geographic Program: Chesapeake Bay       | \$20.0           | \$24.0           | \$20.0           | \$6.9            | \$20.0           | \$9.0            | \$20.0           | \$18.4           | \$20.0           | \$23.8           | \$20.0           | \$20.0           |
|                    | 90 - NEPA Implementation                      | \$0.0            | \$70.5           | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            |
|                    | F2 - Facilities Infrastructure and Operations | \$238.0          | \$234.5          | \$238.0          | \$204.4          | \$84.0           | \$132.0          | \$131.0          | \$342.4          | \$207.0          | \$355.7          | \$207.0          | \$238.0          |
| <b>Total</b>       |   | <b>\$5,541.0</b> | <b>\$5,136.0</b> | <b>\$5,509.0</b> | <b>\$2,558.9</b> | <b>\$1,964.0</b> | <b>\$1,511.0</b> | <b>\$2,030.0</b> | <b>\$3,006.0</b> | <b>\$5,519.0</b> | <b>\$5,868.5</b> | <b>\$5,519.0</b> | <b>\$7,532.0</b> |
| <b>S&amp;T</b>     |   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|                    | 62 - Forensics Support                        | \$260.0          | \$193.1          | \$260.0          | \$115.0          | \$141.0          | \$88.0           | \$141.0          | \$170.9          | \$260.0          | \$232.2          | \$260.0          | \$478.0          |
| <b>LUST</b>        |   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|                    | 44 - Civil Enforcement                        | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            |
| <b>OIL</b>         |   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|                    | 44 - Civil Enforcement                        | \$14.0           | \$8.1            | \$14.0           | \$3.1            | \$14.0           | \$6.0            | \$12.0           | \$13.4           | \$12.0           | \$9.3            | \$12.0           | \$14.0           |
|                    | 50 - Compliance Monitoring                    | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            |
| <b>Total</b>       |   | <b>\$14.0</b>    | <b>\$8.1</b>     | <b>\$14.0</b>    | <b>\$3.1</b>     | <b>\$14.0</b>    | <b>\$6.0</b>     | <b>\$12.0</b>    | <b>\$13.4</b>    | <b>\$12.0</b>    | <b>\$9.3</b>     | <b>\$12.0</b>    | <b>\$14.0</b>    |
| <b>SUPERFUND</b>   |   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|                    | 50 - Compliance Monitoring                    | \$8.0            | \$0.0            | \$8.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$0.0            | \$8.0            |
|                    | 52 - Criminal Enforcement                     | \$468.0          | \$236.7          | \$468.0          | \$125.8          | \$468.0          | \$399.0          | \$468.0          | \$547.3          | \$468.0          | \$579.7          | \$468.0          | \$500.0          |
|                    | 62 - Forensics Support                        | \$50.0           | \$32.9           | \$50.0           | \$17.2           | \$50.0           | \$48.0           | \$50.0           | \$65.3           | \$50.0           | \$85.9           | \$50.0           | \$57.0           |
|                    | C7 - Superfund: Enforcement ****              | \$1,145.0        | \$995.7          | \$1,143.0        | \$445.0          | \$1,143.0        | \$155.0          | \$1,143.0        | \$461.8          | \$1,143.0        | \$980.0          | \$1,143.0        | \$0.0            |
|                    | H2 - Superfund: Federal Facilities Enf        | \$120.0          | \$65.1           | \$120.0          | \$81.7           | \$120.0          | \$12.0           | \$120.0          | \$28.1           | \$120.0          | \$102.2          | \$120.0          | \$120.0          |
| <b>Total</b>       |   | <b>\$1,791.0</b> | <b>\$1,330.4</b> | <b>\$1,789.0</b> | <b>\$669.7</b>   | <b>\$1,781.0</b> | <b>\$614.0</b>   | <b>\$1,781.0</b> | <b>\$1,102.5</b> | <b>\$1,781.0</b> | <b>\$1,747.8</b> | <b>\$1,781.0</b> | <b>\$685.0</b>   |
| <b>Grand Total</b> |   | <b>\$7,606.0</b> | <b>\$6,667.6</b> | <b>\$7,572.0</b> | <b>\$3,346.7</b> | <b>\$3,900.0</b> | <b>\$2,219.0</b> | <b>\$3,964.0</b> | <b>\$4,292.7</b> | <b>\$7,572.0</b> | <b>\$7,857.7</b> | <b>\$7,572.0</b> | <b>\$8,709.0</b> |

The Explanatory Statement accompanying the Consolidated Appropriations Act, 2021 instructs EPA to follow guidance as set forth in House Report 116-448. House Report 116-448 directs EPA to provide "requested enforcement travel budget, and budgeted and actual enforcement travel spending for the previous five fiscal years". Please see page 80: <https://www.congress.gov/116/crpt/hrpt448/CRPT-116hrpt448.pdf>. This report fulfills this requirement.

\*In FY 2020 and FY 2021, OECA's travel resources decreased due to the COVID Pandemic travel restrictions. In FY 2023 and FY 2024, the travel resources were brought back to pre-COVID levels to resume in-person travel and inspections.

\*\*Actuals include final obligations of New Obligation Authority (NOA) and Carryover for the Office of Enforcement and Compliance Assurance (OECA).

\*\*\*EPA will re-evaluate travel as part of the Agency's FY 2024 Operating Plan activities in preparation for the FY 2024 Enacted Budget.

\*\*\*\* In FY 2025, the Budget proposed to transition the Superfund Enforcement program to the Superfund Tax Receipts. As a result, the Superfund Enforcement travel is proposed to be transitioned to the Superfund tax receipts and estimates will be evaluated in FY 2025.

**On-Site Inspections and Off-site Compliance Monitoring Compliance Activities from EPA’s Integrated Compliance Information System<sup>18</sup>**

The table below provides the numbers in EPA’s Integrated Compliance Information (ICIS) data system for on-site inspection and off-site compliance monitoring activities from fiscal years (FY) 2018-2023.

| <b>Fiscal Year</b> | <b>On-Site Inspections</b>         | <b>Off-Site Compliance Monitoring Activities</b><br><i>(EPA has not set separate targets for this category)</i> | <b>Total Completed</b> |
|--------------------|------------------------------------|---|------------------------|
| FY 2018 actual     | 7,900                              | 2,900   | 10,800                 |
| FY 2019* actual    | Target: 7,400<br>Actual: 8,100     | 2,200   | 10,329                 |
| FY 2020 actual     | Target: not set**<br>Actual: 3,600 | 4,900   | 8,500                  |
| FY 2021 actual     | Target: not set**<br>Actual: 3,200 | 7,600   | 10,800                 |
| FY 2022 actual     | Target: not set**<br>Actual: 5,900 | 8,000   | 13,900                 |
| FY 2023 actual     | Target: not set**<br>Actual: 7,750 | 5,350   | 13,100                 |
|                    |                                    |   |                        |
| FY 2024 projection | Target: 6,050<br>Actual: TBD       |   | Target: 11,000         |
| FY 2025 projection | Target: TBD<br>Actual: TBD         |   | Target: 12,000         |

\*In 2019, EPA set targets for on-site inspections only. Previous targets were a combination of on-site inspections and off-site compliance monitoring activities.

\*\*Targets were not set for on-site inspections in FY 2020 through FY 2023 due to travel restrictions, uncertainty resulting from COVID-19, and rebuilding capacity as the pandemic ends.

**Caveats:**

1. **Definitions:** Nationally consistent definitions of on-site inspections and off-site compliance monitoring activities did not exist for our compliance monitoring program until we issued guidance on April 24, 2020 (and updated in November 2020). As a result, earlier data may include mis-categorized activities. EPA’s April 24, 2020, memorandum provided definitions for both on-site and off-site compliance monitoring activities, which creates more consistency in each of the categories.

<sup>18</sup> The Explanatory Statement accompanying the Consolidated Appropriations Act, 2021 instructs EPA to follow guidance as set forth in *House Report 116-448*. *House Report 116-448* directs EPA to provide “separate targets for onsite inspections and offsite compliance monitoring activities, and separate target and actuals data for onsite and offsite compliance monitoring activities for the previous five fiscal years”. Please see page 80: <https://www.congress.gov/116/crpt/hrpt448/CRPT-116hrpt448.pdf>. This report fulfills this requirement.



2. Incomplete Data Entry: Given that EPA has not historically required most types of off-site compliance monitoring activities to be entered into an EPA database, these numbers are likely incomplete. EPA's April 24, 2020, guidance for reporting key off-site compliance monitoring activities establishes expectations for national reporting of these activities, subsequent years' numbers are therefore more reflective of actual activities.
3. COVID-19: Restrictions on travel during the pandemic affected EPA's ability to conduct on-site inspections in FY 2020, FY 2021 and continued partially in FY 2022. While on-site inspection numbers dropped substantially during this time, EPA was able to increase its off-site compliance monitoring activities. In FY 2022, as the pandemic eased, EPA was able to begin increasing the number of on-site inspections again, and on-site inspection numbers have continued to rise through FY 2023.
4. States Conduct Majority of Inspections: Most inspections are performed by authorized states. For example, states performed over 35,000 National Pollutant Discharge Elimination System (NPDES) inspections.
5. Data Mining: With modern tools, EPA collects data from monitoring reports and manifests. EPA conducts off-site compliance monitoring to try to detect violations, including possible violations of emission and discharge limitations. EPA uses this information to target facilities for on-site inspections. The FY 2020 guidance will help the Agency nationally focus and track this important off-site compliance monitoring work.
6. Totals More Reliable Than Subtotals: The sum of the two subtotals (on-site inspections + offsite compliance monitoring activities) is a more reliable value because it smooths out some of the variability in each subtotal. EPA believes definitions of on-site inspections and off-site compliance monitoring activities will help make the subtotal data more reliable going forward.
7. Staffing Levels: The number of inspections the Agency completes each year generally correlates with our annual staffing levels. During the time period reported in the table, OECA's number of full-time equivalents (FTEs) has decreased from 2,684 in FY 2018 to 2,551 in FY 2023.

## Physicians' Comparability Allowance (PCA) Plan

Department and component:

Environmental Protection Agency

**Purpose:** The purpose of this document is to describe the Agency's plan for implementing the Physicians' Comparability Allowance (PCA) Program. Per 5 CFR 595.107, the Office of Management and Budget (OMB) must approve this plan prior to the Agency entering into any PCA service agreement. Changes to this plan must be reviewed and approved by OMB in accordance with 5 CFR 595.107.

**Reporting:** In addition to the plan, each year, components utilizing PCA will include their PCA worksheet in the OMB Justification (OMBJ), typically in September. OMB and OPM will use this data for Budget development and congressional reporting.

### Plan for Implementing the PCA Program:

- 1a) Identify the categories of physician positions the Agency has established are covered by PCA under § 595.103. Please include the basis for each category. If applicable, list and explain the necessity of any additional physician categories designated by your agency (for categories other than I through IV-B). List Any Additional Physician Categories Designated by Your Agency: Pursuant to 5 CFR 595.107, any additional category of physician receiving a PCA, not covered by categories I through IV-B, should be listed and accompanied by an explanation as to why these categories are necessary.

| Number of Physicians Receiving PCAs by Category (non-add) | Category of Physician Position | Covered by Agency (mark "x" if covered) | Basis for Category   |
|---|--------------------------------|---|--|
| 2   | Category I Clinical Position   | X                                       | EPA's Office of Research and Development (ORD) clinical physicians oversee the medical care of study subjects. These studies are conducted on the health effects of a variety of common environmental pollutants in many different human subjects. Our primary emphasis is on cardio-pulmonary responses, with recent interest in behavioral responses. The Medical Officer is responsible for the health and well-being of research participants before, during, and after research. Prior to research, the Medical Officer is responsible for clinically evaluating individuals. During research, they are responsible for instituting preventative measures to ensure that any procedure entails the least risk possible. After the research, it is |

| Number of Physicians Receiving PCAs by Category (non-add) | Category of Physician Position          | Covered by Agency (mark "x" if covered) | Basis for Category  |
|---|---|---|---|
|   |   |   | the Medical Officer's responsibility to evaluate an individual's health to determine any clinical changes.  |
|   | Category II Research Position           |   | n/a   |
| 1   | Category III Occupational Health        |   | EPA is establishing a medical staff within the Office of Administration, Safety and Sustainability Division that will serve as a focal point for pandemic planning, occupational medical surveillance, wellness, and will provide medical consultative services supporting the Agency's safety and health, disease response/outbreak, fitness for duty, diver, automated external defibrillator, emergency response, nerve agent antidote, medical countermeasures, lactation, maternal wellness, and other national programs.  |
|   | Category IV-A Disability Evaluation     |   | n/a   |
| 1   | Category IV-B Health and Medical Admin. | X                                       | This position serves as the principal medical officer and environmental health scientist for EPA's ORD. The position is responsible for providing leadership, direction, and technical expertise in support of organizational-wide health and environmental planning, policy development and implementation, and oversight of scientific initiatives and research efforts for ORD's Assistant Administrator (AA) or their designee. This includes: Strategic Research Action Plan oversight; prioritization of environmental health research; and counsel and oversight on legislation, regulations and health impact assessments related to Executive Branch agencies on human health, air quality, ecosystem services, toxics and risks, environmental social sciences, and most notably, COVID-19. |

**Physicians' Comparability Allowance (PCA) Plan (continued)**

- 2) Explain the recruitment and retention problem(s) for each category of physician in your agency (this should demonstrate that a current need continues to persist). § 595 of 5 CFR Ch. 1 requires that an agency may determine that a significant recruitment and retention problem exists only if all of the following conditions apply:
- Evidence indicates that the Agency is unable to recruit and retain physicians for the category;
  - The qualification requirements being sought do not exceed the qualifications necessary for successful performance of the work;
  - The Agency has made efforts to recruit and retain candidates in the category; and
  - There are not a sufficient number of qualified candidates available if no comparability allowance is paid.

| <b>Number of Physicians Receiving PCAs by Category (non-add)</b> | <b>Category of Physician Position</b>   | <b>Recruitment and retention problem</b>   |
|--|---|--|
| 2  | Category I Clinical Position            | The small population of EPA Clinical Physician positions experiences modest turnover. The value of the physicians' comparability allowance to EPA is used as a retention tool. The Agency is told regularly that absent the allowance some EPA physicians would seek employment at federal agencies that provide the allowance.                            |
|  | Category II Research Position           | n/a  |
| 1  | Category III Occupational Health        | The value of the physicians' comparability allowance to EPA is to be used as a recruitment and retention tool. The Agency is told regularly that absent the allowance some EPA physicians would seek employment at federal agencies that provide the allowance.  |
|  | Category IV-A Disability Evaluation     | n/a  |
| 1  | Category IV-B Health and Medical Admin. | The small population of EPA Health and Medical Administrative Physician position(s) experiences modest turnover. The value of the physicians' comparability allowance to EPA is used as a retention tool. The Agency is told regularly that absent the allowance some EPA physicians would seek employment at federal agencies that provide the allowance. |

3) Explain how the Agency determines the amounts to be used for each category of physicians.

| Number of Physicians Receiving PCAs by Category (non-add) | Category of Physician Position          | Basis of comparability allowance amount  |
|---|---|--|
| 2   | Category I Clinical Position            | EPA reviews the experience and technical expertise of the candidates. Combined with other salary ranges in the private sector and in review of other federal agencies, the Agency tries to be within a range that allows the Agency to retain the employees. |
|   | Category II Research Position           | n/a  |
| 1   | Category III Occupational Health        | EPA reviews the experience and technical expertise of the candidates. Combined with other salary ranges in the private sector and in review of other federal agencies, the Agency tries to be within a range that allows the Agency to retain the employees. |
|   | Category IV-A Disability Evaluation     | n/a  |
| 1   | Category IV-B Health and Medical Admin. | EPA reviews the experience and technical expertise of the candidates. Combined with other salary ranges in the private sector and in review of other federal agencies, the Agency tries to be within a range that allows the Agency to retain the employees. |

4) Does the Agency affirm that the PCA plan is consistent with the provisions of 5 U.S.C. 5948 and the requirements of § 595 of 5 CFR Ch. 1?

Yes

## Physicians' Comparability Allowance (PCA) Worksheet

1) Department and component:

Environmental Protection Agency

2) Explain the recruitment and retention problem(s) justifying the need for the PCA pay authority.

*(Please include any staffing data to support your explanation, such as number and duration of unfilled positions and number of accessions and separations per fiscal year.)*  
 Historically, the number of EPA Research Physicians is between three and seven positions. This small population experiences modest turnover. The value of the physicians' comparability allowance to EPA is used as a retention tool. EPA continues to use the PCA to recruit qualified candidates to fill vacancies and to retain these employees. Additionally, EPA will use the PCA in FY 2024 to recruit and retain a physician for the newly formed national health and safety medical staff.

3-4) Please complete the table below with details of the PCA agreement for the following years:

|  | PY 2023<br>(Actual) | CY 2024<br>(Estimates) | BY* 2025<br>(Estimates) |
|--|---------------------|------------------------|-------------------------|
| 3a) Number of Physicians Receiving PCAs                    | 3                   | 4                      | 4                       |
| 3b) Number of Physicians with One-Year PCA Agreements      | 0                   | 0                      | 0                       |
| 3c) Number of Physicians with Multi-Year PCA Agreements    | 3                   | 4                      | 4                       |
| 4a) Average Annual PCA Physician Pay (without PCA payment) | \$189,670           | \$199,154              | \$203,137               |
| 4b) Average Annual PCA Payment                             | \$23,256            | \$23,256               | \$23,256                |

\*BY data will be approved during the BY Budget cycle. Please ensure each column is completed.

5) Explain the degree to which recruitment and retention problems were alleviated in your agency through the use of PCAs in the prior fiscal year.

*(Please include any staffing data to support your explanation, such as number and duration of unfilled positions and number of accessions and separations per fiscal year.)*  
 The Agency is told regularly that absent the allowance; some EPA research physicians would seek employment at federal agencies that provide the allowance.

6) Provide any additional information that may be useful in planning PCA staffing levels and amounts in your agency.

An agency with a very small number of physician positions and a low turn-over rate among them still needs the allowance authority to maintain the stability of the small population. Those who opt for federal employment in opposition to private sector employment still want the maximum pay available in the federal sector. Were it not for the PCA, EPA would regularly lose some of its physicians to other federal agencies that offer the allowance, both requiring EPA to refill vacant positions and making it more difficult for EPA to fill those positions. Turn-over statistics should be viewed in this light.

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

**Program Projects by Program Area  
(Dollars in Thousands)**

|   | FY 2023 Final<br>Actuals | FY 2024<br>Annualized CR | FY 2025<br>President's<br>Budget | FY 2025<br>President's<br>Budget v.<br>FY 2024<br>Annualized CR |
|---|--------------------------|--------------------------|----------------------------------|---|
| <b>Science &amp; Technology</b>                                   |                          |                          |                                  |   |
| <b>Clean Air and Climate</b>                                      |                          |                          |                                  |   |
| Clean Air Allowance Trading Programs                              | \$6,578                  | \$7,117                  | \$19,987                         | \$12,870  |
| Climate Protection  | \$9,968                  | \$8,750                  | \$10,800                         | \$2,050   |
| Federal Support for Air Quality Management                        | \$8,950                  | \$11,343                 | \$10,754                         | -\$589  |
| Federal Vehicle and Fuels Standards and Certification             | \$122,243                | \$117,341                | \$185,873                        | \$68,532  |
| <b>Subtotal, Clean Air and Climate</b>                            | <b>\$147,738</b>         | <b>\$144,551</b>         | <b>\$227,414</b>                 | <b>\$82,863</b>   |
| <b>Enforcement</b>  |                          |                          |                                  |   |
| Forensics Support   | \$14,152                 | \$15,532                 | \$19,337                         | \$3,805   |
| <b>Homeland Security</b>  |                          |                          |                                  |   |
| Homeland Security: Critical Infrastructure Protection             | \$12,249                 | \$10,852                 | \$34,351                         | \$23,499  |
| Homeland Security: Preparedness, Response, and Recovery           | \$26,376                 | \$25,347                 | \$40,802                         | \$15,455  |
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$625                    | \$625                    | \$501                            | -\$124  |
| <b>Subtotal, Homeland Security</b>                                | <b>\$39,250</b>          | <b>\$36,824</b>          | <b>\$75,654</b>                  | <b>\$38,830</b>   |
| <b>Indoor Air and Radiation</b>                                   |                          |                          |                                  |   |
| Indoor Air: Radon Program   | \$70                     | \$199                    | \$173                            | -\$26   |
| Radiation: Protection   | \$2,321                  | \$1,683                  | \$2,416                          | \$733   |
| Radiation: Response Preparedness                                  | \$3,200                  | \$3,596                  | \$4,802                          | \$1,206   |
| Reduce Risks from Indoor Air                                      | \$27                     | \$278                    | \$185                            | -\$93   |
| <b>Subtotal, Indoor Air and Radiation</b>                         | <b>\$5,618</b>           | <b>\$5,756</b>           | <b>\$7,576</b>                   | <b>\$1,820</b>  |
| <b>IT / Data Management / Security</b>                            |                          |                          |                                  |   |
| IT / Data Management  | \$3,489                  | \$3,197                  | \$3,346                          | \$149   |
| <b>Operations and Administration</b>                              |                          |                          |                                  |   |
| Facilities Infrastructure and Operations                          | \$65,328                 | \$67,500                 | \$72,906                         | \$5,406   |

**Pesticides Licensing**

|   |                |                |                 |                |
|---|----------------|----------------|-----------------|----------------|
| Pesticides: Protect Human Health from Pesticide Risk    | \$3,034        | \$2,894        | \$5,902         | \$3,008        |
| Pesticides: Protect the Environment from Pesticide Risk | \$2,468        | \$2,334        | \$4,239         | \$1,905        |
| Pesticides: Realize the Value of Pesticide Availability | \$963          | \$925          | \$1,040         | \$115          |
| <b>Subtotal, Pesticides Licensing</b>                   | <b>\$6,466</b> | <b>\$6,153</b> | <b>\$11,181</b> | <b>\$5,028</b> |

**Research: Air, Climate and Energy**

|                                   |           |           |           |          |
|-----------------------------------|-----------|-----------|-----------|----------|
| Research: Air, Climate and Energy | \$114,659 | \$100,448 | \$140,297 | \$39,849 |
|-----------------------------------|-----------|-----------|-----------|----------|

**Research: Chemical Safety for Sustainability**

|  |                  |                  |                  |                 |
|--|------------------|------------------|------------------|-----------------|
| Health and Environmental Risk Assessment                               | \$40,119         | \$39,918         | \$45,746         | \$5,828         |
| Research: Chemical Safety for Sustainability                           |                  |                  |                  |                 |
| <i>Endocrine Disruptors</i>  | \$17,222         | \$16,353         | \$18,017         | \$1,664         |
| <i>Computational Toxicology</i>  | \$23,500         | \$21,606         | \$23,646         | \$2,040         |
| <i>Research: Chemical Safety for Sustainability (other activities)</i> | \$56,107         | \$54,591         | \$64,554         | \$9,963         |
| <b>Subtotal, Research: Chemical Safety for Sustainability</b>          | <b>\$96,828</b>  | <b>\$92,550</b>  | <b>\$106,217</b> | <b>\$13,667</b> |
| <b>Subtotal, Research: Chemical Safety for Sustainability</b>          | <b>\$136,947</b> | <b>\$132,468</b> | <b>\$151,963</b> | <b>\$19,495</b> |

**Research: Sustainable Communities**

|   |           |           |           |          |
|---|-----------|-----------|-----------|----------|
| Research: Sustainable and Healthy Communities | \$147,279 | \$137,857 | \$149,498 | \$11,641 |
|---|-----------|-----------|-----------|----------|

**Research: Safe and Sustainable Water Resources**

|  |           |           |           |          |
|--|-----------|-----------|-----------|----------|
| Research: Safe and Sustainable Water Resources | \$125,346 | \$116,141 | \$143,745 | \$27,604 |
|--|-----------|-----------|-----------|----------|

**Ensure Safe Water**

|                         |         |         |         |         |
|-------------------------|---------|---------|---------|---------|
| Drinking Water Programs | \$5,474 | \$5,098 | \$7,043 | \$1,945 |
|-------------------------|---------|---------|---------|---------|

**Congressional Priorities (previously named Clean and Safe Water Technical Assistance Grants)**

|                          |          |          |     |           |
|--------------------------|----------|----------|-----|-----------|
| Congressional Priorities | \$23,283 | \$30,751 | \$0 | -\$30,751 |
|--------------------------|----------|----------|-----|-----------|

|  |                  |                  |                    |                  |
|--|------------------|------------------|--------------------|------------------|
| <b>Total, Science &amp; Technology</b> | <b>\$835,028</b> | <b>\$802,276</b> | <b>\$1,009,960</b> | <b>\$207,684</b> |
|--|------------------|------------------|--------------------|------------------|

**Environmental Programs & Management****Alaska Contaminated Lands**

|                           |         |          |          |      |
|---------------------------|---------|----------|----------|------|
| Alaska Contaminated Lands | \$3,215 | \$20,000 | \$20,012 | \$12 |
|---------------------------|---------|----------|----------|------|

**Brownfields**

|             |          |          |          |          |
|-------------|----------|----------|----------|----------|
| Brownfields | \$22,582 | \$26,189 | \$39,084 | \$12,895 |
|-------------|----------|----------|----------|----------|

**Clean Air and Climate**

|  |           |           |           |           |
|--|-----------|-----------|-----------|-----------|
| Clean Air Allowance Trading Programs       | \$17,268  | \$16,554  | \$30,743  | \$14,189  |
| Climate Protection                         | \$99,292  | \$101,000 | \$176,485 | \$75,485  |
| Federal Stationary Source Regulations      | \$29,768  | \$30,344  | \$47,888  | \$17,544  |
| Federal Support for Air Quality Management | \$134,931 | \$147,704 | \$258,663 | \$110,959 |



|   |                  |                  |                  |                  |
|---|------------------|------------------|------------------|------------------|
| Stratospheric Ozone: Domestic Programs                            | \$6,358          | \$6,951          | \$72,282         | \$65,331         |
| Stratospheric Ozone: Multilateral Fund                            | \$8,326          | \$9,244          | \$18,000         | \$8,756          |
| <b>Subtotal, Clean Air and Climate</b>                            | <b>\$295,943</b> | <b>\$311,797</b> | <b>\$604,061</b> | <b>\$292,264</b> |
| <b>Compliance</b>   |                  |                  |                  |                  |
| Compliance Monitoring   | \$104,593        | \$112,730        | \$168,474        | \$55,744         |
| <b>Environmental Justice</b>                                      |                  |                  |                  |                  |
| Environmental Justice   | \$109,345        | \$102,159        | \$317,712        | \$215,553        |
| <b>Enforcement</b>  |                  |                  |                  |                  |
| Civil Enforcement   | \$177,875        | \$205,942        | \$256,252        | \$50,310         |
| Criminal Enforcement  | \$57,374         | \$62,704         | \$67,829         | \$5,125          |
| NEPA Implementation   | \$15,171         | \$20,611         | \$26,049         | \$5,438          |
| <b>Subtotal, Enforcement</b>                                      | <b>\$250,422</b> | <b>\$289,257</b> | <b>\$350,130</b> | <b>\$60,873</b>  |
| <b>Geographic Programs</b>  |                  |                  |                  |                  |
| Geographic Program: Chesapeake Bay                                | \$74,640         | \$92,000         | \$92,000         | \$0              |
| Geographic Program: Gulf of Mexico                                | \$22,550         | \$25,524         | \$25,600         | \$76             |
| Geographic Program: Lake Champlain                                | \$25,823         | \$25,000         | \$25,000         | \$0              |
| Geographic Program: Long Island Sound                             | \$36,429         | \$40,002         | \$40,000         | -\$2             |
| Geographic Program: Other   |                  |                  |                  |                  |
| <i>Lake Pontchartrain</i>   | \$1,899          | \$2,200          | \$2,200          | \$0              |
| <i>S.New England Estuary (SNEE)</i>                               | \$6,546          | \$7,000          | \$7,000          | \$0              |
| <i>Geographic Program: Other (other activities)</i>               | \$2,041          | \$5,000          | \$5,000          | \$0              |
| <b>Subtotal, Geographic Program: Other</b>                        | <b>\$10,486</b>  | <b>\$14,200</b>  | <b>\$14,200</b>  | <b>\$0</b>       |
| Great Lakes Restoration   | \$361,607        | \$368,000        | \$368,000        | \$0              |
| Geographic Program: South Florida                                 | \$6,806          | \$8,500          | \$8,500          | \$0              |
| Geographic Program: San Francisco Bay                             | \$45,061         | \$54,500         | \$54,500         | \$0              |
| Geographic Program: Puget Sound                                   | \$48,317         | \$54,000         | \$54,000         | \$0              |
| <b>Subtotal, Geographic Programs</b>                              | <b>\$631,720</b> | <b>\$681,726</b> | <b>\$681,800</b> | <b>\$74</b>      |
| <b>Homeland Security</b>  |                  |                  |                  |                  |
| Homeland Security: Communication and Information                  | \$4,592          | \$4,692          | \$6,119          | \$1,427          |
| Homeland Security: Critical Infrastructure Protection             | \$249            | \$923            | \$1,025          | \$102            |
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$6,059          | \$5,188          | \$5,158          | -\$30            |
| <b>Subtotal, Homeland Security</b>                                | <b>\$10,899</b>  | <b>\$10,803</b>  | <b>\$12,302</b>  | <b>\$1,499</b>   |
| <b>Indoor Air and Radiation</b>                                   |                  |                  |                  |                  |
| Indoor Air: Radon Program   | \$2,844          | \$3,364          | \$5,147          | \$1,783          |
| Radiation: Protection   | \$8,390          | \$9,088          | \$11,748         | \$2,660          |
| Radiation: Response Preparedness                                  | \$2,111          | \$2,650          | \$3,185          | \$535            |
| Reduce Risks from Indoor Air                                      | \$13,281         | \$13,593         | \$47,570         | \$33,977         |

|   |                  |                  |                  |                 |
|---|------------------|------------------|------------------|-----------------|
| <b>Subtotal, Indoor Air and Radiation</b>   | <b>\$26,627</b>  | <b>\$28,695</b>  | <b>\$67,650</b>  | <b>\$38,955</b> |
| <b>Cross Agency Coordination, Outreach and Education</b><br><i>(previously named Information Exchange / Outreach)</i> |                  |                  |                  |                 |
| State and Local Prevention and Preparedness   | \$14,124         | \$15,446         | \$24,106         | \$8,660         |
| TRI / Right to Know   | \$11,987         | \$15,052         | \$14,123         | -\$929          |
| Tribal - Capacity Building  | \$12,619         | \$14,715         | \$35,088         | \$20,373        |
| Executive Management and Operations   | \$53,653         | \$56,160         | \$73,269         | \$17,109        |
| Environmental Education   | \$8,752          | \$9,500          | \$8,759          | -\$741          |
| Exchange Network  | \$12,165         | \$14,995         | \$14,769         | -\$226          |
| Small Minority Business Assistance  | \$2,225          | \$2,056          | \$2,018          | -\$38           |
| Small Business Ombudsman  | \$1,379          | \$2,250          | \$2,242          | -\$8            |
| Children and Other Sensitive Populations: Agency Coordination   | \$6,526          | \$6,362          | \$7,749          | \$1,387         |
| <b>Subtotal, Cross Agency Coordination, Outreach and Education</b>  | <b>\$123,431</b> | <b>\$136,536</b> | <b>\$182,123</b> | <b>\$45,587</b> |
| <b>International Programs</b>   |                  |                  |                  |                 |
| US Mexico Border  | \$2,512          | \$2,993          | \$5,132          | \$2,139         |
| International Sources of Pollution  | \$7,214          | \$7,323          | \$26,183         | \$18,860        |
| Trade and Governance  | \$7,390          | \$5,510          | \$7,201          | \$1,691         |
| <b>Subtotal, International Programs</b>   | <b>\$17,116</b>  | <b>\$15,826</b>  | <b>\$38,516</b>  | <b>\$22,690</b> |
| <b>IT / Data Management / Security</b>  |                  |                  |                  |                 |
| Information Security  | \$8,188          | \$9,142          | \$23,937         | \$14,795        |
| IT / Data Management  | \$95,631         | \$91,821         | \$108,601        | \$16,780        |
| <b>Subtotal, IT / Data Management / Security</b>  | <b>\$103,819</b> | <b>\$100,963</b> | <b>\$132,538</b> | <b>\$31,575</b> |
| <b>Legal / Science / Regulatory / Economic Review</b>   |                  |                  |                  |                 |
| Integrated Environmental Strategies   | \$9,702          | \$11,297         | \$40,197         | \$28,900        |
| Administrative Law  | \$5,223          | \$5,395          | \$6,195          | \$800           |
| Alternative Dispute Resolution  | \$845            | \$972            | \$2,820          | \$1,848         |
| Civil Rights Program  | \$10,146         | \$12,866         | \$32,227         | \$19,361        |
| Legal Advice: Environmental Program   | \$60,207         | \$60,061         | \$86,615         | \$26,554        |
| Legal Advice: Support Program   | \$15,922         | \$18,957         | \$20,584         | \$1,627         |
| Regional Science and Technology <i>(proposed to be moved to Operations and Administration)</i>                        | \$1,879          | \$1,554          | \$0              | -\$1,554        |
| Science Advisory Board  | \$4,219          | \$4,155          | \$4,671          | \$516           |
| Regulatory/Economic-Management and Analysis   | \$16,032         | \$17,475         | \$19,526         | \$2,051         |
| <b>Subtotal, Legal / Science / Regulatory / Economic Review</b>   | <b>\$124,175</b> | <b>\$132,732</b> | <b>\$212,835</b> | <b>\$80,103</b> |

**Underground Storage Tanks (LUST / UST)**

|            |          |          |          |         |
|------------|----------|----------|----------|---------|
| LUST / UST | \$11,034 | \$12,021 | \$14,604 | \$2,583 |
|------------|----------|----------|----------|---------|

**Operations and Administration**

|   |           |           |           |          |
|---|-----------|-----------|-----------|----------|
| Central Planning, Budgeting, and Finance                                  | \$85,840  | \$87,099  | \$100,595 | \$13,496 |
| Facilities Infrastructure and Operations                                  | \$275,614 | \$283,330 | \$308,134 | \$24,804 |
| Acquisition Management  | \$33,034  | \$37,251  | \$42,085  | \$4,834  |
| Human Resources Management  | \$51,882  | \$51,261  | \$68,124  | \$16,863 |
| Financial Assistance Grants / IAG Management                              | \$28,225  | \$30,188  | \$34,745  | \$4,557  |
| Regional Science and Technology ( <i>proposed to be moved from LSRE</i> ) | \$0       | \$0       | \$7,287   | \$7,287  |

|  |                  |                  |                  |                 |
|--|------------------|------------------|------------------|-----------------|
| <b>Subtotal, Operations and Administration</b> | <b>\$281,517</b> | <b>\$489,129</b> | <b>\$560,970</b> | <b>\$71,841</b> |
|--|------------------|------------------|------------------|-----------------|

**Pesticides Licensing**

|   |          |          |          |          |
|---|----------|----------|----------|----------|
| Science Policy and Biotechnology                        | \$1,628  | \$1,811  | \$1,642  | -\$169   |
| Pesticides: Protect Human Health from Pesticide Risk    | \$59,740 | \$62,125 | \$66,281 | \$4,156  |
| Pesticides: Protect the Environment from Pesticide Risk | \$45,217 | \$48,704 | \$75,963 | \$27,259 |
| Pesticides: Realize the Value of Pesticide Availability | \$5,774  | \$7,637  | \$8,316  | \$679    |

|                                       |                  |                  |                  |                 |
|---------------------------------------|------------------|------------------|------------------|-----------------|
| <b>Subtotal, Pesticides Licensing</b> | <b>\$112,359</b> | <b>\$120,277</b> | <b>\$152,202</b> | <b>\$31,925</b> |
|---------------------------------------|------------------|------------------|------------------|-----------------|

**Resource Conservation and Recovery Act (RCRA)**

|                                      |          |          |          |          |
|--------------------------------------|----------|----------|----------|----------|
| RCRA: Corrective Action              | \$37,176 | \$40,512 | \$42,105 | \$1,593  |
| RCRA: Waste Management               | \$70,129 | \$75,958 | \$91,500 | \$15,542 |
| RCRA: Waste Minimization & Recycling | \$9,375  | \$10,252 | \$15,799 | \$5,547  |

|  |                  |                  |                  |                 |
|--|------------------|------------------|------------------|-----------------|
| <b>Subtotal, Resource Conservation and Recovery Act (RCRA)</b> | <b>\$116,681</b> | <b>\$126,722</b> | <b>\$149,404</b> | <b>\$22,682</b> |
|--|------------------|------------------|------------------|-----------------|

**Research: Chemical Safety for Sustainability**

|  |       |     |     |     |
|--|-------|-----|-----|-----|
| Research: Chemical Safety for Sustainability | \$153 | \$0 | \$0 | \$0 |
|--|-------|-----|-----|-----|

**Toxics Risk Review and Prevention**

|  |          |          |           |          |
|--|----------|----------|-----------|----------|
| Endocrine Disruptors                                 | \$6,010  | \$7,614  | \$7,701   | \$87     |
| Pollution Prevention Program                         | \$12,568 | \$12,987 | \$29,193  | \$16,206 |
| Toxic Substances: Chemical Risk Review and Reduction | \$91,214 | \$82,822 | \$131,900 | \$49,078 |
| Toxic Substances: Lead Risk Reduction Program        | \$11,777 | \$14,359 | \$14,597  | \$238    |

|  |                  |                  |                  |                 |
|--|------------------|------------------|------------------|-----------------|
| <b>Subtotal, Toxics Risk Review and Prevention</b> | <b>\$121,568</b> | <b>\$117,782</b> | <b>\$183,391</b> | <b>\$65,609</b> |
|--|------------------|------------------|------------------|-----------------|

**Protecting Estuaries and Wetlands**

|  |          |          |          |          |
|--|----------|----------|----------|----------|
| National Estuary Program / Coastal Waterways | \$38,790 | \$40,000 | \$32,611 | -\$7,389 |
| Wetlands                                     | \$19,656 | \$21,754 | \$26,995 | \$5,241  |

|  |                 |                 |                 |                 |
|--|-----------------|-----------------|-----------------|-----------------|
| <b>Subtotal, Protecting Estuaries and Wetlands</b> | <b>\$58,446</b> | <b>\$61,754</b> | <b>\$59,606</b> | <b>-\$2,148</b> |
|--|-----------------|-----------------|-----------------|-----------------|

**Ensure Safe Water**

|                                    |                  |                  |                  |                 |
|------------------------------------|------------------|------------------|------------------|-----------------|
| Beach / Fish Programs              | \$1,673          | \$2,246          | \$2,391          | \$145           |
| Drinking Water Programs            | \$109,958        | \$121,607        | \$143,886        | \$22,279        |
| <b>Subtotal, Ensure Safe Water</b> | <b>\$111,631</b> | <b>\$123,853</b> | <b>\$146,277</b> | <b>\$22,424</b> |

**Ensure Clean Water**

|                                     |                  |                  |                  |                 |
|-------------------------------------|------------------|------------------|------------------|-----------------|
| Preparation for Water Emergencies   | \$0              | \$0              | \$30,000         | \$30,000        |
| Marine Pollution                    | \$8,081          | \$10,187         | \$12,724         | \$2,537         |
| Surface Water Protection            | \$213,320        | \$224,492        | \$270,573        | \$46,081        |
| <b>Subtotal, Ensure Clean Water</b> | <b>\$221,402</b> | <b>\$234,679</b> | <b>\$313,297</b> | <b>\$78,618</b> |

**Congressional Priorities** *(previously named Clean and Safe Water Technical Assistance Grants)*

|   |                    |                    |                    |                    |
|---|--------------------|--------------------|--------------------|--------------------|
| Congressional Priorities                              | \$25,700           | \$30,700           | \$0                | -\$30,700          |
| <b>Total, Environmental Programs &amp; Management</b> | <b>\$3,077,455</b> | <b>\$3,286,330</b> | <b>\$4,406,988</b> | <b>\$1,120,658</b> |

**Inspector General****Audits, Evaluations, and Investigations**

|   |                 |                 |                 |                 |
|---|-----------------|-----------------|-----------------|-----------------|
| Audits, Evaluations, and Investigations | \$41,521        | \$44,030        | \$65,257        | \$21,227        |
| <b>Total, Inspector General</b>         | <b>\$41,521</b> | <b>\$44,030</b> | <b>\$65,257</b> | <b>\$21,227</b> |

**Building and Facilities****Homeland Security**

|   |         |         |         |     |
|---|---------|---------|---------|-----|
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$3,944 | \$6,676 | \$6,676 | \$0 |
|---|---------|---------|---------|-----|

**Operations and Administration**

|  |                 |                 |                  |                 |
|--|-----------------|-----------------|------------------|-----------------|
| Facilities Infrastructure and Operations | \$17,502        | \$42,076        | \$98,893         | \$56,817        |
| <b>Total, Building and Facilities</b>    | <b>\$21,446</b> | <b>\$48,752</b> | <b>\$105,569</b> | <b>\$56,817</b> |

**Hazardous Substance Superfund****Audits, Evaluations, and Investigations**

|   |          |          |          |         |
|---|----------|----------|----------|---------|
| Audits, Evaluations, and Investigations | \$13,244 | \$11,800 | \$13,979 | \$2,179 |
|---|----------|----------|----------|---------|

**Compliance**

|                       |         |         |         |      |
|-----------------------|---------|---------|---------|------|
| Compliance Monitoring | \$1,377 | \$1,017 | \$1,036 | \$19 |
|-----------------------|---------|---------|---------|------|

**Environmental Justice**

|                       |       |         |         |      |
|-----------------------|-------|---------|---------|------|
| Environmental Justice | \$890 | \$5,876 | \$5,901 | \$25 |
|-----------------------|-------|---------|---------|------|

**Enforcement**

|                      |         |         |         |       |
|----------------------|---------|---------|---------|-------|
| Criminal Enforcement | \$6,766 | \$7,999 | \$8,876 | \$877 |
| Forensics Support    | \$1,597 | \$1,240 | \$1,720 | \$480 |

|   |                  |                  |                  |                   |
|---|------------------|------------------|------------------|-------------------|
| Superfund: Enforcement  | \$173,076        | \$171,347        | \$0              | -\$171,347        |
| Superfund: Federal Facilities Enforcement                         | \$7,725          | \$8,192          | \$10,481         | \$2,289           |
| <b>Subtotal, Enforcement</b>                                      | <b>\$189,163</b> | <b>\$188,778</b> | <b>\$21,077</b>  | <b>-\$167,701</b> |
| <b>Homeland Security</b>  |                  |                  |                  |                   |
| Homeland Security: Preparedness, Response, and Recovery           | \$36,249         | \$34,661         | \$57,358         | \$22,697          |
| Homeland Security: Protection of EPA Personnel and Infrastructure | \$1,167          | \$1,029          | \$1,530          | \$501             |
| <b>Subtotal, Homeland Security</b>                                | <b>\$37,415</b>  | <b>\$35,690</b>  | <b>\$58,888</b>  | <b>\$23,198</b>   |
| <b>Indoor Air and Radiation</b>                                   |                  |                  |                  |                   |
| Radiation: Protection   | \$2,081          | \$2,472          | \$3,144          | \$672             |
| <b>Information Exchange / Outreach</b>                            |                  |                  |                  |                   |
| Exchange Network  | \$1,018          | \$1,328          | \$1,328          | \$0               |
| <b>IT / Data Management / Security</b>                            |                  |                  |                  |                   |
| Information Security  | \$1,494          | \$1,062          | \$6,012          | \$4,950           |
| IT / Data Management  | \$22,040         | \$19,764         | \$19,645         | -\$119            |
| <b>Subtotal, IT / Data Management / Security</b>                  | <b>\$23,535</b>  | <b>\$20,826</b>  | <b>\$25,657</b>  | <b>\$4,831</b>    |
| <b>Legal / Science / Regulatory / Economic Review</b>             |                  |                  |                  |                   |
| Alternative Dispute Resolution                                    | \$758            | \$791            | \$1,841          | \$1,050           |
| Legal Advice: Environmental Program                               | \$844            | \$599            | \$482            | -\$117            |
| <b>Subtotal, Legal / Science / Regulatory / Economic Review</b>   | <b>\$1,602</b>   | <b>\$1,390</b>   | <b>\$2,323</b>   | <b>\$933</b>      |
| <b>Operations and Administration</b>                              |                  |                  |                  |                   |
| Central Planning, Budgeting, and Finance                          | \$32,914         | \$31,338         | \$30,512         | -\$826            |
| Facilities Infrastructure and Operations                          | \$74,115         | \$65,634         | \$72,349         | \$6,715           |
| Acquisition Management  | \$22,835         | \$27,247         | \$34,172         | \$6,925           |
| Human Resources Management  | \$7,382          | \$7,419          | \$9,303          | \$1,884           |
| Financial Assistance Grants / IAG Management                      | \$4,855          | \$4,002          | \$4,660          | \$658             |
| <b>Subtotal, Operations and Administration</b>                    | <b>\$142,100</b> | <b>\$135,640</b> | <b>\$150,996</b> | <b>\$15,356</b>   |
| <b>Research: Chemical Safety for Sustainability</b>               |                  |                  |                  |                   |
| Health and Environmental Risk Assessment                          | \$9,225          | \$4,901          | \$5,040          | \$139             |
| Research: Chemical Safety for Sustainability                      | \$5,476          | \$8,060          | \$8,060          | \$0               |
| <b>Subtotal, Research: Chemical Safety for Sustainability</b>     | <b>\$14,701</b>  | <b>\$12,961</b>  | <b>\$13,100</b>  | <b>\$139</b>      |
| <b>Research: Sustainable Communities</b>                          |                  |                  |                  |                   |
| Research: Sustainable and Healthy Communities                     | \$18,525         | \$16,937         | \$17,517         | \$580             |

**Superfund Cleanup**

|   |                    |                    |                  |                   |
|---|--------------------|--------------------|------------------|-------------------|
| Superfund: Emergency Response and Removal   | \$256,354          | \$195,000          | \$0              | -\$195,000        |
| Superfund: EPA Emergency Preparedness       | \$7,696            | \$8,056            | \$8,541          | \$485             |
| Superfund: Federal Facilities               | \$26,167           | \$26,189           | \$37,680         | \$11,491          |
| Superfund: Remedial                         | \$612,890          | \$618,740          | \$300,000        | -\$318,740        |
| <b>Subtotal, Superfund Cleanup</b>          | <b>\$903,107</b>   | <b>\$847,985</b>   | <b>\$346,221</b> | <b>-\$501,764</b> |
| <b>Total, Hazardous Substance Superfund</b> | <b>\$1,348,759</b> | <b>\$1,282,700</b> | <b>\$661,167</b> | <b>-\$621,533</b> |

**Leaking Underground Storage Tanks****Enforcement**

|                   |       |       |       |      |
|-------------------|-------|-------|-------|------|
| Civil Enforcement | \$594 | \$661 | \$690 | \$29 |
|-------------------|-------|-------|-------|------|

**Underground Storage Tanks (LUST / UST)**

|   |                 |                 |                  |                 |
|---|-----------------|-----------------|------------------|-----------------|
| LUST / UST  | \$8,426         | \$9,991         | \$14,776         | \$4,785         |
| LUST Cooperative Agreements                             | \$59,328        | \$55,040        | \$65,040         | \$10,000        |
| LUST Prevention   | \$26,326        | \$25,780        | \$26,669         | \$889           |
| <b>Subtotal, Underground Storage Tanks (LUST / UST)</b> | <b>\$94,081</b> | <b>\$90,811</b> | <b>\$106,485</b> | <b>\$15,674</b> |

**Operations and Administration**

|  |                |                |                |              |
|--|----------------|----------------|----------------|--------------|
| Central Planning, Budgeting, and Finance       | \$373          | \$457          | \$474          | \$17         |
| Facilities Infrastructure and Operations       | \$803          | \$754          | \$729          | -\$25        |
| Acquisition Management                         | \$173          | \$181          | \$136          | -\$45        |
| <b>Subtotal, Operations and Administration</b> | <b>\$1,350</b> | <b>\$1,392</b> | <b>\$1,339</b> | <b>-\$53</b> |

**Research: Sustainable Communities**

|   |       |       |       |      |
|---|-------|-------|-------|------|
| Research: Sustainable and Healthy Communities | \$292 | \$341 | \$356 | \$15 |
|---|-------|-------|-------|------|

|   |                 |                 |                  |                 |
|---|-----------------|-----------------|------------------|-----------------|
| <b>Total, Leaking Underground Storage Tanks</b> | <b>\$96,317</b> | <b>\$93,205</b> | <b>\$108,870</b> | <b>\$15,665</b> |
|---|-----------------|-----------------|------------------|-----------------|

**Inland Oil Spill Programs****Compliance**

|                       |      |       |         |         |
|-----------------------|------|-------|---------|---------|
| Compliance Monitoring | -\$5 | \$649 | \$2,154 | \$1,505 |
|-----------------------|------|-------|---------|---------|

**Enforcement**

|                   |         |         |         |       |
|-------------------|---------|---------|---------|-------|
| Civil Enforcement | \$2,580 | \$2,565 | \$2,699 | \$134 |
|-------------------|---------|---------|---------|-------|

**Operations and Administration**

|  |       |       |       |       |
|--|-------|-------|-------|-------|
| Facilities Infrastructure and Operations | \$692 | \$682 | \$643 | -\$39 |
|--|-------|-------|-------|-------|

**Oil**

|  |          |          |          |         |
|--|----------|----------|----------|---------|
| Oil Spill: Prevention, Preparedness and Response | \$17,111 | \$17,501 | \$21,624 | \$4,123 |
|--|----------|----------|----------|---------|

**Research: Sustainable Communities**

|   |       |       |       |     |
|---|-------|-------|-------|-----|
| Research: Sustainable and Healthy Communities | \$785 | \$675 | \$683 | \$8 |
|---|-------|-------|-------|-----|

|   |                 |                 |                 |                |
|---|-----------------|-----------------|-----------------|----------------|
| <b>Total, Inland Oil Spill Programs</b> | <b>\$21,164</b> | <b>\$22,072</b> | <b>\$27,803</b> | <b>\$5,731</b> |
|---|-----------------|-----------------|-----------------|----------------|

**State and Tribal Assistance Grants**

**State and Tribal Assistance Grants (STAG)**

|  |                    |                    |                    |                   |
|--|--------------------|--------------------|--------------------|-------------------|
| Infrastructure Assistance: Alaska Native Villages  | \$41,810           | \$39,686           | \$41,000           | \$1,314           |
| Brownfields Projects   | \$87,833           | \$100,000          | \$114,482          | \$14,482          |
| Infrastructure Assistance: Clean Water SRF   | \$735,951          | \$775,752          | \$1,239,895        | \$464,143         |
| Infrastructure Assistance: Clean Water Congressionally Directed Spending                               | \$80,622           | \$863,109          | \$0                | -\$863,109        |
| Infrastructure Assistance: Drinking Water SRF  | \$504,799          | \$516,845          | \$1,126,105        | \$609,260         |
| Infrastructure Assistance: Drinking Water Congressionally Directed Spending                            | \$142,276          | \$609,256          | \$0                | -\$609,256        |
| Infrastructure Assistance: Mexico Border   | \$33,698           | \$36,386           | \$36,386           | \$0               |
| Diesel Emissions Reduction Grant Program   | \$7,239            | \$100,000          | \$100,000          | \$0               |
| Targeted Airshed Grants  | \$34,669           | \$69,927           | \$69,927           | \$0               |
| San Juan Watershed Monitoring <i>(This program is proposed for elimination in FY 2024 and FY 2025)</i> | \$585              | \$0                | \$0                | \$0               |
| Safe Water for Small & Disadvantaged Communities   | \$22,887           | \$30,158           | \$30,173           | \$15              |
| Reducing Lead in Drinking Water  | \$32,301           | \$25,011           | \$64,479           | \$39,468          |
| Lead Testing in Schools  | \$5,417            | \$30,500           | \$36,500           | \$6,000           |
| Drinking Water Infrastructure Resilience and Sustainability  | \$0                | \$7,000            | \$25,000           | \$18,000          |
| Technical Assistance for Wastewater Treatment Works  | \$40,617           | \$27,000           | \$18,000           | -\$9,000          |
| Sewer Overflow and Stormwater Reuse Grants   | \$48,486           | \$50,000           | \$50,000           | \$0               |
| Water Infrastructure Workforce Investment  | \$0                | \$6,000            | \$6,000            | \$0               |
| Recycling Infrastructure   | \$2,136            | \$6,500            | \$10,005           | \$3,505           |
| Wildfire Smoke Preparedness  | \$330              | \$7,000            | \$7,000            | \$0               |
| Technical Assistance and Grants for Emergencies (SDWA)   | \$0                | \$0                | \$2,000            | \$2,000           |
| Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability                   | \$0                | \$5,000            | \$5,000            | \$0               |
| Indian Reservation Drinking Water Program  | \$0                | \$4,000            | \$5,000            | \$1,000           |
| Clean Water Infrastructure Resiliency and Sustainability Program                                       | \$0                | \$0                | \$25,000           | \$25,000          |
| Small and Medium Publicly Owned Treatment Works Circuit Rider Program                                  | \$0                | \$0                | \$5,000            | \$5,000           |
| Grants for Low and Moderate income Household Decentralized Wastewater Systems                          | \$0                | \$0                | \$5,000            | \$5,000           |
| Connection to Publicly Owned Treatment Works   | \$0                | \$0                | \$3,000            | \$3,000           |
| Stormwater Infrastructure Technology   | \$0                | \$3,000            | \$5,000            | \$2,000           |
| Alternative Water Sources Grants Pilot Program   | \$0                | \$0                | \$3,000            | \$3,000           |
| Enhanced Aquifer Use and Recharge  | \$0                | \$4,000            | \$5,000            | \$1,000           |
| Water Sector Cybersecurity   | \$0                | \$0                | \$25,000           | \$25,000          |
| <b>Subtotal, State and Tribal Assistance Grants (STAG)</b>   | <b>\$1,821,656</b> | <b>\$3,316,130</b> | <b>\$3,062,952</b> | <b>-\$253,178</b> |

**Categorical Grants**

|   |                    |                    |                    |                  |
|---|--------------------|--------------------|--------------------|------------------|
| Categorical Grant: Nonpoint Source (Sec. 319)   | \$176,686          | \$182,000          | \$188,999          | \$6,999          |
| Categorical Grant: Public Water System Supervision (PWSS)   | \$123,137          | \$121,500          | \$132,566          | \$11,066         |
| Categorical Grant: State and Local Air Quality Management   | \$246,130          | \$249,038          | \$400,198          | \$151,160        |
| Categorical Grant: Radon  | \$8,958            | \$10,995           | \$12,487           | \$1,492          |
| Categorical Grant: Pollution Control (Sec. 106)   |                    |                    |                    |                  |
| <i>Monitoring Grants</i>  | \$20,842           | \$18,512           | \$28,915           | \$10,403         |
| <i>Categorical Grant: Pollution Control (Sec. 106) (other activities)</i>                           | \$221,431          | \$218,488          | \$259,805          | \$41,317         |
| Subtotal, Categorical Grant: Pollution Control (Sec. 106)   | \$242,272          | \$237,000          | \$288,720          | \$51,720         |
| Categorical Grant: Wetlands Program Development   | \$6,122            | \$14,692           | \$22,000           | \$7,308          |
| Categorical Grant: Underground Injection Control (UIC)  | \$12,661           | \$13,164           | \$11,387           | -\$1,777         |
| Categorical Grant: Pesticides Program Implementation  | \$13,958           | \$14,027           | \$14,027           | \$0              |
| Categorical Grant: Lead   | \$15,501           | \$16,326           | \$24,639           | \$8,313          |
| Resource Recovery and Hazardous Waste Grants  | \$105,369          | \$105,000          | \$108,247          | \$3,247          |
| Categorical Grant: Pesticides Enforcement   | \$24,703           | \$25,580           | \$25,580           | \$0              |
| Categorical Grant: Pollution Prevention   | \$6,804            | \$4,973            | \$5,755            | \$782            |
| Categorical Grant: Toxics Substances Compliance   | \$5,005            | \$5,010            | \$6,877            | \$1,867          |
| Categorical Grant: Tribal General Assistance Program  | \$82,649           | \$74,750           | \$85,009           | \$10,259         |
| Categorical Grant: Underground Storage Tanks  | \$1,503            | \$1,505            | \$1,505            | \$0              |
| Categorical Grant: Tribal Air Quality Management  | \$16,620           | \$16,415           | \$23,126           | \$6,711          |
| Categorical Grants: Direct Implementation Tribal Cooperative Agreements                             | \$0                | \$0                | \$25,000           | \$25,000         |
| Categorical Grant: Multipurpose Grants  | \$195              | \$0                | \$10,200           | \$10,200         |
| Categorical Grant: Environmental Information  | \$7,400            | \$10,836           | \$15,000           | \$4,164          |
| Categorical Grant: Beaches Protection   | \$9,583            | \$10,619           | \$9,811            | -\$808           |
| Categorical Grant: Brownfields  | \$44,730           | \$47,195           | \$53,954           | \$6,759          |
| <b>Subtotal, Categorical Grants</b>   | <b>\$1,149,986</b> | <b>\$1,160,625</b> | <b>\$1,465,087</b> | <b>\$304,462</b> |
| <b>Congressional Priorities (previously named Clean and Safe Water Technical Assistance Grants)</b> |                    |                    |                    |                  |
| Congressionally Mandated Projects   | \$17,309           | \$16,973           | \$0                | -\$16,973        |
| <b>Total, State and Tribal Assistance Grants</b>  | <b>\$2,988,952</b> | <b>\$4,493,728</b> | <b>\$4,528,039</b> | <b>34,311</b>    |

**Water Infrastructure Finance and Innovation Fund****Ensure Clean Water**

|  |                  |                 |                 |                |
|--|------------------|-----------------|-----------------|----------------|
| Water Infrastructure Finance and Innovation                    | \$322,118        | \$75,640        | \$80,000        | \$4,360        |
| <b>Total, Water Infrastructure Finance and Innovation Fund</b> | <b>\$322,118</b> | <b>\$75,640</b> | <b>\$80,000</b> | <b>\$4,360</b> |



|                       |                    |                     |                     |                  |
|-----------------------|--------------------|---------------------|---------------------|------------------|
| <b>Subtotal, EPA</b>  | <b>\$8,752,759</b> | <b>\$10,148,733</b> | <b>\$10,993,653</b> | <b>\$844,920</b> |
| Cancellation of Funds | \$0                | -\$13,300           | \$0                 | \$13,300         |
| <b>TOTAL, EPA</b>     | <b>\$8,752,759</b> | <b>\$10,135,433</b> | <b>\$10,993,653</b> | <b>\$858,220</b> |

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

\*\*In addition to annual appropriated resources, the Superfund tax revenues the Agency received in FY 2023 and expects to receive in FY 2024 and FY 2025 are not reflected here. These additional government revenues will support continued Superfund cleanup and enforcement.

\*\*\*Note that the Hazardous Waste Electronic Manifest Program is funded from fee collections.

\*\*\*\*The FY 2023 annual appropriation for EPA included \$13.3 million in rescissions. This value is maintained in the FY 2024 annualized CR column for display purposes. The actual rescission taken under the partial year FY 2024 CR at the time of publication was \$1.5 M based on available balances.

## Proposed FY 2025 Administrative Provisions

To further clarify proposed Administrative Provisions that involve more than a simple annual extension or propose a modification to an existing provision, the following information is provided.

### Pesticide Licensing Fees

The following proposed statutory language, which is an annual extension of existing language, would allow PRIA registration service fees to be assessed and to remain available until expended.

PRIA registration service fees:

*The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. § 136w-8): Provided, that such fees collected shall remain available until expended.*

*Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. § 136w-8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. § 136w-8) for fiscal year 2025.*

### Hazardous Waste Electronic Manifest

The Hazardous Waste Electronic Manifest Establishment Act (Public Law 112-195) provides EPA with the authority to establish a program to finance, develop, and operate a system for the electronic submission of hazardous waste manifests supported by user fees. In FY 2025, EPA will operate the e-Manifest system and the Agency anticipates collecting and depositing approximately \$20 million in e-Manifest user fees into the Hazardous Waste Electronic Manifest System Fund. Based upon authority to collect and spend e-Manifest fees provided by Congress in annual appropriations bills, the fees will be utilized for the operation of the system and necessary program expenses. Fees will fully support the e-Manifest program, including future development costs. The language to authorize collection and spending of the fees is provided below. Language specifying that e-Manifest fees collected in FY 2025 will remain available until expended would simplify aspects of budget execution.

The proposed language below updates the existing provision:

*The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2025, to remain available until expended.*

### Change to Buildings and Facilities Per Project Threshold

The Building and Facilities threshold was last increased from \$150,000 to \$300,000 in FY 2023. Since 2013, costs for construction, material, and labor have increased significantly. EPA is proposing to reflect these cost increases by raising the per project threshold from \$300,000 to

\$350,000. The purpose of this proposed increase is to adjust the threshold to keep it in line with construction and labor costs for smaller-scale construction and repair and improvement projects. The \$350,000 threshold will apply to the S&T, EPM, OIG, Superfund, and LUST appropriations and will allow the programs to proceed effectively and efficiently to address immediate, urgent, and smaller-scale facility improvements and will enable the Agency to maintain adequate operations, further mission-critical activities and implement climate sustainability and resiliency enhancements.

The proposed language below updates the existing provision:

*The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed \$350,000 per project.*

### **Student Services Contracting Authority**

In the FY 2025 Budget, the Agency requests authorization for the Office of Research and Development (ORD), the Office of Chemical Safety and Pollution Prevention (OCSPP), and the Office of Water (OW) to hire pre-baccalaureate and post-baccalaureate students in science and engineering fields. This authority would provide ORD, OCSPP, and OW with the flexibility to hire qualified students that work on projects that support current priorities, programmatic functions, and the Agency's environmental goals.

The proposed language below updates the existing provision:

*For fiscal years 2025 through 2029, the Office of Chemical Safety and Pollution Prevention and the Office of Water may, using funds appropriated under the headings "Environmental Programs and Management" and "Science and Technology," contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purpose: Provided, that amounts used for this purpose by the Office of Chemical Safety and Pollution Prevention and the Office of Water collectively may not exceed \$2,000,000 per year.*

### **Special Accounts and Superfund Tax Receipts for Aircraft to Support Superfund Response Actions**

31 U.S.C. 1343(d) generally states that appropriated funds are not available for aircraft unless "the appropriation specifically authorizes" its use for such purpose.

The FY 2022 Consolidated Appropriation Act (P.L. 117-103) provided that "Section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting before the period: ", including for the hire, maintenance,

and operation of aircraft.” In the absence of any indicia of permanency, this provision has been interpreted to only be in effect for fiscal year 2022. Accordingly, EPA proposes to extend this authority.

The Consolidated Appropriations Act 2023 (P.L. 117-328) did not provide a provision for Superfund tax receipts available to carry out CERCLA to be used for the hire, maintenance, and operation of aircraft. EPA proposes to add this authority for FY 2025.

Proposed Language to add to FY 2025 Budget:

*For fiscal year 2025, section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9622(b)(3)) shall be applied by inserting before the period at the end: ", including for the hire, maintenance, and operation of aircraft".*

*For fiscal year 2025, amounts appropriated in section 443(b) of title IV of division G of Public Law 117–328 shall be applied by inserting ", including for the hire, maintenance, and operation of aircraft" after "to be used to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.)".*

#### **Title 42 Hiring Authority**

EPA is requesting continuance of its Title 42 Authority through FY 2030. This also would include a cap of 25 hires for OCSPP and 75 Hires for ORD. ORD currently uses this authority to fill highly competitive, PhD-level positions where recruiting through the GS system is not appropriate. ORD has a robust process for managing the program, including an Operations Manual that provides requirements on recruiting, compensation, ethics, and term renewals. OCSPP faces similar challenges in hiring specialized talent. OCSPP is actively building the infrastructure and taking steps to use its new Title 42 hiring authority. The EPA Title 42 delegation was amended to include OCSPP, and it was approved by the EPA Administrator on October 17, 2022. In accordance with Public Law 117-103, the agency must also consult with the Office of Personnel Management (OPM) before using its Title 42 hiring authority. EPA is currently undergoing consultation with OPM on Title 42. Once EPA works through this process, it can finalize the Title 42 Order and OCSPP can then utilize its hiring authority.

Proposed Language to add to FY 2025 Budget:

*The Administrator may, after consultation with the Office of Personnel Management, employ up to 75 persons at any one time in the Office of Research and Development and 25 persons at any one time in the Office of Chemical Safety and Pollution Prevention under the authority provided in 42 U.S.C. 209 through fiscal year 2030.*

## **Working Capital Fund Authority**

On December 12, 2017, the Modernizing Government Technology (MGT Act) <sup>19</sup> was signed into law, authorizing CFO-Act agencies to set up information technology (IT) specific WCFs, which allows them to fund IT modernization projects and reinvest savings for additional modernization projects in the future. In the FY 2025 Budget, the Agency requests language be added to clarify and ensure that EPA has the ability to utilize funds deposited into EPA's WCF to modernize and develop the Agency's IT systems. The Agency has a well-established WCF where nearly 80 percent of the current service offerings are IT related. Establishing a separate IT WCF would be duplicative and more costly than to utilize the Agency's existing WCF. EPA continues to seek the authorizing language change. EPA will clarify its existing authority and harmonize it with the intent of what Congress envisioned in the passage of the MGT Act.

Proposed Language to add to FY 2025 Budget:

*The Environmental Protection Agency Working Capital Fund, 42 U.S.C. 4370e, is available for expenses and equipment necessary for modernization and development of information technology of, or for use by, the Environmental Protection Agency.*

## **Other**

In order to address the high administrative costs of administering potential congressionally directed spending, EPA is requesting a general provision applicable to all community projects in FY 2025:

*For fiscal year 2025, the Administrator may reserve up to 7 percent of the total amount of funds made available for Community Project Funding Items/Congressionally Directed Spending Items in this title in this Act for salaries, expenses, and administration.*

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<sup>19</sup> For more information on the MGT Act, please refer to Section G of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91): <https://www.congress.gov/115/plaws/publ91/PLAW-115publ91.pdf>.

**Good Accounting Obligation in Government Act**  
**Public Law No: 115-414, January 3, 2019**

In accordance with the reporting requirements of the Good Accounting Obligation in Government Act, Agencies are to submit reports on outstanding recommendations in the annual budget submitted to Congress. This report includes Government Accountability Office (GAO) and EPA Office of Inspector General (OIG) recommendations issued up through 01/31/2023 that remained unimplemented for one year or more from the planned FY 2025 budget justification submission date.

For the FY 2025 budget justification, the EPA developed a report listing each open public recommendation for corrective action from the OIG and GAO, along with the implementation status of each recommendation.

The Act also requires a reconciliation between the agency records of unimplemented recommendations and each OIG Semiannual Report to Congress (SAR). In cooperation with the EPA OIG, the agency performs a reconciliation and validation process prior to publication of each SAR. The process ensures that agency's Good Accounting Obligation in Government Act reporting aligns with the SAR.

The agency is reporting on:

- 71 open recommendations issued by the GAO between January 6, 2006, and January 31, 2023.
- 69 open recommendations issued by the EPA OIG between July 9, 2008, and January 31, 2023.

No recommendations were closed due to being unimplemented.

The information used to create this report is based on information retained the EPA's Enterprise Audit Management System and the GAO's recommendations database available on [www.gao.gov](http://www.gao.gov).

GAO-IG Act, Office of Inspector General Open Recommendations - As of January 31, 2024

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status   | Target     |
|--|-------------------|-------------------|---|--|------------|
| The EPA Is Not on Track to Reach Its National Compliance Initiative Goals to Stop Aftermarket Defeat Devices and Tampered Vehicles | 23-E-0006         | 1/25/2023         | 2. Update the EPA’s Stopping Aftermarket Defeat Devices for Vehicles and Engines National Compliance Initiative strategic plan so that the National Compliance Initiative goals can be achieved in the event of a pandemic or other challenge.  | The Office of Enforcement and Compliance Assurance (OECA) will review the lessons learned related to conducting enforcement during the COVID-19 pandemic and will identify and incorporate appropriate changes into the FY 2024-2027 NECI template documents so that NECI goals can be achieved – to the extent practicable – in the event of a global pandemic or other challenge, such as a long duration natural disaster. Status: On track | 3/29/2024  |
| The EPA Is Not on Track to Reach Its National Compliance Initiative Goals to Stop Aftermarket Defeat Devices and Tampered Vehicles | 23-E-0006         | 1/25/2023         | 3. In collaboration with EPA regions, revise and reissue the strategic plan for the Stopping Aftermarket Defeat Devices for Vehicles and Engines National Compliance Initiative. In addition, ensure the strategic plan includes quantifiable deliverables that are linked to known compliance rate baselines that promote the success of the initiative, as well as a mechanism to acquire and implement post-training feedback from regions and states. | OECA will compare the pounds of pollution prevented in each year of the NECI against the number from the preceding fiscal year. Status: On track   | 11/29/2024 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status   | Target     |
|--|-------------------|-------------------|---|--|------------|
| The EPA Is Not on Track to Reach Its National Compliance Initiative Goals to Stop Aftermarket Defeat Devices and Tampered Vehicles | 23-E-0006         | 1/25/2023         | 5. Use the OIG's state questionnaire results, as well as feedback from regions and states, to identify and implement a strategy to overcome barriers and incentivize voluntary complementary work by the states to stop aftermarket defeat devices and tampering.   | 5.c. OECA will provide the Office of Transportation and Air Quality (OTAQ) with the end-of-year enforcement data for this NECI and will encourage OTAQ to update their emission models to account for tampering. Status: On track.   | 11/29/2024 |
| The EPA Needs to Improve the Transparency of Its Cancer Assessment Process for Pesticides  | 22-E-0053         | 7/20/2022         | 1. Issue guidance on when and how to conduct the kinetically derived maximum dose approach in cancer risk assessments for pesticides.   | The Office of Chemical Safety and Pollution Prevention (OCSPP) will update the Office of Pesticide Programs public website to state that EPA will rely upon the kinetic guidance currently being developed by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR) as EPA's guidance on when and how to apply the kinetically derived maximum dose approach in cancer risk assessments for pesticides. Status: On track. | 6/30/2024  |
| The EPA Needs to Improve the Transparency of Its Cancer Assessment Process for Pesticides  | 22-E-0053         | 7/20/2022         | 9. Issue specific criteria requiring external peer review of Office of Pesticide Programs' risk assessments that use scientifically or technically novel approaches or that are likely to have precedent setting influence on future risk assessments, in accordance with the Office of Management and Budget's Final Information Quality Bulletin for Peer Review. | OCSPP will develop a Standard Operating Procedure to determine when an external peer review is required for assessments using scientifically or technically novel approaches or likely to have precedent-setting influence. This guidance will be used to ensure consistency in the external peer review process across OSCPP. Status: On track.   | 6/30/2024  |



| OIG Report Title  | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status  | Target    |
|---|-------------------|-------------------|---|---|-----------|
| Additional Internal Controls Would Improve the EPA's System for Electronic Disclosure of Environmental Violations         | 22-E-0051         | 6/30/2022         | 1. Develop national guidance that includes a process for screening eDisclosure submissions for significant concerns, such as criminal conduct and potential imminent hazards.   | The Agency will develop national guidance that includes a process for screening eDisclosure submissions for significant concerns, such as criminal conduct and potential imminent hazards. Status: On track.  | 3/29/2024 |
| Additional Internal Controls Would Improve the EPA's System for Electronic Disclosure of Environmental Violations         | 22-E-0051         | 6/30/2022         | 3. Develop performance measures for the eDisclosure system and a monitoring plan to track its effectiveness.  | The Agency will develop performance measures for the eDisclosure system and a monitoring plan to track its effectiveness. Status: On track.   | 3/29/2024 |
| Additional Internal Controls Would Improve the EPA's System for Electronic Disclosure of Environmental Violations         | 22-E-0051         | 6/30/2022         | 4. In coordination with EPA regions, assess eDisclosure system functionality to identify and implement improvements.  | The Agency will assess eDisclosure system functionality to identify potential updates to the eDisclosure system and will seek to implement improvements, including potential updates to the eDisclosure system, dependent upon available resources Status: On track.  | 3/29/2024 |
| The EPA Continues to Fail to Meet Inspection Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities | 22-E-0047         | 6/8/2022          | 1. As previously recommended in our 2016 report, we again recommend that the assistant administrator for Enforcement and Compliance Assurance: 1. Implement management controls to complete the required treatment, storage, and disposal facility inspections. | OECA will work with the regions to monitor TSDF inspection frequency, develop and implement a plan to identify TSDFs not yet inspected near the end of the required inspection cycle, and conduct inspections to the extent possible within the compliance period or the following fiscal year. Status: Delayed to due implementation complexity. | 3/29/2024 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status  | Target    |
|--|-------------------|-------------------|--|---|-----------|
| Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions | 22-P-0033         | 3/31/2022         | 1. Develop a policy and implement procedures to reduce the balances of available program income and establish a time frame for recipients to use or return the funds to the EPA. | The EPA will work to maximize the number of older closeout agreements with consistent national closeout terms and conditions, as their workload allows. The Office of Brownfields and Land Revitalization (OBLR) will request that the regions attempt initial contact with Revolving Land Fund recipients of older closeout agreements who do not have an open Revolving Land Fund grant by the provided completion date in order to begin the renegotiation process. However, EPA cannot unilaterally modify older closeout agreements and will need to work with these recipients on bilateral agreements to incorporate the FY 2022 closeout agreements.<br>Status: On track. | 9/30/2027 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status   | Target    |
|--|-------------------|-------------------|---|--|-----------|
| Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions | 22-P-0033         | 3/31/2022         | 5. Expand existing guidance to include a deadline for post-closeout annual report submission.                                 | This action has been completed for closeout agreements executed after June 2021. For Revolving Land Fund recipients of older closeout agreements, OBLR will request that the regions attempt initial contact by the provided completion date to begin the renegotiation process. However, EPA cannot unilaterally modify older closeout agreements and will need to work with these recipients on bilateral agreements to incorporate the FY 2022 Closeout Agreement. Status: On track.  | 9/30/2027 |
| Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions | 22-P-0033         | 3/31/2022         | 6. Assess whether any of the \$46.6 million of program income under closeout agreements should be returned to the government. | Since the FY 2022 Closeout Agreement Template requires that post-closeout reports be submitted by October 31st with program income balances reported as of September 30th, POs will begin conducting annual reviews of post closeout program income every November for Revolving Land Fund grants in post-closeout status with this closeout agreement requirement. For those who do not have this closeout agreement requirement, project officers will review post closeout program income information every November as it becomes available. Status: On track. | 9/30/2024 |

| OIG Report Title  | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status  | Target     |
|---|-------------------|-------------------|--|---|------------|
| Overdue Residual Risk and Technology Reviews                                  | 22-E-0026         | 3/30/2022         | 2. Develop and implement a strategy to conduct (a) residual risk and technology reviews and recurring technology reviews by the applicable statutory deadlines and (b) any overdue residual risk and technology reviews and recurring technology reviews in as timely a manner as practicable. The strategy should take into account the Agency's environmental justice responsibilities under Executive Order 12898 and other applicable EPA and executive branch policies, procedures, and directives. | The Office of Air and Radiation (OAR) will develop and implement a strategy to timely meet statutory deadlines for RTRs and TRs and complete all overdue RTRs and TRs. OAR fully supports developing a strategy that integrates the high-level analysis with the Administration's priorities, legal deadlines (e.g., court ordered deadlines, settlement agreements), risk prioritization, and other factors in an effort to protect human health and the environment. We anticipate much of the strategy development would be reliant on the high-level analysis (e.g., assessment of current operations, prediction of future operations, and evaluation of impact of organizational change based on experience and historical data). Status: On track. | 3/31/2024  |
| EPA's Fiscal Years 2021 and 2020 (Restated) Consolidated Financial Statements | 22-F-0007         | 11/15/2021        | 5. Implement a system that tracks the dates when accounts receivable source documents need to be submitted and are submitted by the Office of Enforcement and Compliance Assurance to the Cincinnati Finance Center.   | Implement a system that tracks the dates when accounts receivable source documents need to be submitted and are submitted by the Office of Enforcement and Compliance Assurance to the Cincinnati Finance Center. Status: Delayed due to external dependencies including other EPA offices.   | 11/30/2024 |

| OIG Report Title  | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status   | Target     |
|---|-------------------|-------------------|--|--|------------|
| EPA's Fiscal Year 2020 Fourth-Quarter Compliance with the Digital Accountability and Transparency Act of 2014 | 22-P-0001         | 11/8/2021         | 3. Update EPA's grants management system to align with the DATA Act data standards, including all parts of data elements reported therein, and to allow input only of the acceptable values outlined for each data element in DATA Act Information Model Schema, Reporting Submission Specification. | OMS-OGD will update Next Generation Grants System to align with the DATA Act data standards including all parts of data elements reported therein and allow input only of the acceptable values outlined for each data element in DATA Act Information Model Schema, Reporting Submission Specification. Status: Delayed due to implementation complexity  | 4/30/2024  |
| EPA Needs an Agencywide Strategic Action Plan to Address Harmful Algal Blooms                                 | 21-E-0264         | 9/29/2021         | 4. Assess and evaluate the available information on human health risks from exposure to cyanotoxins in drinking water and recreational waters to determine whether actions under the Safe Drinking Water Act are warranted.  | EPA will continue evaluating the risks to human health from exposure to cyanotoxins and will develop Health Effects Support Documents (HESDs) for new toxins (e.g., saxitoxins and nodularin). EPA intends to develop health advisories and recreational criteria for these toxins when sufficient health data are available. EPA will re-evaluate the human health risks to previously evaluated toxins as new toxicological exposure studies and systematic reviews of peer-reviewed scientific literature are completed. EPA will determine whether additional regulatory or nonregulatory actions are appropriate under the Safe Drinking Water Act (SDWA), using the above health effects information, Unregulated Contaminant Monitoring Rule 4 and other cyanotoxins occurrence data, and additional information. Status: On track. | 12/31/2025 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status   | Target    |
|--|-------------------|-------------------|--|--|-----------|
| EPA's Implementation of the Endocrine Disruption Screening Program | 21-E-0186         | 7/28/2021         | 1. Issue Tier 1 test orders for each List 2 chemical or publish an explanation for public comment on why Tier 1 data are no longer needed to characterize a List 2 chemical's endocrine-disruption activity.   | OCSPP, with input from the Office of Research and Development and the Office of Water will publish for comment a List 2 Action Plan, which may include a combination of test orders, explanations as to why test orders are not needed, or a reprioritization of the order of Endocrine Disruption Screening Program (EDSP) evaluations. Following notice and comment, OCSPP will initiate the process to issue test orders for List 2 substances, as appropriate. Status: On track. | 9/30/2025 |
| EPA's Implementation of the Endocrine Disruption Screening Program | 21-E-0186         | 7/28/2021         | 2. Determine whether the EPA should incorporate the Endocrine Disruptor Screening Program Tier 1 tests (or approved new approach methodologies) into the pesticide registration process as mandatory data requirements under 40 C.F.R. § 158 for all pesticide use patterns.             | OCSPP will make a determination on the inclusion of the EDSP Tier 1 tests into the pesticide registration process as mandatory data requirement under 40 C.F.R. part 158 for all pesticide use patterns. Status: On track.   | 9/30/2024 |
| EPA's Implementation of the Endocrine Disruption Screening Program | 21-E-0186         | 7/28/2021         | 3. Issue List 1–Tier 2 test orders for the 18 pesticides in which additional Tier 2 testing was recommended or publish an explanation for public comment on why this Tier 2 data are no longer needed to characterize the endocrine-disruption activity for each of these 18 pesticides. | OCSPP will make a determination on the need for List 1-Tier 2 data. OCSPP also will provide an explanation, which will be published for public comment, for any of the 18 pesticides for which it is determined that Tier 2 data is no longer needed. Following publication and comment, OCSPP will initiate the process to issue any Tier 2 test orders for List 1 determined to be needed. Status: On track.   | 9/30/2024 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status  | Target     |
|--|-------------------|-------------------|---|---|------------|
| EPA's Implementation of the Endocrine Disruption Screening Program | 21-E-0186         | 7/28/2021         | 4. Issue for public review and comment both the Environmental Fate and Effects Division's approach for the reevaluation of List 1-Tier 1 data and the revised List 1-Tier 2 wildlife recommendations.   | OCSPP will issue for public review and comment any reevaluation of List 1-Tier 1 data and any revisions to the List 1-Tier 2 wildlife recommendations. Status: Delayed due to implementation complexity.  | 12/31/2025 |
| EPA's Implementation of the Endocrine Disruption Screening Program | 21-E-0186         | 7/28/2021         | 6. Develop performance measures, with reasonable time frames, to document progress toward and achievement of milestones or targets. Specifically, the Endocrine Disruptor Screening Program should consider at least one performance measure that tracks progress in testing pesticides for human endocrine disruptor activity. | OCSPP will develop short-term performance measures, such as scientific publications, number/type of accepted new approach methods, and exemptions granted. Short-term performance measures will be developed and tracked. OCSPP will develop longer-term performance measures, including at least one measure to track progress in testing pesticides for human endocrine disruptor activity. Long-term performance measures including at least one that tracks progress in the evaluation and testing of pesticides for human endocrine disruptor activity will be developed and tracked by October 1, 2024. Status: On track. | 10/1/2024  |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status   | Target     |
|--|-------------------|-------------------|--|--|------------|
| EPA's Implementation of the Endocrine Disruption Screening Program | 21-E-0186         | 7/28/2021         | 7. Conduct annual internal program reviews of the Endocrine Disruptor Screening Program.   | OCSPP will conduct the first annual internal program review of the EDSP and provide a briefing and report out to the OCSPP Assistant Administrator on EDSP progress, especially as it relates to the Corrective Actions in this Report and progress developing the EDSP Strategic Plan. Status: Delayed due to leadership change.  | 3/31/2024  |
| EPA Oversight of Synthetic Minor Sources                           | 21-P-0175         | 7/8/2021          | 1. Update Agency guidance on practical enforceability to more clearly describe how the technical accuracy of a permit limit should be supported and documented. In updating such guidance, the Office of Air and Radiation should consult and collaborate with the Office of Enforcement and Compliance Assurance, the Office of General Counsel, and the EPA regions. | OAR will update Agency guidance on the practical enforceability of limitations, including but not limited to EPA's June 13, 1989, Guidance on Limiting Potential to Emit in New Source Permitting, to describe how the technical accuracy of a permit limit should be supported and documented. Specifically, the updated guidance will address the practical enforceability of limitations on potential to emit. In updating our guidance, we will consult and collaborate with the Office of Enforcement and Compliance Assurance, the Office of General Counsel, and the EPA regions. Status: Delayed due to implementation complexity. | 10/31/2024 |



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| EPA Oversight of Synthetic Minor Sources | 21-P-0175         | 7/8/2021          | <p>2. In consultation with the EPA regions, develop and implement an oversight plan to include:</p> <p>An initial review of a sample of synthetic-minor-source permits in different industries that are issued by state, local, and tribal agencies to assess whether the permits adhere to EPA guidance on practical enforceability, including limits that are technically accurate; have appropriate time periods; and include sufficient monitoring, recordkeeping, and reporting requirements.</p> <p>A periodic review of a sample of synthetic-minor-source permits to occur, at a minimum, once every five years.</p> <p>Procedures to resolve any permitting deficiencies identified during the initial and periodic reviews.</p> | In consultation with EPA Regional offices, OAR will develop and implement an oversight plan in accordance with current statutory and EPA regulatory requirements and, as appropriate, including the specific elements identified. Status: On track. | 10/31/2024 |

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| EPA Oversight of Synthetic Minor Sources | 21-P-0175         | 7/8/2021          | 3. Assess recent EPA studies of enclosed combustion device performance and compliance monitoring and other relevant information during the next statutorily required review of 40 C.F.R Part 60 Subparts OOOO and OOOOa to determine whether revisions are needed to monitor, recordkeeping and reporting requirements for enclosed combustion devices to assure continuous compliance with associated limits and revise the regulatory requirements as appropriate. | OAR will assess EPA studies of enclosed combustion device performance and compliance monitoring and other relevant information during the next statutorily required review of 40 C.F.R part 60 subparts OOOO and OOOOa and determine whether revisions are needed to monitor, recordkeeping and reporting requirements for enclosed combustion devices to assure continuous compliance with associated limits and revise the regulatory requirements as appropriate. Status: On track.  | 12/31/2024 |
| EPA Oversight of Synthetic Minor Sources | 21-P-0175         | 7/8/2021          | 4. Revise the Agency's guidance to communicate its key expectations for synthetic-minor-source permitting to state and local agencies.   | The agency will revise its guidance to communicate its key expectations for synthetic-minor-source permitting to state and local agencies. This will include an expectation that synthetic minor permit terms and conditions ensure that the potential to emit of the source is less than the applicable major source threshold by meeting legal and practical enforceability criteria. Our work related to this recommendation may, at least in part, be integrated with the updated guidance on practical enforceability in response to OIG Recommendation 1. Status: On track. | 10/31/2024 |

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| EPA Oversight of Synthetic Minor Sources  | 21-P-0175         | 7/8/2021          | 5. Identify all state, local, and tribal agencies in which Clean Air Act permit program implementation fails to adhere to the public participation requirements for synthetic-minor source permit issuance and take appropriate steps to assure the identified states adhere to the public participation requirements. | With EPA Regional office support, OAR will identify state, local and tribal agencies whose program regulations, including but not limited to minor new source review and federally enforceable state operating permit program regulations and corresponding practices, do not meet the public participation requirements contained in the applicable EPA regulations, e.g., 40 CFR 51.161, and guidance with respect to synthetic minor source permitting. For the identified agencies, OAR will take appropriate corrective steps, which may include constructive, informal engagement. Status: Delayed due to implementation complexity. | 10/31/2024 |
| EPA Deviated from Typical Procedures in its 2018 Dicamba Pesticide Registration Decision                  | 21-E-0146         | 5/24/2021         | 3. Annually conduct and document training for all staff and senior managers and policy makers to affirm the office's commitment to the Scientific Integrity Policy and principles and to promote a culture of scientific integrity   | Complete the fifth annual Scientific integrity training by March 31, 2026. Status: On track.   | 3/31/2026  |
| Resource Constraints, Leadership Decisions, and Workforce Culture Led to a Decline in Federal Enforcement | 21-P-0132         | 5/13/2021         | 2. Integrate the results of the workforce analysis into the Office of Enforcement and Compliance Assurance's annual and strategic planning processes.  | The OECA-wide succession management plan will include all components required by the Agency.   | 4/1/2024   |

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| Staffing Constraints, Safety and Health Concerns at EPA's National Enforcement Investigations Center May Compromise Ability to Achieve Mission | 21-P-0131         | 5/12/2021         | 9. Develop and incorporate metrics on the National Enforcement Investigations Center work environment and culture into Office of Criminal Enforcement, Forensics, and Training senior management performance standards, such as results from the annual Federal Employee Viewpoint Survey, periodic culture audits, or other methods to measure progress. | Measuring this baseline and subsequent quarterly data will continue until the completion of the organizational assessment that will evaluate the veracity of actual issues or concerns while also determining root causes of any concerns identified. Once that data is available, the Office of Criminal Enforcement, Forensics, and Training will evaluate appropriate measures and/or next steps. Status: On track. | 6/28/2024 |
| Staffing Constraints, Safety and Health Concerns at EPA's National Enforcement Investigations Center May Compromise Ability to Achieve Mission | 21-P-0131         | 5/12/2021         | 10. Develop and incorporate metrics that address work environment and culture into National Enforcement Investigations Center senior management performance standards.  | Measuring this baseline and subsequent quarterly data will continue until the completion of the organizational assessment that will evaluate the veracity of actual issues or concerns while also determining root causes of any concerns identified. Once that data is available, the Office of Criminal Enforcement, Forensics, and Training will evaluate appropriate measures and/or next steps. Status: On track. | 6/28/2024 |

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| EPA Helps States Reduce Trash, Including Plastic, in U.S. Waterways but Needs to Identify Obstacles and Develop Strategies for Further Progress    | 21-P-0130         | 5/11/2021         | 1. Evaluate the obstacles to implementing the Clean Water Act to control trash in U.S. waterways and provide a public report describing those obstacles.  | To evaluate the obstacles to implementing the Clean Water Act to control trash in U.S. waterways, EPA will engage in discussion with states, and will address this recommendation through the development of the “water management” component of the Federal Strategy required under Section 301 of Save Our Seas 2.0. This Strategy will be a public document addressing both the waste and water components related to plastic pollution and will evaluate the requirements and hurdles posed by the Clean Water Act, as well as other regulatory requirements and nonregulatory actions. Status: Delayed due to implementation complexity. | 4/22/2024 |
| EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide Emitting Source Categories to Protect Human Health | 21-P-0129         | 5/6/2021          | 2. Conduct new residual risk reviews for Group I polymers and resins that cover neoprene production, synthetic organic chemical manufacturing industry, polyether polyols production, commercial sterilizers, and hospital sterilizers using the new risk values for chloroprene and ethylene oxide and revise the corresponding National Emission Standards for Hazardous Air Pollutants, as needed. | OAR commits to conduct appropriate reviews to ensure that the standards for neoprene production, synthetic organic chemical manufacturing industry, polyether polyols production, and commercial sterilizers continue to provide an ample margin of safety to protect public health and that the standards for hospital sterilizers provide an ample margin of safety to protect public health. Status: On track.   | 9/30/2024 |

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| EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide Emitting Source Categories to Protect Human Health | 21-P-0129         | 5/6/2021          | 3. Revise National Emission Standards for Hazardous Air Pollutants for chemical manufacturing area sources to regulate ethylene oxide and conduct a residual risk review to ensure that the public is not exposed to unacceptable risks. | Technology-based standards for ethylene oxide have not yet been established for the Chemical Manufacturing Area Sources source category. Therefore, we plan to first evaluate ethylene oxide emissions from the source category, and if ethylene oxide emissions present a public health concern (i.e., by considering risk information), we will regulate ethylene oxide in the Chemical Manufacturing Area Sources rule. Regulation would involve the establishment of technology-based ethylene oxide standards pursuant to either Clean Air Act section 112(d)(5) standards or sections 112(d)(2) and 112(d)(3) standards. Within four years of promulgation, EPA would assess the risks from ethylene oxide emissions from Chemical Manufacturing Area Sources to inform us on whether an earlier review date is appropriate. Status: On track. | 9/30/2028 |

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| EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide Emitting Source Categories to Protect Human Health | 21-P-0129         | 5/6/2021          | 4. Conduct overdue technology reviews for Group I polymers and resins that cover neoprene production, synthetic organic chemical manufacturing industry, commercial sterilizers, hospital sterilizers, and chemical manufacturing area sources, which are required to be completed at least every eight years by the Clean Air Act.   | OAR plans to conduct overdue technology reviews for commercial sterilizers, hospital sterilizers, Group I polymers and resins, synthetic organic chemical manufacturing, and chemical plant area sources. Status: On track.   | 9/30/2024 |
| Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System permits.     | 21-P-0122         | 4/21/2021         | 2. Review the modified National Pollutant Discharge Elimination System mining permits issued by West Virginia based on the 2019 revisions to its National Pollutant Discharge Elimination System program to determine whether the permits contain effluent limits for ionic pollution and other pollutants that are or may be discharged at a level that causes, has the reasonable potential to cause, or contributes to an excursion above any applicable water quality standard, as required by Clean Water Act regulations. If a permit lacks required effluent limits, take appropriate action to address such deficiencies. | Develop scope of work for the project. Review data generated from permits with conditions applied as a result of the guidance to determine permits' impact on water quality and whether the assumptions underlying that guidance are supported. Where the data shows implementation of guidance is not effective in protecting water quality, provide recommendations to WVDEP and work with WVDEP to modify guidance as appropriate. Using information from data and process analysis, we will take this information into account as we review draft permits that apply WVDEP guidance and provide comment as appropriate. Status: On track. | 1/31/2025 |

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| Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits.                    | 21-P-0122         | 4/21/2021         | 4. Review and provide written input on any National Pollutant Discharge Elimination System permit prepared for reissuance by the Minnesota Pollution Control Agency for the PolyMet Mining Inc. NorthMet project, if applicable, as appropriate pursuant to the requirements of the Clean Water Act, National Pollutant Discharge Elimination System regulations, the Region 5 National Pollutant Discharge Elimination System permit review standard operating procedure, and the memorandum of agreement between EPA Region 5 and the Minnesota Pollution Control Agency. | The Minnesota Pollution Control Agency has not transmitted the PolyMet National Pollutant Discharge Elimination System permit to EPA for review, so the status of the recommendation remains unchanged. Status: Delayed due to implementation complexity.  | 11/30/2024 |
| EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs | 21-P-0114         | 3/29/2021         | 2. Establish mechanisms to ensure that all required inspections are completed within the required time frame of two years for operating treatment, storage, or disposal facilities and three years for nonoperating treatment, storage, or disposal facilities.   | Work with the regions to develop and implement a plan to use the RCRAInfo Closed with Waste in Place Report for monitoring the inspection status of operating treatment, storage, and disposal facilities (TSDFs) with units closed with waste in place. At TSDFs for which required inspections have not been completed and are near the end of their compliance period, conduct inspections to the extent possible within the compliance period, or the following fiscal year. Status: On track. | 3/29/2024  |



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| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 2. Provide resources for supervisors, timekeepers, and reservists on their roles and responsibilities related to military leave under the law and Agency policies.   | The OMS will update policy and finalize procedures to comply with statutory requirements, and OCFO will provide PeoplePlus training to support roles and responsibilities related to military leave and pay policy. Status: Delayed due to external dependencies.  | 10/15/2024 |
| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 3. Establish and implement internal controls that will allow the Agency to monitor compliance with applicable laws, federal guidance, and Agency policies, including periodic internal audits of all military leave, to verify that (a) charges by reservists are correct and supported and (b) appropriate reservist differential and military offset payroll audit calculations are being requested and performed. | The OMS will conduct periodic human capital audits to ensure compliance with the updated military leave policy, and the OCFO will work with the Interior Business Center, the EPA's payroll provider, to ensure the necessary timecard corrections identified by the OMS periodic audit were made by the employee and approved by the supervisor in accordance with agency policy. The OCFO will provide a report to the OMS confirming timecard corrections identified by the OMS periodic audit were made by the employee and approved by the supervisor for the OMS to distribute to the appropriate offices. Status: Delayed due to external dependencies. | 10/1/2024  |

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| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 4. Require reservists to correct, and supervisors to approve, military leave time charging errors in PeoplePlus that have been identified during the audit or as part of the Agency's actions related to Recommendations 5 and 6.  | The OCFO will work with the Agency's payroll provider to confirm the necessary time charging errors identified in the audit were corrected by the employee and approved by the supervisor; and the OCFO will then provide a report to the OMS confirming the necessary time charging errors identified in the audit were corrected by the employee and approved by the supervisor for the OMS to distribute to the appropriate offices. Status: Delayed due to external dependencies. | 9/30/2026 |
| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 5. Recover the approximately \$11,000 in military pay related to unsupported 5 U.S.C. § 6323(a) military leave charges, unless the Agency can obtain documentation to substantiate the validity of the reservists' military leave. | For any unsupported leave charges, the OMS will coordinate with the Interior Business Center (IBC), the Agency's payroll provider, to initiate the process to recover the military pay, and where applicable, the OCFO will recover any unsupported leave charges for out-of-service debt. Status: Delayed due to external dependencies.  | 8/31/2026 |

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| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 6. Submit documentation for the reservists' military leave related to the approximately \$118,000 charged under 5 U.S.C. § 6323(b) to the EPA's payroll provider so that it may perform payroll audit calculations and recover any military offsets that may be due.   | The OMS will work with the EPA's programs and regions to collect documentation related to the identified military leave charges. For any unsupported leave charges, the OMS will coordinate with the IBC to initiate the process to recover any military offsets. The OCFO will recover any unsupported leave charges for out-of-service debt. Status: Delayed due to external dependencies.   | 8/31/2026  |
| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 7. Identify the population of reservists who took unpaid military leave pursuant to 5 U.S.C. § 5538 and determine whether those reservists are entitled to receive a reservist differential. Based on the results of this determination, take appropriate steps to request that the EPA's payroll provider perform payroll audit calculations to identify and pay the amounts that may be due to reservists. | The OCFO will provide the OMS with the population of reservists charging military leave. The OMS will conduct a review of this population to determine which items need to be provided to the IBC for audit calculation of whether military offsets were paid accurately. For amounts due to reservists who are no longer EPA employees, the OCFO will coordinate with the IBC on the amounts due. Status: Delayed due to external dependencies. | 12/31/2026 |

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| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 8. For the time periods outside of the scope of our audit (pre-January 2017 and post-June 2019), identify the population of reservists who charged military leave under 5 U.S.C. § 6323(b) or 6323(c), and determine whether military offset was paid by the reservists. If not, review reservists' military documentation to determine whether payroll audit calculations are required. If required, request that the EPA's payroll provider perform payroll audit calculations to identify and recover military offsets that may be due from the reservists under 5 U.S.C. §§ 6323 and 5519. | The OCFO will provide the OMS with the population of reservists charging military leave. The OMS will conduct a review of this population to determine which items need to be provided to the IBC for audit calculation of whether military offsets were paid accurately. For any unsupported leave charges, the OMS will coordinate with the IBC to initiate the process to recover any military offsets. The OCFO will recover any unsupported leave charges for out-of-service debt. Status: Delayed due to external dependencies. | 2/28/2027 |
| EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments | 21-P-0042         | 12/28/2020        | 9. Report all amounts of improper payments resulting from paid military leave for inclusion in the annual Agency Financial Report, as required by the Payment Integrity Information Act of 2019.   | The OCFO will report any paid military leave amounts identified as an improper payment(s) within the annual Agency Financial Report for the applicable fiscal year; and the OCFO also will perform an internal control review on military leave pay during the FY 2021 A-123 Internal Review period and report any identified improper payment amounts in the FY 2021 Annual Financial Report. Status: Delayed due to external dependencies.  | 12/1/2025 |

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| Region 2's Hurricanes Irma and Maria Response Efforts in Puerto Rico and U.S. Virgin Islands Show the Need for Improved Planning, Communications, and Assistance for Small Drinking Water Systems | 21-P-0032         | 12/3/2020         | <p>3. In coordination with the Office of Water, implement America's Water Infrastructure Act in Puerto Rico and the U.S. Virgin Islands by:</p> <p>a. Developing and implementing a strategy to provide training, guidance, and assistance to small drinking water systems as they improve their resilience.</p> <p>b. Establishing a process for small drinking water systems to apply for America's Water Infrastructure Act grants. This process should include (1) implementing the EPA's May 2020 guidance provided to small drinking water systems regarding resilience assessments and (2) establishing a public information campaign to inform small drinking water systems of the America's Water Infrastructure Act grant opportunity, qualifying requirements, and application deadlines.</p> | EPA Office of Water will be promoting and conducting a series of America's Water Infrastructure Act section 2013 virtual workshops aimed at systems serving 3,301- 49,999 people, including a workshop focused on Region 2 water systems, to include Puerto Rico and U.S. Virgin Islands. Small water systems and technical assistance providers in Puerto Rico and the U.S. Virgin Islands are welcome to attend these workshops to assist them in developing risk and resilience assessments and emergency response plans. EPA plans to publish guidance for systems serving less than 3,300 people. EPA also plans to publish a Spanish version of this guidance to make it more accessible to small systems and technical assistance providers in Puerto Rico. Status: Delayed due to external dependencies. | 6/30/2024 |
| EPA's External Civil Rights Compliance Office's Response to Title VI Air Complaints   | 20-E-0333         | 9/28/2020         | <p>1. Develop and implement a plan to coordinate relevant agency program, regional, and administrative offices with the External Civil Rights Compliance Office to develop guidance on permitting and cumulative impacts related to Title VI.</p>  | The External Civil Rights Compliance Office (ECRCO) will issue guidance to clarify the Agency's interpretations of legal requirements and expectations to stakeholders. Status: Delayed due to staffing constraints.   | 10/1/2024 |

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| EPA's External Civil Rights Compliance Office's Response to Title VI Air Complaints | 20-E-0333         | 9/28/2020         | 5. Determine how to use existing or new data to identify and target funding recipients for proactive compliance reviews, and develop or update policy, guidance, and standard operating procedures for collecting and using those data. | ECRCO will be determining how to use data to identify and target funding recipients for proactive compliance reviews, as discussed in response to Recommendation 2, and, also, will develop or update policy, guidance, and SOPs, as appropriate, for the collection and use of data by recipients. ERCO will develop and release Foundational nondiscrimination Program Guidance, which includes section on data collection and reporting; release technical assistance video, and release data analytics guidance. Status: Delayed due to staffing constraints.                 | 10/1/2024 |
| EPA's External Civil Rights Compliance Office's Response to Title VI Air Complaints | 20-E-0333         | 9/28/2020         | 6. Develop and deliver training for the deputy civil rights officials and EPA regional staff that focuses on their respective roles and responsibilities within the EPA's Title VI program.   | ECRCO will provide training to all EPA staff involved in the form review process and will release a technical assistance video. ECRCO will provide additional training courses to EPA staff on civil rights topics and issues on a regular basis. For example, in addition to training in FY22 on the Form review process, ECRCO will offer training in FY23 as ECRCO issues guidance and works with national media programs and regional offices to ensure Title VI compliance is integrated into agency-wide oversight activities. Status: Delayed due to staffing constraints. | 3/31/2024 |

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| Further Efforts Needed to Uphold Scientific Integrity Policy at EPA | 20-P-0173         | 5/20/2020         | 6. In coordination with the assistant administrator for Mission Support, complete the development and implementation of the electronic clearance system for scientific products across the Agency.  | OMS, ORD Office of Scientific Information Management (OSIM), and the Scientific Integrity Committee will coordinate to complete modification and Agency-wide implementation of ORD's Scientific & Technical Information Clearance System to an agency-wide electronic clearance system for scientific products across the Agency. The system will be consistent with the Scientific Integrity Policy and our Best Practices document and with the Agency's Plan to Increase Access to the Results of EPA-Funded Scientific Research. Status: Delayed due to external dependencies. | 6/30/2024 |
| Further Efforts Needed to Uphold Scientific Integrity Policy at EPA | 20-P-0173         | 5/20/2020         | 7. With the assistance of the Scientific Integrity Committee, finalize and release the procedures for addressing and resolving allegations of a violation of the Scientific Integrity Policy, and incorporate the procedures into scientific integrity outreach and training materials. | The Agency will release the Procedures document. It will be posted on the Agency's website. The Scientific Integrity Program will create and release appropriate outreach materials to ensure EPA employees and their managers understand these procedures. Status: Delayed due to external dependencies.  | 6/30/2024 |

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| Further Efforts Needed to Uphold Scientific Integrity Policy at EPA | 20-P-0173         | 5/20/2020         | 8. With the assistance of the Scientific Integrity Committee, develop and implement a process specifically to address and resolve allegations of Scientific Integrity Policy violations involving high-profile issues or senior officials, and specify when this process should be used. | EPA will amend the procedures document referenced in recommendation 7, to include a process to adjudicate allegations of Scientific Integrity Policy violations involving high-profile issues or senior officials in the Agency for which the Scientific Integrity Official or Scientific Integrity Committee does not feel it can adequately adjudicate via existing procedures and include an indicator for when the process should be used. Status: Delayed due to external dependencies. | 6/30/2024 |



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| EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames | 20-P-0146         | 4/22/2020         | 1. Implement a system that is accessible to both the EPA and the applicants to track the processing of all tribal-New-Source-Review permits and key permit dates including application received, application completed, draft permit issued, public comment period (if applicable), and final permit issuance. | OAR's Office of Air Quality Planning and Standards has already begun work on the Electronic Permit System (EPS), which will include a module to receive and process applications for the EPA-issued tribal new source review permits. Specifically, this module will allow sources to submit electronic applications for tribal minor NSR permits and then allow the EPA staff to process those applications in EPS. The system will allow the EPA staff to update the status of the application and permit to reflect when the application is complete, the draft permit is issued, the beginning and ending of the public comment period, and the issuance of the final permit and response to public comments document. Status: Delayed due to resource constraints. | 9/30/2024 |
| EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames | 20-P-0146         | 4/22/2020         | 2. Establish and implement an oversight process to verify that the regions update the permit tracking system on a periodic basis with the correct and required information.  | Upon completion of the EPS, the Office of Air Quality Planning and Standards will work with the regional offices to establish an oversight process to ensure complete, consistent, and timely entry of data into the EPS. Status: Delayed due to resource constraints.  | 9/30/2024 |

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| EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance    | 19-P-0207         | 6/27/2019         | 1. Develop and implement electronic checks in the EPA's Emissions Collection and Monitoring Plan System or through an alternative mechanism to retroactively evaluate emissions and quality assurance data in instances where monitoring plan changes are submitted after the emissions and quality assurance data have already been accepted by the EPA. | The Clean Air Markets Division (CAMD) has implemented a post submission data check that is run at the end of each reporting period. In the long term, the CAMD will implement an additional check in the Emissions Collection and Monitoring Plan (ECMPS) forcing retroactive span record changes to require the reevaluation and resubmission of any affected quality assurance tests and hourly emissions records. CAMD has initiated the process of reengineering ECMPS. In order to minimize additional expenditures on the current version of ECMPS, CAMD will focus on adding the check to the new version of ECMPS. Status: On track. | 3/31/2025 |
| Pesticide Registration Fee, Vulnerability Mitigation and Database Security Controls for EPA's FIFRA and PRIA Systems Need Improvement | 19-P-0195         | 6/21/2019         | 2. Complete the actions and milestones identified in the Office of Pesticide Programs' PRIA Maintenance Fee Risk Assessment document and associated plan regarding the fee payment and refund posting processes.  | OCSPP's Office of Pesticide Programs will complete the actions and milestones identified in the Office of Pesticide Programs' Pesticide Registration Improvement Act Maintenance Fee Risk Assessment document and associated plan regarding the fee payment and refund posting processes. Status: Delayed due to external dependencies.  | 1/31/2024 |

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| EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation | 18-P-0240         | 9/5/2018          | 2. Through appropriate EPA offices, direct completion of an assessment to identify the data management requirements for using citizen science data and an action plan for addressing those requirements, including those on sharing and using data, data format/standards, and data testing/validation.                                 | The Agency concurs with this recommendation and will complete an assessment and action plan to identify and address data management requirements for citizen science. Status: Delayed due to implementation complexity.   | 6/30/2024 |
| EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents             | 18-P-0080         | 2/15/2018         | 1. The Assistant Administrator for Chemical Safety and Pollution Prevention, in coordination with the Office of Enforcement and Compliance Assurance, shall develop and implement a methodology to evaluate the impact of the revised Agricultural Worker Protection Standard on pesticide exposure incidents among target populations. | OCSPP will: (1) collect and review data related to the extent to which agricultural workers obtain knowledge through trainings; (2) collect and review incident data; and (3) after reviewing training and incident data, analyze the need to collect additional information to help evaluate the impact of the revised Worker Protection Standard. Status: Delayed due to implementation complexity. | 6/28/2024 |
| Improved Management of the Brownfields Revolving Loan Fund Program Is Required to Maximize Cleanups                                 | 17-P-0368         | 8/23/2017         | 14. Develop and implement a method for the Office of Brownfields and Land Revitalization to track closed cooperative agreements with pre- and post-program income.  | OBLR will work with the regions to develop and implement a method such as a tool, a spreadsheet, or a database, to track pre- and post-close out program income until termination of the closed out cooperative agreements in accordance with the reporting requirements listed under the closeout agreement. Status: Delayed due to implementation complexity.                                       | 9/30/2024 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status  | Target    |
|--|-------------------|-------------------|--|---|-----------|
| Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries From Residential Fumigations | 17-P-0053         | 12/12/2016        | 3. Conduct an assessment of clearance devices to validate their effectiveness in detecting required clearance levels, as part of the Office of Pesticide Programs ongoing reevaluation of structural fumigants. The program will implement this corrective action in two phases: 3a. OCSPP anticipates that phase one will consist of revised mitigation measures to be reflected in a Final Interim Re-entry Mitigation Measures Memorandum. 3b. In phase 2, OCSPP will revise sulfuryl labels. | Based on the comment content and the time needed to review the new data, the timeframe for responding and publishing a revised document outlining required sulfuryl fluoride label changes will be delayed from OCSPP's original plan and will likely involve phased implementation (label requirements) for some of the measures. OCSPP anticipates that revised mitigation measures will be reflected in a Final Interim Re-entry Mitigation Measures Memorandum to be issued by 3/31/23. OCSPP anticipates that the mitigation measures will be reflected in revised and accepted sulfuryl fluoride labels by 9/30/23. Status: Delayed due to implementation complexity. | 2/15/2024 |

| OIG Report Title  | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status   | Target    |
|---|-------------------|-------------------|--|--|-----------|
| EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard | 16-P-0275         | 8/18/2016         | 2. Complete the anti-backsliding study on the air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act.                            | EPA has already taken a number of steps that are important prerequisites for the anti-backsliding study. There are multiple intermediate research steps that still need to be completed before OAR can plan, fund, and conduct a comprehensive anti-backsliding study. These steps include development of baseline, current, and projected scenarios for how renewable fuels have and might be produced, distributed, and used to fulfill the Renewable Fuel Standard requirements, generation of emissions inventories, and air quality modeling, all of which are time consuming and resource intensive. Status: On track. | 9/30/2024 |
| EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard | 16-P-0275         | 8/18/2016         | 3. Determine whether additional action is needed to mitigate any adverse air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act. | OAR acknowledges the statute's requirement to determine whether additional action is needed to mitigate any adverse air quality impacts in light of the anti-backsliding study. That study, discussed in Corrective Action 2, would need to be completed prior to any such determination taking place. Status: On track.   | 9/30/2024 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status   | Target    |
|--|-------------------|-------------------|---|--|-----------|
| EPA Has Not Met Statutory Requirements for Hazardous Waste Treatment, Storage and Disposal Facility Inspections, but Inspection Rates Are High | 16-P-0104         | 3/11/2016         | 1. Implement management controls to complete the required TSDF inspections.   | OECA will work with the regions to monitor TSDF inspection frequency, develop and implement a plan to identify TSDFs not yet inspected near the end of the required inspection cycle, and conduct inspections to the extent possible within the compliance period or the following fiscal year. Status: Delayed due to implementation complexity.  | 3/29/2024 |
| Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts, as Exemplified in Region 6                       | 14-P-0109         | 2/4/2014          | 3. Direct COs to require that the contractor adjust all its billings to reflect the application of the correct rate to team subcontract ODCs. | Region 6 agrees to require the contractor to adjust all of its past billings to reflect the application of the composite rate to team subcontractor other direct costs that were arranged for and paid for by the team-subcontractor. We intend to implement the corrective action when final indirect cost rates are established. Therefore, the contract officer will be directed to defer past billing adjustments until the DCAA audits the indirect cost rates and the EPA Financial Administrative Contracting Officer negotiates, approves, and issues a Final Indirect Cost Agreement for the past billing periods (i.e., Years 2007 to 2013). Status: On track. | 9/30/2024 |

| OIG Report Title   | OIG Report Number | Report Issue Date | OIG Recommendation  | EPA Corrective Action and Status  | Target    |
|--|-------------------|-------------------|---|---|-----------|
| EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results | 11-P-0215         | 5/3/2011          | 4. Develop short-term, intermediate, and long-term outcome performance measures, and additional output performance measures, with appropriate targets and timeframes, to measure the progress and results of the program.<br>Rec. 4a: Short term performance measures will be developed and tracked.<br>Rec. 4b: Long term performance measures, including testing for EDSP activities in pesticides will be developed and tracked. | Short term performance measures will be developed by and tracked. Long term performance measures, including at least one measure that tracks progress in the evaluation and testing of pesticides for human endocrine disruptor activity, will be developed and tracked by October 1, 2024.<br>Status: On track.                  | 10/1/2024 |
| EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results | 11-P-0215         | 5/3/2011          | 6. Annually review the EDSP program results, progress toward milestones, and achievement of performance measures, including explanations for any missed milestones or targets.  | OCSPP will conduct the first annual internal program review of the EDSP and provide a briefing and report out to the OCSPP Assistant Administrator on EDSP progress, especially as it relates to the Corrective Actions in this Report and progress developing the EDSP Strategic Plan. Status: Delayed due to leadership change. | 3/31/2024 |

| OIG Report Title  | OIG Report Number | Report Issue Date | OIG Recommendation   | EPA Corrective Action and Status   | Target    |
|---|-------------------|-------------------|--|--|-----------|
| EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement | 10-P-0224         | 9/14/2010         | 2-2. Develop a systematic approach to identify which States have outdated or inconsistent MOAs, renegotiate and update those MOAs using the MOA template, and secure the active involvement and final, documented concurrence of Headquarters to ensure national consistency.  | EPA has completed the review of all the EPA-State Memorandums of Agreement (MOAs). Ten authorized National pollutant discharge elimination system states were identified as being problematic. EPA Regions and States have completed actions to update MOAs to satisfy concerns identified in the corrective action plan for three states: Iowa, Missouri, and Virginia. At this time, seven MOAs are still in the process of being corrected. Status: Delayed due to external dependencies. | 4/30/2025 |
| Making Better Use of Stringfellow Superfund Special Accounts                                | 08-P-0196         | 7/9/2008          | 2. Reclassify or transfer to the Trust Fund, as appropriate, \$27.8 million (plus any earned interest less oversight costs) of the Stringfellow special accounts in annual reviews, and at other milestones including the end of fiscal year 2010, when the record of decision is signed, and the final settlement is achieved | The EPA retains the funds in reserve because final clean-up figures have not been established. Status: Delayed due to external dependencies.   | 9/30/2026 |



**GAO-IG Act, Government Accountability Office Open Recommendations - As of January 31, 2024**

| <b>GAO Report Title</b>  | <b>GAO Report Number</b> | <b>Report Issue Date</b> | <b>GAO Recommendation</b>   | <b>EPA Implementation Status</b>   |
|--|--------------------------|--------------------------|---|--|
| Clean Water Act: EPA Should Track Control of Combined Sewer Overflows and Water Quality Improvements | GAO-23-105285            | 1/25/2023                | 1. The Assistant Administrator of the Office of Water should develop a performance goal and measure(s) to track and assess the status of long-term control plans or other control plans for municipalities with CSOs.   | OECA is leading the development of the Phase 2 National Pollutant Discharge Elimination System Electronic Reporting Rule and they have shared that they expect to release the data by December 2025.   |
| Clean Water Act: EPA Should Track Control of Combined Sewer Overflows and Water Quality Improvements | GAO-23-105285            | 1/25/2023                | 2. The Assistant Administrator of the Office of Water should develop a performance goal and measures to track and assess the improvements to water quality resulting from CSO controls implemented by municipalities with CSOs.   | OECA is leading the development of the Phase 2 National Pollutant Discharge Elimination System Electronic Reporting Rule and they have shared that they expect to release the data by December 2025.   |
| Clean Water Act: EPA Should Track Control of Combined Sewer Overflows and Water Quality Improvements | GAO-23-105285            | 1/25/2023                | 3. The Assistant Administrator of the Office of Water should report on nationwide progress and results of municipalities' efforts to control CSOs.  | OECA is leading the development of the Phase 2 National Pollutant Discharge Elimination System Electronic Reporting Rule and they have shared that they expect to release the data by December 2025.   |
| Wildfire Smoke: Opportunities to Strengthen Federal Efforts to Manage Growing Risks                  | GAO-23-104723            | 3/13/2023                | 1. The Administrator of EPA should develop and document a coordinated approach for EPA's actions to help communities prepare for and respond to the air quality and public health risks of wildfire smoke. The approach should align with leading practices for collaboration, including establishing goals, identifying and leveraging resources, and clarifying key stakeholder roles and responsibilities. | On November 9, 2023, EPA, USDA, DOI, and CDC signed a memorandum of understanding to address wildfire risk and protect communities from smoke. The four agencies also released a joint plan outlining wildland fire-related priorities the agencies will focus on over the next two years. |
| Wildfire Smoke: Opportunities to Strengthen Federal Efforts to Manage Growing Risks                  | GAO-23-104723            | 3/13/2023                | 2. The Administrator of EPA should work with the Secretaries of Agriculture and the Interior to better align air quality and land management goals for wildfire risk mitigation and establish joint strategies for achieving those goals.   | On November 9, 2023, EPA, USDA, DOI, and CDC signed a memorandum of understanding to address wildfire risk and protect communities from smoke. The four agencies also released a joint plan outlining wildland fire-related priorities the agencies will focus on over the next two years. |
| Wildfire Smoke: Opportunities to Strengthen Federal Efforts to Manage Growing Risks                  | GAO-23-104723            | 3/13/2023                | 5. The Administrator of EPA should, in consultation with federal land management agencies, identify and develop additional information on reducing risks from wildfire smoke to air quality and public health through wildfire risk mitigation.   | On November 9, 2023, EPA, USDA, DOI, and CDC signed a memorandum of understanding to address wildfire risk and protect communities from smoke. The four agencies also released a joint plan outlining wildland fire-related priorities the agencies will focus on over the next two years. |

| GAO Report Title   | GAO Report Number | Report Issue Date | GAO Recommendation  | EPA Implementation Status  |
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| Wildfire Smoke: Opportunities to Strengthen Federal Efforts to Manage Growing Risks                        | GAO-23-104723     | 3/13/2023         | 6. The Director of EPA's Office of Air and Radiation should work with EPA's tribal, state, and local partners to evaluate options for providing incentives for and supporting wildfire risk mitigation and establish a plan for implementing appropriate options, seeking additional authority from Congress if needed. | On November 9, 2023, EPA, USDA, DOI, and CDC signed a memorandum of understanding to address wildfire risk and protect communities from smoke. The four agencies also released a joint plan outlining wildland fire-related priorities the agencies will focus on over the next two years.   |
| Renewable Fuel Standard: Actions Needed to Improve Decision-Making in the Small Refinery Exemption Program | GAO-23-104273     | 11/3/2022         | 1. The Administrator of EPA should reassess EPA's conclusion that all small refineries recover their RFS compliance costs in the price of the gasoline and diesel they sell, including by fully examining and documenting RIN market performance and RIN pass-through in all relevant fuel markets.                     | While EPA disagreed with this recommendation, the EPA did complete the analysis GAO recommended and posted the results on EPA's website in December 2022. EPA considers this recommendation to be fully implemented and requested closure in December 2023.  |
| Renewable Fuel Standard: Actions Needed to Improve Decision-Making in the Small Refinery Exemption Program | GAO-23-104273     | 11/3/2022         | 2. The Administrator of EPA should identify and communicate what information refineries would need to submit to demonstrate disproportionate economic hardship.   | EPA intends to satisfy this recommendation before the end FY 2024 Quarter 2.   |
| Renewable Fuel Standard: Actions Needed to Improve Decision-Making in the Small Refinery Exemption Program | GAO-23-104273     | 11/3/2022         | 3. The Administrator of EPA should develop policies and procedures for making small refinery exemption decisions.   | Among other things, the EPA intends to continue to update the guidance it provides for future SRE exemptions. The Agency continues to work on this recommendation and will respond to GAO once complete.   |
| Renewable Fuel Standard: Actions Needed to Improve Decision-Making in the Small Refinery Exemption Program | GAO-23-104273     | 11/3/2022         | 4. The Administrator of EPA should develop policies and procedures to ensure that EPA meets statutory deadlines to issue decisions, including tracking when petitions are considered complete.  | The Agency intends to better document its internal processes for receiving petitions, the processes for checking the petitions for completeness and more completely tracking the internal decision making and review steps, including coordination with DOE. continues to work on this recommendation and will respond to GAO once complete. |
| Renewable Fuel Standard: Actions Needed to Improve Decision-Making in the Small Refinery Exemption Program | GAO-23-104273     | 11/3/2022         | 5. The Administrator of EPA should assess the effect of small refinery exemption decision timing on the benefit provided to small refineries, as well as the effect on fuel markets, and reconsider petition requirements, such as that of three quarters of current year financial information.                        | The EPA continues to work toward implementation of this recommendation and will respond to GAO once complete.  |

| GAO Report Title   | GAO Report Number | Report Issue Date | GAO Recommendation   | EPA Implementation Status   |
|--|-------------------|-------------------|--|---|
| Persistent Chemicals: EPA Should Use New Data to Analyze the Demographics of Communities with PFAS in Their Drinking Water | GAO-22-105135     | 9/30/2022         | 1. The EPA Administrator should conduct a nationwide analysis using comprehensive data such as the forthcoming fifth Unregulated Contaminant Monitoring Rule data to determine the demographic characteristics of communities with PFAS in their drinking water. | EPA will be requesting to close out this recommendation as EPA continues to collect data. In November 2023 EPA released the second set of preliminary Fifth Unregulated Contaminant Monitoring Rule results and will continue to update results approximately quarterly through completion of the occurrence data collection.   |
| Privacy: Dedicated Leadership Can Improve Programs and Address Challenges  | GAO-22-105065     | 9/22/2022         | 44. The Administrator of EPA should fully develop and document a privacy continuous monitoring strategy.   | EPA considers this recommendation to be fully implemented and thus requests its closure.  |
| Oil and Gas: Federal Actions Needed to Address Methane Emissions from Oil and Gas Development                              | GAO-22-104759     | 5/20/2022         | 1. The EPA Administrator should provide greater flexibility to operators for using alternative technologies to detect methane emissions.   | On December 2, 2023, EPA announced a final rule that will sharply reduce emissions of methane and other harmful air pollution from oil and natural gas operations including, for the first time, from existing sources nationwide. The final rule includes provisions that allows owners and operators greater flexibility in the use of advanced methane detection technologies including combinations of different technologies to identify leaks at well sites, centralized production facilities, and compressor stations. The rule also creates a streamlined pathway for owners and operators to demonstrate that new technologies meet the performance requirements in the rule, helping ensure that the rule keeps up with the pace of innovation in this sector. |
| Small Business Research Programs: Agencies Should Further Improve Award Timeliness   | GAO-22-104677     | 10/14/2021        | 14. The Administrator of the Environmental Protection Agency should evaluate the effectiveness of steps taken to improve SBIR award timeliness and take any necessary additional steps in order to consistently meet SBA award timeliness guidelines.            | Agency actions are complete. However, GAO requires outyear data to confirm consistent implementation. Closure is anticipated after an additional cycle.   |

| GAO Report Title   | GAO Report Number | Report Issue Date | GAO Recommendation  | EPA Implementation Status  |
|--|-------------------|-------------------|---|--|
| Refined Coal Production Tax Credit: Coordinated Agency Review Could Help Ensure the Credit Achieves Its Intended Purpose | GAO-22-104637     | 12/15/2021        | 3. If Congress extends the refined coal production tax credit, the Administrator of the EPA should coordinate with Treasury, IRS, and DOE to review the performance of the credit in achieving its intended purpose and identify and implement, as appropriate, any improvements towards achieving that intended purpose, such as adjustments to allowable emissions testing methods. | Congress elected not to include the refined coal tax credit when renewing similar energy tax credits in the Inflation Reduction Act - a precondition of the recommendation. The Agency requested closure of the recommendation in December 2023.   |
| Chemical Accident Prevention: EPA Should Ensure Regulated Facilities Consider Risks from Climate Change                  | GAO-22-104494     | 2/28/2022         | 3. The Assistant Administrator of the Office of Enforcement and Compliance Assurance and Director of the Office of Emergency Management, together with EPA officials at regional offices, should provide additional compliance assistance to RMP facilities related to risks from natural hazards and climate change.   | The Agency is working on a final rule, which is expected to be complete by December 2023. After the final rule is published, the Agency still intends to incorporate methods and/or materials related to assessing the sufficiency of Risk Management Program facilities' incorporation of risks from natural hazards and climate change into the Risk Management Program Inspector Training course. |
| Chemical Accident Prevention: EPA Should Ensure Regulated Facilities Consider Risks from Climate Change                  | GAO-22-104494     | 2/28/2022         | 4. The Assistant Administrator of the Office of Enforcement and Compliance Assurance should design an information system to track common deficiencies found during inspections, including any related to natural hazards and climate change, and use this information to target compliance assistance.  | The EPA agrees with the goal of this recommendation. In Spring 2023, the Agency reported that it had completed the written business process for identifying common deficiencies and had begun the implementation. EPA requested closure of this recommendation in December 2023.   |
| Chemical Accident Prevention: EPA Should Ensure Regulated Facilities Consider Risks from Climate Change                  | GAO-22-104494     | 2/28/2022         | 5. The Director of the Office of Emergency Management should issue regulations, guidance, or both, as appropriate, to clarify requirements and provide direction for RMP facilities on how to incorporate risks from natural hazards and climate change into their risk management programs.  | EPA agreed with this recommendation. The Agency published a proposed rule in August 2022, which includes amendments that would explicitly require Risk Management Program facilities to consider the risks of external events such as natural hazards, including those caused by climate change. EPA expects to publish the final rule by the end of FY 2024 Quarter 2.                              |

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|---|-------------------|-------------------|---|--|
| Chemical Accident Prevention: EPA Should Ensure Regulated Facilities Consider Risks from Climate Change | GAO-22-104494     | 2/28/2022         | 1. The Assistant Administrator of the Office of Enforcement and Compliance Assurance and Director of the Office of Emergency Management should develop a method for inspectors to assess the sufficiency of RMP facilities' incorporation of risks from natural hazards and climate change into risk management programs and provide related guidance and training to inspectors. | EPA agreed with this recommendation. The Agency is working on a proposal to revise the Risk Management Program regulations and expects to complete the revisions by December 2023. After the final rule is published, the Agency stated that it intends to incorporate methods and/or materials related to assessing the sufficiency of Risk Management Program facilities' incorporation of risks from natural hazards and climate change into the Risk Management Program Inspector Training course. |
| Chemical Accident Prevention: EPA Should Ensure Regulated Facilities Consider Risks from Climate Change | GAO-22-104494     | 2/28/2022         | 2. The Assistant Administrator of the Office of Enforcement and Compliance Assurance, working with officials at regional offices, should incorporate vulnerability of RMP facilities to natural hazards and climate change as criteria when selecting facilities for inspection.  | In the prior National Enforcement and Compliance Initiatives cycle, national workgroups focused on identifying ways to incorporate climate data and associated risks into targeting and inspection activities. These were incorporated into workgroup deliverables and are being implemented by inspectors.  |
| Water Quality: Agencies Should Take More Actions to Manage Risks from Harmful Algal Blooms and Hypoxia  | GAO-22-104449     | 6/15/2022         | 1. The Administrator of NOAA and the Administrator of EPA, in collaboration with the members of the working group, should document and define what a national HAB and hypoxia program would entail, including identifying the program's resource needs.   | EPA, NOAA, and interagency working group members are continuing to work to define what a national program would entail, including identifying the program's goals, objectives, milestones, and resource needs. This information will be incorporated into the 2024 Harmful Algal Blooms and Hypoxia Research and Control National Assessment.  |
| Water Quality: Agencies Should Take More Actions to Manage Risks from Harmful Algal Blooms and Hypoxia  | GAO-22-104449     | 6/15/2022         | 2. The Administrator of NOAA and the Administrator of EPA, in collaboration with the members of the working group, should develop performance measures to assess the working group's efforts, including the extent to which the recommended goals from the Research Plan and Action Strategy have been achieved.  | EPA, NOAA, and interagency working group members are working to develop performance measures to assess the working group's efforts. This information will be incorporated into the 2024 Harmful Algal Blooms and Hypoxia Research and Control National Assessment.   |
| Water Quality: Agencies Should Take More Actions to Manage Risks from Harmful Algal Blooms and Hypoxia  | GAO-22-104449     | 6/15/2022         | 3. The Administrator of EPA, working with the other members of the working group, should develop an interagency framework, including prioritizing water bodies and identifying resource needs, to expand monitoring of freshwater HABs and hypoxia.   | EPA and NOAA are working to develop an interagency framework, including prioritizing water bodies, and identifying resource needs to expand monitoring of freshwater harmful algal blooms and hypoxia.   |

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| Water Quality: Agencies Should Take More Actions to Manage Risks from Harmful Algal Blooms and Hypoxia                               | GAO-22-104449     | 6/15/2022         | 4. The Administrator of EPA, working with the other members of the working group, should develop an interagency framework, including prioritizing water bodies and identifying resource needs, to expand forecasting of freshwater HABs and hypoxia.  | EPA and NOAA along with interagency working group members are working to develop an interagency framework, including prioritizing water bodies, and identifying resource needs to expand forecasting of freshwater harmful algal blooms and hypoxia.  |
| Water Quality: Agencies Should Take More Actions to Manage Risks from Harmful Algal Blooms and Hypoxia                               | GAO-22-104449     | 6/15/2022         | 5. The Administrator of NOAA and the Administrator of EPA, in collaboration with the members of the working group, should develop a national goal for the group focused on efforts to prevent HABs and hypoxia.   | EPA and NOAA along with interagency working group members continue to work to develop a national harmful algal blooms program prevention goal. This new goal, that is delayed to March 2024, will be incorporated into the "Interagency Working Group One-pager" which will serve as an up-to-date summary of the working group's structure and function.   |
| Water Quality: Agencies Should Take More Actions to Manage Risks from Harmful Algal Blooms and Hypoxia                               | GAO-22-104449     | 6/15/2022         | 6. The Administrator of NOAA and the Administrator of EPA, in collaboration with the members of the working group, should coordinate the development of a more comprehensive body of information on the costs and benefits of mitigation, control, and prevention actions for use by state, local, and tribal governments.        | EPA and NOAA are working to coordinate the development of a more comprehensive body of information on the costs and benefits of mitigation, control, and prevention actions for use by state, local, and tribal governments. This information will be incorporated into the 2024 Harmful Algal Blooms and Hypoxia Research and Control National Assessment.   |
| Offshore Oil Spills: Additional Information is Needed to Better Understand the Environmental Tradeoffs of Using Chemical Dispersants | GAO-22-104153     | 12/15/2021        | 2. The Administrator of EPA should work with the Coast Guard and other agencies to conduct assessments, such as biological assessments or ecological risk assessments, and examining the potential effects of the subsurface use of dispersants on ocean ecosystems in regions where this is considered a viable response option. | The Agency plans to provide support to the Coast Guard and coordinate with the National Oceanic and Atmospheric Administration and other agencies to identify assessment methodologies and examine potential effects of the subsurface use of dispersants on ocean ecosystems for select regions. Implementation has external dependencies, so a firm estimate for completion is not yet available. |

| GAO Report Title  | GAO Report Number | Report Issue Date | GAO Recommendation  | EPA Implementation Status  |
|---|-------------------|-------------------|---|--|
| Recycling: Building on Existing Federal Efforts Could Help Address Cross-Cutting Challenges                               | GAO-21-87         | 12/18/2020        | 1. The Director of EPA's Office of Resource Conservation and Recovery should develop an implementation plan for conducting a study and developing recommendations for administrative or legislative action regarding the effect of existing public policies, and the likely effect of modifying or eliminating such incentives and disincentives, upon the reuse, recycling, and conservation of materials, as required by RCRA.  | The EPA initiated an analysis that examines the impacts of different policies, incentives, and disincentives on driving a circular economy. This analysis includes a literature review of existing domestic and international policies related to recycling. The final report will include recommendations on effective policies or administrative actions. EPA completed drafts of the final report and anticipates releasing the report by June 30, 2023.            |
| Recycling: Building on Existing Federal Efforts Could Help Address Cross-Cutting Challenges                               | GAO-21-87         | 12/18/2020        | 2. The Director of EPA's Office of Resource Conservation and Recovery should develop an implementation plan for conducting a study and developing recommendations for administrative or legislative action regarding the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods to reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal, as required by RCRA. | On November 15, 2021, EPA released its final National Recycling Strategy. This strategy committed EPA to conducting a study on reflecting environmental and social costs in product prices. Per the strategy, the Agency will develop an implementation plan with more specificity about this action and the organizational lead. The EPA completed a draft of the study, and it is currently undergoing review. Release of the study is anticipated by June 30, 2023. |
| Recycling: Building on Existing Federal Efforts Could Help Address Cross-Cutting Challenges                               | GAO-21-87         | 12/18/2020        | 3. The Director of EPA's Office of Resource Conservation and Recovery should, while EPA finalizes and implements its national recycling strategy, incorporate desirable characteristics for effective national strategies, including (1) identifying the resources and investments needed, and balancing the risk reductions with costs; (2) clarifying the roles and responsibilities of participating entities; and (3) articulating how it will implement the strategy and integrate new activities into existing programs and activities. | EPA released the National Recycling Strategy on November 15, 2021. EPA completed the implementation plan online platform. Since then, EPA has undertaken several efforts to implement the Strategy. GAO is reviewing the implementation plan.  |
| Environmental Protection: Action Needed to Ensure EPA's Enforcement and Compliance Activities Support Its Strategic Goals | GAO-21-82         | 12/9/2020         | 1. The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should communicate final guidance for future national initiative cycles to all states before the effective date of the national initiatives.  | EPA has begun the FY24 – FY27 National Enforcement and Compliance Initiatives selection process and recently engaged the Environmental Council of States prior to release of the public Federal Register Notice.   |

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|---|-------------------|-------------------|--|--|
| Environmental Protection: Action Needed to Ensure EPA's Enforcement and Compliance Activities Support Its Strategic Goals | GAO-21-82         | 12/9/2020         | 2. The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should incorporate lessons learned from the initial effort to engage earlier and more continuously with states when developing the office's plan for how EPA will work with states on future national initiatives.   | EPA has begun the FY24 – FY27 National Enforcement and Compliance Initiatives selection process and recently engaged the Environmental Council of States prior to release of the public Federal Register Notice.   |
| Drinking Water: EPA Could Use Available Data to Better Identify Neighborhoods at Risk of Lead Exposure                    | GAO-21-78         | 12/18/2020        | 1. Assistant Administrator for Water should develop guidance for water systems that outlines methods to use ACS data and, where available, geospatial lead or other data to identify high-risk locations in which to focus lead reduction efforts, including tap sampling and lead service line replacement efforts.   | The Agency developed Guidance for Developing and Maintaining a Service Line Inventory. The document includes factors for when a system may want to prioritize investigations at locations served by unknown service lines. Implementation is ongoing.  |
| Drinking Water: EPA Could Use Available Data to Better Identify Neighborhoods at Risk of Lead Exposure                    | GAO-21-78         | 12/18/2020        | 3. EPA's Assistant Administrator for Water should develop a strategic plan that meets the WIIN Act requirement for providing targeted outreach, education, technical assistance, and risk communication to populations affected by the concentration of lead in public water systems, and that is fully consistent with leading practices for strategic plans. | EPA continues to disagree with the recommendation and believe that the Agency met the Water Infrastructure Improvements for the Nation Act requirement. Furthermore, EPA developed a strategic plan for targeted outreach to populations affected by lead. The plan outlines the new Water Infrastructure Improvements requirements and identifies the roles and responsibilities for EPA, states, and Public Water Systems.   |
| Drinking Water: EPA Could Use Available Data to Better Identify Neighborhoods at Risk of Lead Exposure                    | GAO-21-78         | 12/18/2020        | 2. EPA's Assistant Administrator for Water should incorporate use of (1) ACS data on neighborhood characteristics potentially associated with the presence of lead service lines and (2) geospatial lead data, when available, into EPA's efforts to address the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts.         | The Agency has developed Guidance for Developing and Maintaining a Service Line Inventory. In the document there is a section on "Inventory Planning" that discusses various approaches that can be used to establish lead service line inventories. While the Lead and Copper Rule does not require a specific format for the service line inventory, the guidance includes a section titled "How to Make the Data Publicly Available" including recommendations on webbased map applications. Implementation is ongoing. |



| GAO Report Title  | GAO Report Number | Report Issue Date | GAO Recommendation  | EPA Implementation Status  |
|---|-------------------|-------------------|---|--|
| Farmworkers: Additional Information Needed to Better Protect Workers from Pesticide Exposure            | GAO-21-63         | 1/15/2021         | 2. The Director for EPA's Office of Pesticide Programs should, in the Agency's guidance, on its website, or through another mechanism, explain EPA's expectations about the appropriate use of the pesticide information obtained by a designated representative, including describing potential misuse of such information.  | In December 2021, the Agency completed an assessment to determine whether the designated representative provision is fulfilling its intended purpose and how EPA can support understanding and compliance with the provision. The EPA now expects to implement this recommendation by the end of Quarter 2, FY 2024. |
| Air Pollution: Opportunities to Better Sustain and Modernize the National Air Quality Monitoring System | GAO-21-38         | 11/12/2020        | 2. The Assistant Administrator of EPA's Office of Air and Radiation, in consultation with state and local agencies, should develop, make public, and implement an asset management framework for consistently sustaining the national ambient air quality monitoring system. Such a framework could be designed for success by considering the key characteristics of effective asset management described in our report, such as identifying the resources needed to sustain the monitoring system, using quality data to manage infrastructure risks, and targeting resources toward assets that provide the greatest value.                                    | The Agency continues to work with state, local, and tribal partners. Implementation is ongoing.  |
| Air Pollution: Opportunities to Better Sustain and Modernize the National Air Quality Monitoring System | GAO-21-38         | 11/12/2020        | 1. The Assistant Administrator of EPA's Office of Air and Radiation, in consultation with state and local agencies and other relevant federal agencies, should develop and make public an air quality monitoring modernization plan to better meet the additional information needs of air quality managers, researchers, and the public. Such a plan could address the ongoing challenges in modernizing the national ambient air quality monitoring system by considering leading practices, including establishing priorities and roles, assessing risks to success, identifying the resources needed to achieve goals, and measuring and evaluating progress. | EPA will continue to work with stakeholders to establish an approach, goals, and priorities for an air quality monitoring modernization plan. Implementation is ongoing.   |

| GAO Report Title  | GAO Report Number | Report Issue Date | GAO Recommendation   | EPA Implementation Status  |
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| Private Water Utilities: Actions Needed to Enhance Ownership Data                                   | GAO-21-291        | 3/26/2021         | The Assistant Administrator for EPA's Office of Water should develop definitions for all utility ownership types for regional offices and states to use when entering data on ownership type in EPA's Safe Drinking Water Information System and should verify and correct the data as needed. | The modernized Safe Drinking Water Information System is expected to be available for states to begin transitioning to the system by end of 2024 and the length of transition period will depend on states and their available resources to transition. EPA expects the definition development will be in the later part of the Safe Drinking Water Information System development when additional fields will be added. |
| Private Water Utilities: Actions Needed to Enhance Ownership Data                                   | GAO-21-291        | 3/26/2021         | 1. Assistant Administrator for EPA's Office of Water should conduct another Community Water System Survey to establish an updated, accurate baseline of drinking water utility information for rulemaking and other purposes.  | The Agency has initiated work to conduct another Community Water System Survey. Implementation is ongoing.   |
| Clean Water Act: EPA Needs to Better Assess and Disclose Quality of Compliance and Enforcement Data | GAO-21-290        | 7/12/2021         | 1. The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should revise its guidance to select files for its State Review Framework assessments of state-reported data to incorporate statistically valid probability sampling.                                   | Based on recommendations from EPA's National Center for Environmental Economics on statistical methods, the Agency will research randomization tools to pilot for all Clean Water Act Direct Implementation State Revolving Fund File Selection lists during State Review Framework. Full implementation is planned for FY23.  |
| Clean Water Act: EPA Needs to Better Assess and Disclose Quality of Compliance and Enforcement Data | GAO-21-290        | 7/12/2021         | 2. The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should ensure that consolidated, complete, and updated information on all data limitations is disclosed on the State Water Dashboard.   | The Agency held discussions with stakeholders to identify and map what website content requires modification and how best to implement them. Implementation includes but is not limited to consolidation and editing of website content and editing to improve clarity. Full implementation is planned for FY23.   |

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| Clean Water Act: EPA Needs to Better Assess and Disclose Quality of Compliance and Enforcement Data                 | GAO-21-290        | 7/12/2021         | 3. The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should develop a plan to determine the overall accuracy and completeness of the permit limit and discharge monitoring report data recorded in its national database.                             | The Agency will continue to work with states to identify and correct problems that prevent proper transfer of discharge monitoring report data to the Integrated Compliance Information System National Pollutant Discharge Elimination System. Additionally, the Agency will work to maximize the amount of discharge monitoring report data and all necessary permit limit data in the system. The EPA will develop a methodology to examine the accuracy of the discharge monitoring report and permit limit data received by the Integrated Compliance Information System National Pollutant Discharge Elimination System from authorized states. Full implementation is planned for completion by the end of FY25.                                 |
| Clean Water Act: EPA Needs to Better Assess and Disclose Quality of Compliance and Enforcement Data                 | GAO-21-290        | 7/12/2021         | 4. The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should develop a performance measure to track the reduction in pollutant discharges resulting from enforcement actions for facilities in significant noncompliance and disclose any limitations. | The EPA will identify trends in this measure over time to assess whether agency and state compliance work is positively impacting the average pollutant load over limit per permit. The Agency will continue to report annually the Estimated Water Pollutants to be reduced resulting from enforcement actions (Estimated Water Pollutants Reduced, Treated or Eliminated for the Clean Water Act National Pollutant Discharge Elimination System Program). The page also will identify data limitations. Additionally, the EPA will develop a methodology and outcome measure for tracking the extent to which the significant noncompliance national compliance initiative achieves reductions in illegal pollutant discharges. Actions are ongoing. |
| INFORMATION AND COMMUNICATIONS TECHNOLOGY: Federal Agencies Need to Take Urgent Action to Manage Supply Chain Risks | GAO-21-164SU      | 10/27/2020        | Restricted Report: Recommendation language not publicly available.  | Restricted Report - Not Publicly Available.   |

| GAO Report Title   | GAO Report Number | Report Issue Date | GAO Recommendation   | EPA Implementation Status  |
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| Chemical Assessments: Annual EPA Survey Inconsistent with Leading Practices in Program Management                          | GAO-21-156        | 12/18/2020        | The Administrator should direct the Assistant Administrators of program offices and Regional Administrators to develop and make available guidance for chemical assessment nominations. Such guidance could include information such as how to select chemicals for IRIS assessment nomination or for high priority needs, criteria explaining how Assistant and Regional Administrators determine which nominations to support and which they may choose not to support, and how to document these decisions. | The EPA and GAO continue to discuss avenues to close out this recommendation. The Agency's Office of Research and Development is discussing how to assist other EPA program and regional offices in determining which chemicals are best suited for evaluation by the Integrated Risk Information System (IRIS) Program. |
| Chemical Assessments: Annual EPA Survey Inconsistent with Leading Practices in Program Management                          | GAO-21-156        | 12/18/2020        | 5. The Administrator of EPA should include in ORD's strategic plan (or subsidiary strategic plans) identification of EPA's universe of chemical assessment needs; how the IRIS Program is being resourced to meet user needs; and specific implementation steps that indicate how IRIS will achieve the plan's objectives, such as specific metrics to define progress in meeting user needs.  | The Agency met with GAO in November 2023 and January 2024 to discuss corrective actions taken. The Agency anticipates requesting closure in March 2024.  |
| EPA Grants to Tribes: Additional Actions Needed to Effectively Address Tribal Environmental Concerns                       | GAO-21-150        | 10/20/2020        | 5. The Principal Deputy Assistant Administrator of EPA's Office of Air and Radiation, the Assistant Administrator of EPA's Office of Water, and the Director of EPA's American Indian Environmental Office should update and nationally distribute guidance for project officers and tribes that clarifies documentation requirements and eligibility definitions for quality assurance project plans and the Indian Environmental General Assistance Program.   | The Agency submitted an update with request for closure to GAO in December 2023.   |
| Chemical Security: Overlapping Programs Could Better Collaborate to Share Information and Identify Potential Security Gaps | GAO-21-12         | 1/21/2021         | 7. The EPA should collaborate with the DHS's Cybersecurity and Infrastructure Security Agency to assess the extent to which potential security gaps exist at water and wastewater facilities and, if gaps exist, develop a legislative proposal for how best to address them and submit it to the Secretary of Homeland Security and Administrator of EPA, and Congress, as appropriate.   | The EPA and Department of Homeland Security, Cybersecurity and Infrastructure Security Agency requested closure of this recommendation in December 2023.   |

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| Child Care Facilities: Federal Agencies Need to Enhance Monitoring and Collaboration to Help Assure Drinking Water is Safe from Lead              | GAO-20-597        | 9/28/2020         | 4. The Assistant Administrator of the Office of Water should direct the Office of Water to specify how it will track progress toward the outcomes of the Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities and determine how it will regularly monitor and update the MOU. For example, the Office of Water could develop performance measures for each of the MOU's outcomes. In addition, the Office of Water could submit annual reports on progress toward achieving the MOU's outcomes or it could plan to update the agreement at specific intervals. | EPA continues to partner with the US Department of Health and Human Services, including a jointly signed Letter to Governors on funding to test for and address lead in water in early care and education settings. The Agency requested closure of the recommendation in December 2023.  |
| Water Infrastructure: Technical Assistance and Climate Resilience Planning Could Help Utilities Prepare for Potential Climate Change Impacts      | GAO-20-24         | 1/16/2020         | 1. The Director of Water Security of EPA, as Chair of the Water Sector Government Coordinating Council, should work with the council to identify existing technical assistance providers and engage these providers in a network to help drinking water and wastewater utilities incorporate climate resilience into their projects and planning on an ongoing basis.  | Creating Resilient Water Utilities is now part of EPA's national Water Technical Assistance programs. This program includes a network of technical assistance providers and engage them to help water systems to address infrastructure issues including climate resilience. The EPA requested closure of this recommendation in December 2024. |
| Cloud Computing Security: Agencies Increased Their Use of the Federal Authorization Program, but Improved Oversight and Implementation Are Needed | GAO-20-126        | 12/12/2019        | 21. The Administrator of EPA should update the list of corrective actions for the selected operational system to identify the specific weakness, estimated funding and anticipated source of funding, key remediation milestones with completion dates, changes to milestones and completion dates, and source of the weaknesses.  | Implementation is complete. The EPA requested closure of this recommendation in December 2023.  |
| Cloud Computing Security: Agencies Increased Their Use of the Federal Authorization Program, but Improved Oversight and Implementation Are Needed | GAO-20-126        | 12/12/2019        | 22. The Administrator of EPA should prepare the letter authorizing the use of cloud service for the selected operational system and submit the letter to the FedRAMP Program management office.  | Implementation is complete. The EPA requested closure of this recommendation in December 2023.  |
| Cloud Computing Security: Agencies Increased Their Use of the Federal Authorization Program, but Improved Oversight and Implementation Are Needed | GAO-20-126        | 12/12/2019        | 23. The Administrator of EPA should develop guidance requiring that cloud service authorization letter be provided to the FedRAMP Program management office.   | Implementation is complete. In November 2023 GAO stated this recommendation is in review for closure.   |

| GAO Report Title  | GAO Report Number | Report Issue Date | GAO Recommendation  | EPA Implementation Status   |
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| Environmental Justice: Federal Efforts Need Better Planning, Coordination, and Methods to Assess Progress | GAO-19-543        | 9/16/2019         | 21. The Administrator of EPA, as chair of the working group, should develop guidance for agencies on what they should include in their environmental justice strategic plans. | Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All, issued in April 2023, requires all Federal agencies to develop Environmental Justice Strategic Plans by October 21, 2024. The EPA is responding to GAO's recommendation by fulfilling the requirements of Executive Order 14096. EPA is in the process of developing a draft Executive Order 14096 EPA 2024 Environmental Justice Strategic Plan, which builds on the considerable and historic EPA 2022-2026 Strategic Plan Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights. The 2024 Environmental Justice Strategic Plan currently under development incorporates the language, goals, objectives, metrics, and actions developed through Goal 2 and builds on these to fully address the requirements of Executive Order 14096. By March 1, 2024, EPA is required to submit to Council on environmental quality draft 2024 Environmental Justice Strategic Plan. EPA expects to meet this deadline as well as the October 2024 deadline for a final EPA 2024 Environmental Justice Strategic Plan. |
| Cybersecurity: Agencies Need to Fully Establish Risk Management Programs and Address Challenges           | GAO-19-384        | 7/25/2019         | 40. The Administrator of EPA should establish a process for conducting an organization-wide cybersecurity risk assessment.  | The EPA is leveraging the Enterprise Risk Management Process and the Internal Control Review Process to better integrate cybersecurity risk into the Enterprise Risk Management Process. The Agency will clarify how end users (Regions and Program Offices) can register cybersecurity risks in the current risk tools, modify the process to clarify how cybersecurity risk can be captured and develop a series of deliverables.   |
| Cybersecurity: Agencies Need to Fully Establish Risk Management Programs and Address Challenges           | GAO-19-384        | 7/25/2019         | 41. The Administrator of EPA should fully establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions.   | This recommendation is fully implemented, and the Agency requested closure in January 2024.   |

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| Federal Chief Information Officers: Critical Actions Needed to Address Shortcomings and Challenges in Implementing Responsibilities | GAO-18-93         | 8/2/2018          | 19. The Administrator of the Environmental Protection Agency should ensure that the Agency's IT management policies address the role of the CIO for key responsibilities in the six areas we identified.  | The publication of the EPA's Capital Planning and Investment Control Program Policy update represents implementation of 7 additional GAO criteria. The Agency continues to engage GAO regarding implementation on the remaining criteria. |
| Puget Sound Restoration: Additional Actions Could Improve Assessments of Progress   | GAO-18-453        | 7/19/2018         | 1. The EPA Region 10 Administrator should work with the management conference on future updates to the CCMP to help prioritize among the indicators that currently lack measurable targets and ensure that such targets are developed for the highest priority indicators where possible.   | EPA and the Puget Sound Partnership consider that this recommendation has been fully implemented and requested closure in December 2023.  |
| Drinking Water: Additional Data and Statistical Analysis May Enhance EPA's Oversight of the Lead and Copper Rule                    | GAO-17-424        | 9/1/2017          | 3. The Assistant Administrator for Water of EPA's Office of Water and the Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should develop a statistical analysis that incorporates multiple factors-including those currently in SDWIS/Fed and others such as the presence of lead pipes and the use of corrosion control-to identify water systems that might pose a higher likelihood for violating the LCR once complete violations data are obtained, such as through SDWIS Prime. | The Agency continues to work toward a March 2024 promulgation date for the final Consumer Confidence Report Rule.   |

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| Critical Infrastructure Protection: Sector-Specific Agencies Need to Better Measure Cybersecurity Progress | GAO-16-79         | 11/19/2015        | 7. To better monitor and provide a basis for improving the effectiveness of cybersecurity risk mitigation activities, informed by the sectors' updated plans and in collaboration with sector stakeholders, the Administrator of the Environmental Protection Agency should direct responsible officials to develop performance metrics to provide data and determine how to overcome challenges to monitoring the water and wastewater systems sector's cybersecurity progress.   | This effort is hampered by litigation and opposition by water sector associations and owners/operators of utilities to providing cybersecurity metrics under a voluntary approach. To meet the intent of the recommendation, the EPA plans to continue its Technical Assistance Provider program and has in fact expanded it via the Water TA initiative. The technical assistance effort will continue to generate additional data on Framework adoption by water systems. The EPA harnessed the aggregated and anonymized data from its Cybersecurity Evaluation Program (whereby an EPA contractor conducts cyber assessments at individual utilities) to understand the progress achieved by those utilities which have enrolled in the program. This information combined with cyber incident data from the sector provide a degree of insight into the sector's adoption of cybersecurity practices. |
| Clean Water Act: Changes Needed If Key EPA Program Is to Help Fulfill the Nation's Water Quality Goals     | GAO-14-80         | 12/5/2013         | 1. To enhance the likelihood that TMDLs support the nation's waters' attainment of water quality standards and to strengthen water quality management, the Administrator of EPA should develop and issue new regulations requiring that TMDLs include additional elements--and consider requiring the elements that are now optional--specifically, elements reflecting key features identified by NRC as necessary for attaining water quality standards, such as comprehensive identification of impairment and plans to monitor water bodies to verify that water quality is improving. | The Agency and GAO have engaged on this topic. The Agency believes the extensive actions taken to implement this recommendation are sufficient to merit closure as implemented.  |
| Federal Software Licenses: Better Management Needed to Achieve Significant Savings Government-Wide         | GAO-14-413        | 5/22/2014         | 88. To ensure the effective management of software licenses, the Administrator of the Environmental Protection Agency should employ a centralized software license management approach that is coordinated and integrated with key personnel for the majority of agency software license spending and/or enterprise-wide licenses.   | Implementation is complete. The Agency requested closure of this recommendation in 2023.   |



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| Pesticides: EPA Should Take Steps to Improve Its Oversight of Conditional Registrations   | GAO-13-145        | 8/8/2013          | 1. To improve EPA's management of the conditional registration process, the Administrator of EPA should direct the Director of the Office of Pesticide Programs to complete plans to automate data related to conditional registrations to more readily track the status of these registrations and related registrant and agency actions and identify potential problems requiring management attention.  | GAO is working closely with EPA on this recommendation and analyzing recent documentation from the Office of Chemical Safety and Pollution Prevention. The Agency anticipates closure of the recommendation.  |
| Drinking Water: Unreliable State Data Limit EPA's Ability to Target Enforcement Priorities and Communicate Water Systems' Performance | GAO-11-381        | 6/17/2011         | 1. To improve EPA's ability to oversee the states' implementation of the Safe Drinking Water Act and provide Congress and the public with more complete and accurate information on compliance, the Administrator of EPA should resume data verification audits to routinely evaluate the quality of selected drinking water data on health-based and monitoring violations that the states provide to EPA. These audits should also evaluate the quality of data on the enforcement actions that states, and other primacy agencies have taken to correct violations.   | The agency continues to work on modernizing the Safe Drinking Water Information System and made significant progress towards its schedule. The system is expected to be available for states to begin transitioning by early 2026. The length of transition period will depend on states and their available resources to transition. In establishing data quality goals for monitoring violation and other information, the Agency plans to engage the primacy agencies. |
| Drinking Water: Unreliable State Data Limit EPA's Ability to Target Enforcement Priorities and Communicate Water Systems' Performance | GAO-11-381        | 6/17/2011         | 2. To improve EPA's ability to oversee the states' implementation of the Safe Drinking Water Act and provide Congress and the public with more complete and accurate information on compliance, the Administrator of EPA should work with the states to establish a goal, or goals, for the completeness and accuracy of data on monitoring violations. In setting these goals, EPA may want to consider whether certain types of monitoring violations merit specific targets. For example, the agency may decide that a goal for the states to completely and accurately report when required monitoring was not done should differ from a goal for reporting when monitoring was done but not reported on time. | The Agency continues to work on modernizing the Safe Drinking Water Information System and made significant progress towards its schedule. The system is expected to be available for states to begin transitioning by early 2026. The length of transition period will depend on states and their available resources to transition. In establishing data quality goals for monitoring violation and other information, the EPA plans to engage the primacy agencies.    |

| GAO Report Title   | GAO Report Number | Report Issue Date | GAO Recommendation  | EPA Implementation Status   |
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| Chemical Assessments: Low Productivity and New Interagency Review Process Limit the Usefulness and Credibility of EPA's Integrated Risk Information System | GAO-08-440        | 3/7/2008          | 5. To develop timely chemical risk information that EPA needs to effectively conduct its mission, the Administrator, EPA, should require the Office of Research and Development to re-evaluate its draft proposed changes to the IRIS assessment process in light of the issues raised in this report and ensure that any revised process periodically assesses the level of resources that should be dedicated to this significant program to meet user needs and maintain a viable IRIS database. | EPA met with the GAO in November 2023 and January 2024 to discuss the status of this recommendation. EPA is updating the Health and Environmental Risk Assessment resource analysis to address comments provided by GAO in 2023 and anticipates requesting closure in early 2024.   |
| Drinking Water: EPA Should Strengthen Ongoing Efforts to Ensure That Consumers Are Protected from Lead Contamination                                       | GAO-06-148        | 1/4/2006          | 1. The Administrator, EPA, should take a number of steps to further protect the American public from elevated lead levels in drinking water. Specifically, to improve EPA's ability to oversee implementation of the lead rule and assess compliance and enforcement activities, EPA should ensure that data on water systems' test results, corrective action milestones, and violations are current, accurate, and complete.  | The Agency continues to work on modernizing the Safe Drinking Water Information System and made significant progress towards its schedule. The system is expected to be available for states to begin transitioning by early 2026. The length of transition period will depend on states and their available resources to transition. In establishing data quality goals for monitoring violation and other information, the Agency plans to engage the primacy agencies. |

## **Working Capital Fund**

In FY 2025, the Agency will be in its 29<sup>th</sup> year of operation of the Working Capital Fund (WCF). The WCF is a revolving fund authorized by law to finance a cycle of operations in which the costs for goods or services provided are charged to the users. The WCF operates like a commercial business within EPA where customers pay for services received, thus generating revenue. Customers include EPA programs, regional offices, and other federal agencies. The WCF mechanism provides an efficient method for a full cost approach to agency programs. EPA's WCF was implemented under the authority of Section 403 of the Government Management Reform Act of 1994 and the Omnibus Consolidated Appropriations Act of 1997. EPA received permanent WCF authority in the Department of Interior and Related Agencies Appropriations Act of 1998.

EPA's Chief Financial Officer (CFO) initiated the WCF in FY 1997 as part of an effort to: 1) be accountable to agency offices, the Office of Management and Budget, and Congress; 2) increase the efficiency of the administrative services provided to program offices; and 3) increase customer service and responsiveness. The Agency has a WCF Board which provides policy and planning oversight and advises the CFO regarding the WCF financial position. The Board, chaired by the Controller within the Office of the Chief Financial Officer, is comprised of 23 voting members from programs and regional offices. Board membership also includes the Director of the Office of Budget as a non-voting ex officio member.

In FY 2025, there will be 16 core agency activities provided under the WCF. These are the Agency's Information Technology (IT) services, agency postage, Cincinnati voice services, background investigations, enterprise human resources, and facilities alterations managed by the Office of Mission Support; financial and administrative systems, employee relocations, and a budget formulation system managed by the Office of the Chief Financial Officer; the Agency's Continuity of Operations site managed by the Office of Land and Emergency Management; regional information technology service and support managed by EPA Region 8; legal services managed by the Office of General Counsel; multimedia services, EPA Action Management System and agency servicing contracts managed by the Office of the Administrator; and language access services managed by the Office of Environmental Justice and External Civil Rights.

The Agency's FY 2025 budget request includes resources for these 16 core activities in each National Program Manager's submission, totaling approximately \$540 million. These estimated resources may be adjusted during the year to incorporate any program office's additional service needs during the operating year. To the extent these increases are subject to Congressional reprogramming notifications, the Agency will comply with all applicable requirements. In FY 2025, the Agency will continue to perform relocation services for other federal agencies, delivering high quality services external to EPA.

The Agency anticipates that there may be minor increases and decreases in FY 2025 due to several IT improvements, including increased cloud computing, improved network infrastructure, cybersecurity requirements, continuous diagnostic and mitigation program implementation, and discovery services. Other funding shifts have been included in the FY 2025 WCF plan that relate to the necessary telecommunications and computer support needed by every employee. As part of an overall review and rebalancing of these costs, funds have been shifted across programs to reflect FTE changes as well.

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