

ENVIRONMENTAL PROTECTION AGENCY

PART ASSESSMENTS¹

¹This document contains details of the most recent program assessments as of the date the 2005 Budget was published (February 2004). Programs originally assessed for the 2004 Budget were reassessed only where evidence showed an agency's rating was likely to change. Programs not reassessed are presented in this document in the form of reprints of the original worksheets and are footnoted "FY 2004 Budget".

TABLE OF CONTENTS

	Rating	Page
Acid Rain.....	Moderately Effective.....	3
Air Toxics.....	Results Not Demonstrated.....	18
Brownfields.....	Adequate.....	33
Civil Enforcement.....	Results Not Demonstrated.....	41
Clean Water State Revolving Fund.....	Results Not Demonstrated.....	52
Criminal Enforcement.....	Results Not Demonstrated.....	61
Drinking Water State Revolving Fund.....	Results Not Demonstrated.....	71
Ecological Research.....	Results Not Demonstrated.....	78
Environmental Education.....	Results Not Demonstrated.....	87
Existing Chemicals.....	Adequate.....	98
Leaking Underground Storage Tanks.....	Results Not Demonstrated.....	109
New Chemicals.....	Moderately Effective.....	116
Nonpoint Source Grants.....	Results Not Demonstrated.....	127
Particulate Matter Research.....	Results Not Demonstrated.....	134
Pesticide Registration.....	Adequate.....	147
Pesticide Reregistration.....	Results Not Demonstrated.....	156
Pollution Prevention and New Technologies.....	Results Not Demonstrated.....	165
RCRA Corrective Action.....	Adequate.....	175
Superfund Removal.....	Results Not Demonstrated.....	185
Tribal General Assistance.....	Adequate.....	194

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: Program purpose is to implement the requirements of Title IV of the Clean Air Act (CAA). The purposes of the title, as stated by Congress, are "to reduce the adverse effects of acid deposition through reductions in annual emissions of sulfur dioxide of ten million tons from 1980 emission levels and, in combination of other provisions of this Act, of nitrogen oxides emissions of approximately two million tons from 1980 emission levels" and "to encourage energy conservation, use of renewable and clean alternative technologies, and pollution prevention as long-range strategies."

Evidence: Sections 401(a) and (b), Findings and Purposes of Title IV of the CAA. Title IV expressly limits impact this program can have by providing explicit numeric reduction requirements and caps.

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Program addresses the need to reduce acid deposition because it represents "a threat to natural resources, ecosystems, materials, visibility, and human health" and "reduction of total atmospheric loading of sulfur dioxides and nitrogen oxides will enhance protection of the public health and welfare and the environment." The program has made significant progress in achieving the emission reduction requirements specified in Title IV of the CAA. The statutorily-mandated reduction in nitrogen oxides (NOx) was achieved in 2000. For sulfur dioxide (SO₂), the program is on track to achieve the nationwide emissions cap in 2010 as required by the statute. Recent assessments show that further reductions in both pollutants beyond those authorized in the statute are needed to address the full extent of the persistent public health and environmental problems associated with acid deposition and precursor emissions.

Evidence: Section 401(b); Purposes of Title IV of the CAA states Congressional intent to address threats from acid deposition. In the 1980s, extensive research was conducted on the causes and effects of acid deposition under the auspices of the Congressionally mandated National Acid Precipitation Assessment Program (NAPAP). NAPAP established that the effects were broad including a range of endpoints such as ecosystems, visibility, human health, and materials. NAPAP also established that long-range transport of SO₂ and NOx emissions and their byproducts contribute to the acid deposition problem over large geographic regions. In 1990, Congress enacted significantly amended title IV of the CAA in response to these findings. (NAPAP, 1991. Driscoll et al, 2001)

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: The Acid Rain Program is the only air pollution control program designed to cut total annual atmospheric loadings of both SO₂ and NOx through emissions trading. It is the only national program that addresses NOx emissions from stationary sources throughout all months of the year. There are other emission reduction-related programs or efforts that employ trading schemes, such as the Ozone Transport Commission (OTC) and the Chicago Climate Exchange (CCX), but they are structured somewhat differently and do not have the same scope.

Evidence: State and local programs cannot regulate sources of pollution outside their jurisdictions. The program addresses sources of precursor emissions which are transported long distances. The States retain responsibility for all other aspects of their programs such as attainment of the National Ambient Air Quality Standards, New Source Review and Title V permitting. Program also controls NOx over entire year, which is particularly important for eliminating chronic and episodic acidity in sensitive lakes and streams, reducing nitrogen loading and eutrophication in coastal waters, and restoring visibility in national parks.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: NO Question Weight: 20%

Explanation: The program operates efficiently and effectively within the constraints of the CAA and is the model for other trading programs, but program effectiveness is limited by the Title IV requirements. The program is not free of design flaws because Title IV expressly limits the extent of the problem that can be addressed by the program by specifying maximum levels of reductions. It has been shown that the program could effectively make further progress in addressing its human health and environmental protection mission if the Administration's Clear Skies legislation were passed. The legislation would broaden the scope and expand the emission reduction targets that currently constrain the program. Clear Skies is modeled on the cap and trade provisions of the Acid Rain Program. It would cut both SO₂ and NO_x emissions from power plants by approximately 70% more than the Acid Rain Program goal levels. These additional reductions, when fully implemented, will result in achieving the environmental outcome goals of both programs.

Evidence: Testimony of EPA Administrator Whitman before Committee on Environment and Public Works, U.S. Senate, April 8, 2003. 1990 NAPAP study included review and evaluation of the theory and history of market-based programs and their advantages over command-and-control programs. A conclusion from this study was that emissions trading can provide one of the strongest incentives to achieve least-cost emission reductions (Vol. IV., Section 7, "Electric Utilities: Alternative Emission Cost Control Strategies, pp. 25-233 to 25-260). Related studies: Stavins (1989), Hahn and Hester (1989), and Tietenberg (1985).

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: Currently, program resources effectively address the program purpose directly. All sources covered by Title IV are being addressed. Cost effective SO₂ and NO_x emissions reductions have been achieved, the volume of allowance trading is robust, and the price of allowances is stable. To assure continued progress toward public health and environmental goals and proper targeting of future program resources, program coverage needs to be extended to all fossil fuel-fired power generation sources and emissions limitations must change as proposed under the Clear Skies Act.

Evidence: Acid deposition has decreased in the eastern U.S., as measured by dry and wet monitoring networks, and sulfate concentrations in some northeastern lakes and streams have decreased. EPA Acid Rain Program 2001 Progress Report, EPA-430-R-02-009, pages 23-27 and 29-33, and EPA-620/R-03-001. Emissions of SO₂ from utilities are capped but increasing emissions from the growth and use of non-utility power generation sources not covered by this program impede the ability to achieve the environmental and human health outcomes. For NO_x, there is no cap; thus, as power generation increases, NO_x emissions will climb.

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: YES Question Weight: 11%

Explanation: Existing goals directly reflect statutory requirements. New outcome goal monitoring acidity of lakes in certain regions of the country has been accepted by OMB as a useful outcome measure for the program.

Evidence: One existing long-term goal related to the SO₂ emission requirements in Title IV will be continued. The new outcome focuses on chronic acidity of water bodies. Further work will be needed to determine supporting annual targets. The implementation of this new goal at this point is contingent upon the enactment of Clear Skies legislation.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 11%

Explanation: The emission reduction targets and timeframes set by Congress for SO₂ and NO_x were considered ambitious when the program was established in 1990. This action was precedent-setting not only due to the large size of the emissions reduction, but also because it was the first time emissions from a major industrial sector were capped. Furthermore, this was the first time NO_x emission reductions were required at existing units. Program has either achieved the statutory goals ahead of schedule or is on target to meet remaining goals by 2010. Statutory requirements limit the ability of the program to increase the ambitiousness of its goals. Acid deposition and related problems which program is designed to address still exist and legislative action is required for adequate protection of public health and the environment.

Evidence: Statutory emission reductions requirements and timing: Title IV sections 404-406, 409-410. New goals and extended timeframes and targets have been proposed to address need for further action but, Clear Skies passage is necessary for their implementation. Congress is currently considering the Clear Skies Act of 2003, legislation which would reduce the current SO₂ emissions cap by approximately 70%, a well as establishing the first-ever power sector annual NO_x emissions cap at levels approximately 70% below 2000 levels.

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 11%

Explanation: Several adequate annual measures exist that support achievement of the program's long-term goals. They relate directly to statutory requirements.

Evidence: One annual performance measures sets annual SO₂ emission reduction targets. This measure directly supports the SO₂ emissions long-term goal and indirectly supports the chronic acidity long-term goal. Two other annual performance goals focus on the reduction of sulfur and nitrogen concentrations and deposition. Both measures directly support the chronic acidity long-term goal.

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: YES Question Weight: 11%

Explanation: Program has revised targets for annual SO₂ emission reduction goal to reflect historic data that shows general increasing trend in emission reductions year to year. Baseline exists: reduce annually from 17.4 million tons SO₂ emissions to 8.9 million (8.5 million ton reduction).

Evidence: See Clean Air Act Sec. 401, 403, and 407 of Title IV for overall goals and the Agency's Fiscal Year 2002 Annual Report (EPA-190-R-03-001, page II-12) for annual performance goals.

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 11%

Explanation: The program uses contractors, state grantees (via a portion of the 105 grant), other federal agencies (NOAA, USGS) and grantees in the academic community for data analysis and collection assistance. Federal cost-sharing partners are for data collection networks only, not program implementation. Contractors and grantees (other than academic) are explicitly committed to working toward the long-term goals of the program through contract and annual grant agreements.

Evidence: EPA contract and grant procedures - performance-based contracting. EPA and state grantees have a Core Performance Measures agreement, wherein states are responsible to report progress on meeting program goals.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: YES Question Weight: 11%

Explanation: Since its inception, the Acid Rain Program has been evaluated regularly by external bodies to determine how it is accomplishing its mission and meeting its long-term goals. In addition to evaluations that focus on its cost-effectiveness, other evaluations of the Acid Rain Program have documented the program's benefits: reducing adverse human health impacts, improving visibility, reducing acid deposition, and ecosystems response to those reductions.

Evidence: GAO: Air Pollution: Allowance Trading Offers an Opportunity to Reduce Emissions at Less Cost, 1994 and Acid Rain: Emissions Trends and Effects in the Eastern United States, March 2000. Ellerman, et al. at MIT/CEEPR: Emissions Trading under the U.S. Acid Rain Program: Evaluation of Compliance Costs and Allowance Market Performance (1997) and Markets for Clean Air: The U.S. Acid Rain Program (2000). Holland, et al. 1999. Trends in Atmospheric Sulfur and Nitrogen Species in the Eastern United States for 1989-1995; Lynch, et al. 2000. Changes in Sulfate Deposition in Eastern USA following Implementation of Phase I of Title IV of the Clean Air Act Amendments of 1990; Driscoll, et al. 2001. Acidic Deposition in the Northeastern U.S.: Sources and Inputs, Ecosystem Effects, and Management Strategies; Driscoll, et al. 2003. Nitrogen Deposition in the Northeastern United States: Sources, Effects, and Management Options; Burtraw, et al. 1997. The Costs and Benefits of Reducing Acid Rain.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 11%

Explanation: The Program uses annual workplans to specify program activities. There is no tracking system that shows explicitly how these workplans tie to the various program annual and long-term goals and objectives that the program uses - no reports are available to identify which activities (and their associated funds) support which program goal. EPA managers do use up-to-date financial, policy, and regulatory information to make decisions on program management and performance. The Agency's financial information is integrated with performance and other program data to support day-to-day decision making of managers and executives.

Evidence:

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 11%

Explanation: Strategic goals, decisions, and projects are reviewed annually at the program level. Annually, program Workplans are updated and revised as appropriate. When deficiencies are identified, new workplans are developed to address the issue. The program contributes to and participates in the agency-wide strategic plan revision process (every three years). In response to the Administration's identification of the need to expand the SO₂ and NO_x emissions reductions to adequately protect human health and the environment, the program has been working to develop measurable long-term performance goals for environmental outcomes.

Evidence: EPA's ongoing strategic plan update and activities. Program Workplans.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

- 2.RG1 Are all regulations issued by the program/agency necessary to meet the stated goals of the program, and do all regulations clearly indicate how the rules contribute to achievement of the goals?** Answer: YES Question Weight: 11%
- Explanation:** Provisions in rules issued subsequent to the core program rules are needed: intended to streamline or otherwise improve upon the original regulations or address regulatory gaps. Virtually all of the rule revisions have lowered the program's administrative costs and/or the regulatory burden to industry while, at the same time, reinforcing program goals.
- Evidence:** To make it easier for owners/operators of regulated sources, stakeholders, and others to follow successive rule changes, the program has published two unofficial consolidated versions of Part 72 (Permits) and Part 75 (Continuous Emissions Monitoring) between CFR Publications. Rule preambles are written in plain English and indicate how the rule would contribute to the achievement of specific program goals. See 61 FR 1442-1479 and 61 FR 67112-67162. Proposed and final rules for second phase of the Acid Rain NOx Emission Reduction Program (61 FR 1442-1479, January 19, 1996, and 61 FR 67112-67162, December 19, 1996). See: www.epa.gov/airmakets/monitoring/consolidated.
- 3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?** Answer: YES Question Weight: 9%
- Explanation:** For emissions goals, program's Emissions Tracking System (ETS) receives and processes SO2, NOx, and other emission-related data quarterly. Data is submitted electronically from continuous monitors and is subject to quality assurance checks at multiple points in the process. For deposition/concentration goals: Program manages the operation of the Clean Air Status and Trends Network (CASTNet), a dry deposition monitoring network, and provides critical operational support for the National Atmospheric Deposition Program/National Trends Network(NADP/NTN), a wet deposition network.
- Evidence:** EPA's Quarterly Report Review Process. Electronic data file QA checks are described at <http://www.epa.gov/airmarkets/reporting>. Information generated from CASTNet and NADP networks was used to create the EPA Acid Rain Program 2001 Progress Report (EPA-430-R-02-009). Data and analysis related to program efforts contributed significantly to the identification of the need for further protection from acid rain - the Clear Skies legislative proposal.
- 3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results?** Answer: YES Question Weight: 9%
- Explanation:** Individual EPA program managers develop and submit to the management team annual project plans called workplans. These plans identify, prioritize, and organize the work they will accomplish with a given allocation of resources; they are reviewed and updated throughout the year and are the major management tool for tracking performance and expenditures. Plans outline resources needed, expected outcomes and milestones, and identify the pertinent organizational goals and objectives. Performance reviews for program level managers are based, in part, on accomplishment of these projects. Performance standards for managers include performance measurements for objectives that relate to the program goals but do directly reflect the goals themselves. The program goals are only explicitly included in the Division Director's performance plan.
- Evidence:** Director's and managers individual performance plans document related goals. Annually, EPA develops specific performance measures with associated activities and outputs.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 9%

Explanation: Annually the program develops workplans that reflect how it plans to spend its budget. Within the program, obligations can be tracked at the workplan level. At the highest level of aggregation, obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan.

Evidence: Acid Rain Program workplans and associated obligations tracking reports. Agency annual financial statements. IFMS reports

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: NO Question Weight: 9%

Explanation: No efficiency measures are currently in use and no clear procedures exist whereby the cost-effectiveness/efficiency of the overall program is tracked and regularly evaluated by the program. Program should consider full cost of program (both federal funds and funds spent by industry) in evaluating efficiency. Program also does not regularly examine the internal efficiency of the program to ensure that all direct program funds (federal dollars) are being used as cost effectively as possible. Contracts are awarded through a competitive process. Beginning in FY 2003 the program will begin awarding their small amount of grants (~\$300K) competitively by implementing a new EPA-wide policy.

Evidence: Agreement has not been reached on which efficiency measures the program will include in their annual plans.

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 9%

Explanation: The program collaborates and coordinates with many partners in other federal agencies, state agencies, foreign governments, and the academic research community on emission control programs, environmental monitoring and assessment, and the development and application of market-based policy instruments. The program also collects feedback and performance data from stakeholders and partners. The program uses the data and feedback to re-evaluate its workplans to refine program efforts. Identified problems are addressed by developing new projects to correct or improve the program.

Evidence: Program staff maintain dialogue with the regulated industry and financial community through conferences and with States on monthly programmatic conference calls. Examples of improvements: program provides instant feedback to sources to identify data reporting problems, format errors, and inconsistencies (<http://www.epa.gov/airmarkets/reporting>); online transactions and internet reporting; and is developing regulation changes and software to help reduce costs. Examples of changes made as result of feedback from stakeholders: providing instant feedback to sources on reporting problems, format errors, and inconsistencies and development of "Online Allowance Transfers (OATS)." Collaboration with other agencies on CASTNet and NADP has lead to better integrated networks and reduced redundancy in data collection and analysis.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 9%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. EPA received an unqualified audit opinion on its FY 02 financial statements and had no material weaknesses associated with the audit. The Acid Rain Program has no material weaknesses as reported by the Office of the Inspector General (OIG) and has procedures in place to minimize erroneous payments.

Evidence: Budget Automation System (BAS) reports. Acid Rain obligation and budget reports. Unqualified audit opinion on EPA FY 02 financial statements. 2002 Advice of Allowance Letter and Integrity Act Report. Agency resource management policies (posted on agency intranet).

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 9%

Explanation: Traditional management issues are addressed through weekly meetings, with input from staff. The overall Office of Atmospheric Programs (the Acid Rain program is within this Office) management team meets twice per year to identify and address higher level management issues of concern. Management retreats are held to review and evaluate program management efforts. Retreats involve various levels of management participation. Knowledge transfer and succession planning are addressed primarily by replacing most attrition with junior staff. Program provides training/mentoring opportunities to ensure that staff are available to compete whenever promotions become available. The program participates in agency-wide human capital and financial management PMA efforts and is working to fully convert to an e-Gov operating approach for program transactions.

Evidence: OIG Audit, The Effectiveness and Efficiency of EPA's Air Program (February 27, 1998). OAP implemented recommendations from this report. Program expanded involvement in agency Capital Planning and Investment Control (CPIC) process in FY03 to address IT improvements necessary to deal with increasing transaction volume and emissions reporting. Division recently completed a 360 review of its management team which involves surveying each managers subordinates, peers, and supervisors to assess effectiveness. Third-party assistance was used to develop survey.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately Effective
80%	78%	91%	83%	

- 3.RG1** **Did the program seek and take into account the views of all affected parties (e.g., consumers; large and small businesses; State, local and tribal governments; beneficiaries; and the general public) when developing significant regulations?** Answer: YES Question Weight: 9%
- Explanation: Program has pursued partnerships, dialogue, and new ways of doing business with industry and the environmental community. Acid Rain Advisory Committee (ARAC) helped facilitate implementation. After publication of rules, dialogue continued. Permitting: pre-application meetings served as a primary vehicle for EPA-industry dialogue - provided opportunities for utilities to ask questions and receive written responses from EPA headquarters and regional personnel. For monitoring and data system development activities, EPA hosted numerous training sessions, attended industry sponsored meetings, provided policy guidance in these areas, developed and distributed software to assist industry.
- Evidence: Immediately following enactment, the program initiated an intensive dialogue with the affected stakeholders through the ARAC. The ARAC was composed of 44 individuals representing a variety of different organizations and interests, including large and small utilities, coal and gas interests, state air agencies and public utility commissions, environmental organizations, and academia. For six months, the members of the Advisory Committee were actively involved in devising solutions to problems and offering critiques of various regulatory options for implementing Title IV. Outreach activities have included participation in EPA and industry sponsored training and conferences, discussing rate making issues with rate regulators, holding the annual allowance auctions through the Chicago Board of Trade, and disseminating information on the auction process, energy conservation, renewable energy, and the allowance and emissions tracking systems.
- 3.RG2** **Did the program prepare adequate regulatory impact analyses if required by Executive Order 12866, regulatory flexibility analyses if required by the Regulatory Flexibility Act and SBREFA, and cost-benefit analyses if required under the Unfunded Mandates R** Answer: YES Question Weight: 9%
- Explanation: Requirements in existence at the time implementing regulations were issued were met. The Regulatory Impact Analysis (RIA) of the Final Acid Rain Implementation Regulations, October 19, 1992, was developed in compliance with Executive Order 12291. Elements of the RIA met Regulatory Flexibility Act requirements.
- Evidence: Chapter 4 of the RIA presented the costs of the program with and without an allowance trading system and included an analysis of the administrative burden to states. Chapter 5 of the RIA estimated changes in electricity costs and the impacts of the regulation on utilities and independent power producers. Complying with the Regulatory Flexibility Act, Chapter 5 of the RIA estimated the impact of the Acid Rain Program on small utilities, small municipalities, and small businesses in general. Chapter 6 of the RIA described the expected environmental benefits and referred to the 1990 National Acid Precipitation Assessment Program's (NAPAP's) Integrated Assessment. This Assessment summarized the findings of the NAPAP State of Science study which documented the damage caused by acid rain and dry deposition, and enumerated the expected benefits of a program to reduce acid rain and acidic deposition. See also 61 FR 1453-1455, January 19, 1996; 61 FR 67114-67116, December 19, 1996; Air Docket A-95-28.

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately
80%	78%	91%	83%	Effective

- 3.RG3 Does the program systematically review its current regulations to ensure consistency among all regulations in accomplishing program goals?** Answer: YES Question Weight: 9%
- Explanation:** In the decade following promulgation of final core rules, the program has proposed and finalized over a dozen rules that streamline or otherwise improve upon the original regulations. The process of systematically reviewing the current rules and making improvements, generally through rule revisions, spanned all parts of the program: applicability, permitting, continuous emissions monitoring, allowance accounting, and excess emissions/penalties. Virtually all of the rule revisions have lowered the program's administrative costs and/or the regulatory burden to industry while, at the same time, reinforcing program goals. Program in continuing such progress through harmonization of Acid Rain and NOx Budget Program monitoring, emissions reporting, and account representative requirements and to maximize the use of efficient e-Gov practices.
- Evidence:** 40 CFR Parts 72, 73, 75, 77, and 78; 58 FR 3590-3766, January 11, 1993. Regulations promulgated to improve the program include: five revisions to Part 75 (Continuous Emissions Monitoring) issued 60 FR 26510 (May 17, 1995), 61 FR 59142 (Nov 20, 1996), 63 FR 57356, 573581 and 57499 (Oct 27, 1998), 64 FR 28564 (May 26, 1999), and 67 FR 40394 (June 12, 2002); and three revisions to Part 72 (Permits), Part 77 (Excess Emissions) and Part 78 issued 62 FR 55461 (Oct 24, 1997), 63FR 68400 (Dec 11, 1998), and 64 FR 6840 (Dec 11, 1998). To make it easier for owners/operators of regulated sources, stakeholders, and others to follow successive rule changes, the program has published two unofficial consolidated versions of Part 72 and Part 75 between CFR Publications: one in January 2000 and the second in August 2002 (see <http://www.epa.gov/airmakets/monitoring/consolidated>).
- 3.RG4 Are the regulations designed to achieve program goals, to the extent practicable, by maximizing the net benefits of its regulatory activity?** Answer: YES Question Weight: 9%
- Explanation:** The program reduces emissions through a least-cost program of trading and banking. Program costs have been less then the originally estimated.
- Evidence:** A. Denny Ellerman, et al. 2000. Markets for Clean Air: The U.S. Acid Rain Program. Cambridge Univ. Press and OMB, Draft 2003 Report to Congress on the Costs and Benefits of Federal Regulations, Federal Register, Feb. 3, 2003, especially pages 5507; 5500.
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: SMALL EXTENT Question Weight: 16%
- Explanation:** According to PART guidance, nothing higher than a "small extent" can be given for this question because the program received a "Yes" for question 2.1 and a "No" for question 2.2. Program has made consistent progress on its existing long term goals and is on track to meet the 2010 SO2 emission reduction target.
- Evidence:** EPA Acid Rain Program 2001 Progress Report (EPA-430-R-02-009, pages 14, 23-27, and 29-33).

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately Effective
80%	78%	91%	83%	

4.2 Does the program (including program partners) achieve its annual performance goals? Answer: YES Question Weight: 16%

Explanation: Program has met all SO2 and NOx emission reduction annual targets to date. In 2001, annual SO2 emissions from utility sources were reduced by 6.9 million tons below the 1980 baseline, which represented an additional reduction of 570,000 tons over the previous year. In 2001, annual NOx emissions from coal-fired utility sources were 4.1 million tons, which represented a reduction greater than the program's 2 million ton target.

Evidence: Program reduced annual SO2 emissions by utilities from 17.4 million tons in 1980 to 11.2 million tons in 2000 and to 10.6 million tons in 2001 and annual NOx emissions from coal-fired utilities by more than the program's 2 million ton target to 4.1 million tons in 2001. Agency's Fiscal Year 2002 Annual Report (EPA-190-R-03-001, page II-12). EPA Acid Rain Program 2001 Progress Report (EPA-430-R-02-009, pages 5-18). In 2001: all but two of the 2,792 units that underwent annual reconciliation for SO2 had sufficient allowances in their accounts to cover emissions and only one of the 1,045 units affected by the NOx program component failed to meet its emission limit.

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: LARGE EXTENT Question Weight: 16%

Explanation: Though program itself does not employ efficiency/cost-effectiveness measures or track internal or external efficiency on a regular basis external reviews have indicated the cost-effectiveness of the program. Program has maintained near 100% compliance since the start of the program with an average annual program budget of approx. \$13 million. Program has achieved 40% of the reductions expected through the 1990 Clean Air Act Amendments (CAAA) with less than 5% of the overall EPA Office of Air and Radiation resources (Agency's Fiscal Year 2002 Operating Plan). Evaluation of benefit-cost ratios of the CAAA concluded that was good investment.

Evidence: Agency's FY 2002 Operating Plan, Fiscal Year 2003 Annual Performance Plan, and Congressional Justification. Charles River Associates, Benefit-Cost Ratios of the CAAA by CAAA Title , No. D02050-00, 1999. Examples of external evaluations that examined and supported the Acid Rain Program's cost-effectiveness: GAO-Air Pollution - Allowance Trading Offers an Opportunity to Reduce Emissions at Less Cost, 1994; GAO-Acid Rain - Emissions Trends and Effects in the Eastern United States, March 2000; Ellerman, et al. at the Massachusetts Institute of Technology Center for Energy and Environmental Policy Research (MIT/CEEPR) - Emissions Trading under the U.S. Acid Rain Program: Evaluation of Compliance Costs and Allowance Market Performance (1997) and Markets for Clean Air: The U.S. Acid Rain Program (2000)

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: YES Question Weight: 16%

Explanation: Several programs exist with similar structures but have different scopes. The Acid Rain program is the model for these other market-based programs that include a specific emissions cap as well as emissions trading and banking. State Agencies have elected to follow this model in their Ozone Transport Commission (OTC) and NOx Budget Programs to reduce ozone nonattainment. Furthermore, they have selected the Acid Rain Program staff to operate their program. Success of program in terms of flexibility and cost effectiveness is also cited by private industry as a preferable regulatory model.

Evidence: Testimony by Daniel Chartier, Former Emissions Trading Manager, Wisconsin Electric, for the Congressional Joint Economic Committee, July 1997. Statement by Gary Hart, Manager, Clean Air/SO2 Allowances, Southern Company Services, in Emissions Trading: Environmental Policy's New Instrument, edited by Richard Kosobud. New York: John Wiley & Sons, Inc., 2000

Program Assessment Rating Tool (PART)

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Moderately Effective
80%	78%	91%	83%	

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: YES Question Weight: 16%

Explanation: Many relevant independent evaluations have indicated that the program is effective. Program is effective in achieving least-cost emission reductions, which result in significant benefits to human health and environment.

Evidence: GAO. Dec. 1994. AIR POLLUTION: Allowance Trading Offers an Opportunity to Reduce Emissions at Less Cost, p.58. Carlson, et al. 2000. Sulfur Dioxide Control by Electric Utilities: What Are the Gains from Trade?, p. 1292. Burtraw, et al. 1997. The Costs and Benefits of Reducing Acid Rain, pp. 22, 26. Stoddard, et al. 2003. Response of Surface Water Chemistry to the Clean Air Act Amendments of 1990. Chestnut, et al. 1997. Economic Benefits of Improvements in Visibility: Acid Rain Provisions of the 1990 Clean Air Act Amendments. Lynch, et al. 2000. Changes in Sulfate Deposition in Eastern USA following Implementation of Phase I of Title IV of the Clean Air Act Amendments of 1990;

4.RG1 Were programmatic goals (and benefits) achieved at the least incremental societal cost and did the program maximize net benefits? Answer: YES Question Weight: 16%

Explanation: Independent evaluations of the Acid Rain program's achievements indicate that benefits are being achieved at the least cost.

Evidence: Cost savings from Command and Control alternatives. Ellerman, et al. 2002. Markets for Clean Air: The U.S. Acid Rain Program, p. 296, and A. Denny Ellerman, et al. 2000. Markets for Clean Air: The U.S. Acid Rain Program. Cambridge Univ. Press, 282. Early cost estimates for full implementation of Title IV ranged from \$2.3 billion to \$6.0 billion. Current estimates are significantly lower, ranging from \$1.0 billion to \$1.4 billion (1995\$). (A. Denny Ellerman. 2003. Ex Poste Evaluations of Tradeable Permits: The U.S. SO2 Cap and Trade Program.). Human health benefits of program's SO2 reductions estimated at \$46 billion and may be as high as \$80 billion. (2001\$) (Bart D. Ostro, et al. 1999. Estimating the Effects of Air Pollutants on the Population: Human Health Benefits of Sulfate Aerosol Reductions under Title IV of the 1990 Clean Air Act Amendments Air Pollution and Health, edited by Stephen T. Holgate, et al. Academic Press, 911.)

PART Performance Measurements

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:

Measure: Percent change in number of chronically acidic waterbodies in acid-sensitive regions.

Additional Information: Progress is measured as percent reduction from 2001 baseline number of waterbodies. Acid-sensitive regions include the Northeast, Mid-Atlantic, and Upper Midwest.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2030	-30%		

Measure: Sulfur dioxide emissions from electric power generation sources

Additional Information: Progress is measured as tons reduced from 1980 baseline of 17.4 million tons.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2001	-5,000,000	-5,000,000	
2010	-8,500,000	On Track	

Measure: Tons of sulfur dioxide emitted from electric power generation sources

Additional Information: Progress is measured as tons reduced from 1980 baseline of 17.4 million tons.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2005	-6,900,000		
2006	-7,000,000		
2007	-7,500,000		
2008	-8,000,000		
2009	-8,000,000		

Measure: Percent change in average nitrogen deposition and mean ambient nitrate concentrations.

Additional Information: Data is mainly from Eastern US and is reported as 3-year averages due to varying meteorological conditions and other factors. Progress is measured as percent reduction from 1990 baseline.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2004	-5%		

PART Performance Measurements

Program: Acid Rain
Agency: Environmental Protection Agency
Bureau:

Measure: Percent change in average nitrogen deposition and mean ambient nitrate concentrations.
Additional Information: Data is mainly from Eastern US and is reported as 3-year averages due to varying meteorological conditions and other factors. Progress is measured as percent reduction from 1990 baseline.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2007	-10%		
2010	-15%		

Measure: Percent change in average sulfur deposition and mean ambient sulfate concentrations.
Additional Information: Data is mainly from Eastern US and is reported as 3-year averages due to varying meteorological conditions and other factors. Progress is measured as percent reduction from 1990 baseline.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2004	-25%		
2007	-29%		
2010	-30%		

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
3	<i>Is the program designed to have a significant impact in addressing the interest, problem or need?</i>	Yes	The program addresses air toxic emissions on a national basis. No other program within the EPA or the Federal government specifically focuses on air toxics in a comprehensive manner.	A two-tiered design maximizes air toxic emissions reductions. The first tier MACT program requires technology-based controls regardless of risk. EPA projects MACTs will reduce toxic emissions from large industrial sources 63% by 2007. EPA examines each MACT 8 years after promulgation to determine remaining risk. If EPA finds residual risk too high, EPA may promulgate another standard. An air toxics needs evaluation is made each time a mobile source regulation is done; EPA assesses the problem and the expected impact of the standards being considered.	20%	0.2
4	<i>Is the program designed to make a unique contribution in addressing the interest, problem or need (i.e., not needlessly redundant of any other Federal, state, local or private efforts)?</i>	Yes	EPA is the only agency to develop national regulations for industrial and mobile sources of air toxics. In addition, EPA regulates transportation fuels to ensure nationwide consistency and fungibility.	MACT standards require control to the level achieved by better performing sources. State/local agencies have not developed standards and a State-by-State program could create inconsistency. Federal mobile source regulation helps make more uniform requirements for vehicle manufacturers and oil companies. The same vehicles/engines are produced for 49 states. Aside from regional and seasonal variations, the oil companies produce the same fuel (i.e., gasoline, diesel fuel) for multiple states.	20%	0.2

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
5	<i>Is the program optimally designed to address the interest, problem or need?</i>	Yes	A two-tiered structure regulates major stationary sources - technology based standards followed by additional standards if the residual risk at these facilities is too high. There is insufficient information to assess the design for the residual risk program; EPA's Science Advisory Board has provided comments on potential problems. For mobile sources EPA sets technology based standards, taking into consideration feasibility and cost.	When all the MACT rules are fully implemented, toxic emissions from large industrial facilities will decrease by 1.7 million tons or -63%. The residual risk program is still under development; the SAB has expressed concern about data gaps. For mobile sources, EPA considers cost & feasibility when setting toxics standards.	20%	0.2
Total Section Score					100%	100%

OMB Program Assessment Rating Tool (PART)

Regulatory Based Programs

Name of Program: Air Toxics

Section I: Program Purpose & Design (Yes, No, N/A)

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1	<i>Is the program purpose clear?</i>	Yes	The Clean Air Act requires regulation of air toxics from motor vehicles (Title II) and stationary sources (Title III) through the maximum achievable control technology (MACT) program.	Technology-based toxics standards are required for mobile and stationary sources, followed by a residual risk-assessment. EPA issued over 50 MACT standards, and a mobile source toxics rule. The residual risk program is not in full swing but EPA is addressing science and data issues.	20%	0.2
2	<i>Does the program address a specific interest, problem or need?</i>	Yes	In the late 1980's, EPA scientists ranked air toxics health risk above many others. Prior to the 1990 Amendments, EPA set standards based on risk assessments, but promulgated few of them. Congress then mandated standards based on the best available technology with subsequent evaluation of risk.	EPA projects nationwide toxic emissions to decrease 42% between 1990 and 2007. Without the air toxics programs called for by the 1990 amendments, EPA estimates that emission of toxic air pollutants would have increased 36% by 2007.	20%	0.2

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
Section II: Strategic Planning (Yes,No, N/A)						
1	<i>Does the program have a limited number of specific, ambitious long-term performance goals that focus on outcomes and meaningfully reflect the purpose of the program?</i>	No	EPA's Strategic Plan has an outcome goal for air toxics. However, it is not <i>meaningful</i> since there is no baseline from which to measure progress. EPA does not have an <i>efficiency goal to measure performance</i> . A 95 percent reduction could be achieved by reducing "unacceptable" risk to 19 of 20, 95 out of 100, or 50,000 out of a million -- but EPA has not provided the baseline.	See section IV, question 1 for EPA's long term goal for air toxics. The GAO (RCED-00-77, April 2000) said that data gaps for toxicity and different data collection and analysis methods make it difficult to establish cause-and-effect relationships between the program and changes in environmental conditions or cancer incidence.	13%	0.0
2	<i>Does the program have a limited number of annual performance goals that demonstrate progress toward achieving the long-term goals?</i>	Yes	Annual reductions of air toxics emissions from stationary and mobile sources relative to a 1993 baseline do not have a link to the long term goal of reducing risk from cancer and other significant health problems for the U.S. population. An intuitive link exists if one assumes that population is less exposed to emissions.	The annual performance goal is "Air toxics emissions nationwide from stationary and mobile sources combined will be reduced by an additional 3% of the updated 1993 baseline of 6.1 million tons (for a cumulative reduction of 40% from the 1993 level of 6.1 million tons per year."	13%	0.1
3	<i>Do all partners (grantees, sub-grantees, contractors, etc.) support program planning efforts by committing to the annual and/or long-term goals of the program?</i>	Yes	EPA's contract statement of work includes requirements for analytical support for projecting emission inventories, estimating inventory changes, and assessment of health and environmental impacts. EPA and state grantees have a Core Performance Measures agreement, wherein states are responsible to report progress on meeting EPA's goals.	The OAR's contracts require contractors to stipulate that they have the specific expertise necessary to perform the statement of work. The Core Performance Measures agreement requires states that have delegated programs to submit toxics data.	13%	0.1

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
4	<i>Does the program collaborate and coordinate effectively with related programs that share similar goals and objectives?</i>	Yes	The Agency collaborates and coordinates with State, local and tribal air toxics programs during the development of standards, data gathering, and community air toxics assessments.	EPA gives States the opportunity to place a rep on workgroups developing a standard. It coordinates with States in developing the National Air Toxics Assessment ('96) and its periodic updates. EPA aids communities doing assessments to identify risk and solutions. EPA works with state/local governments to assess mobile source-related exposure and risk. EPA also works with State/local governments to identify and implement voluntary programs.	13%	0.1
5	<i>Are independent and quality evaluations of sufficient scope conducted on a regular basis or as needed to fill gaps in performance information to support program improvements and evaluate effectiveness?</i>	Yes	Evaluations of parts of the air toxics program are planned or underway.	The SAB evaluated the design of an air toxics monitoring network in 2000; EPA continues to work with them on the design. The SAB also reviewed EPA residual risk methodology and a case study. The National Academy of Sciences is reviewing the Clean Air Act. The IG and GAO periodically evaluate aspects of the program.	13%	0.1
6	<i>Is the program budget aligned with the program goals in such a way that the impact of funding, policy, and legislative changes on performance is readily known?</i>	Yes	The Air Toxics program budget is aligned with the Agency's approach to annual planning under the Government Performance and Results Act (GPRA) is based on a full integration of strategic planning, annual planning, budgeting, and accountability.	EPA's integrated Annual Plan and Budget Request promotes fiscal accountability through a direct connection between resources and outcomes. For each objective, the Budget Request sets forth a set of annual performance goals and performance measures. OAR reports annually on the progress made to meet its strategic goal and objectives.	13%	0.1
7	<i>Has the program taken meaningful steps to address its strategic planning deficiencies?</i>	Yes	EPA is developing a new strategic plan. In the update, EPA should assess and develop measurable goals and an efficiency goal (e.g., number of cancer cases avoided per \$10 million).	EPA's ongoing strategic plan update and activities.	13%	0.1

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
8 (Reg 1.) <i>Are all regulations issued by the program/agency necessary to meet the stated goals of the program, and do all regulations clearly indicate how the rules contribute to achievement of the goals?</i>	No	Some sources subject to MACT regulations do not have a significant impact on public health. EPA has the flexibility to achieve a more cost-effective regulation of air toxics within the current Clean Air Act requirements for air toxics.	The most recent 5 proposed MACT standards impose substantial costs without significant reductions in public health risks.	13%	0.0
Total Section Score				100%	75%

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
Section III: Program Management (Yes,No, N/A)						
1	<i>Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?</i>	No	Not yet. Although EPA does not have a monitoring system in place, it makes do with a periodic national scale toxic inventory and assessments, which are partially based on the Toxics Release Inventory, mobile source models, and state estimates.	Monitoring is being tested on a pilot basis. EPA has consulted with its SAB on the design of this system.	8%	0.0
2	<i>Are Federal managers and program partners (grantees, subgrantees, contractors, etc.) held accountable for cost, schedule and performance results?</i>	Yes	EPA's contract statement of work includes cost schedules and expected outcomes. EPA and state grantees have a Core Performance Measures agreement wherein states are responsible to report progress on meeting EPA's goals.	Annually EPA develops specific performance measures with associated activities and outputs. Performance standards for managers set critical elements holding them accountable for goals and include performance measurements for objectives that respond to the GPRA goals. When considering contract procurement, the Agency evaluates previous performance.	8%	0.1
3	<i>Are all funds (Federal and partners') obligated in a timely manner and spent for the intended purpose?</i>	Yes	EPA prepares an Operating Plan that OMB and Appropriations Committees approve. Program offices track spending against this plan which is aligned with the strategic plan. EPA works with grantees to ensure that spending is consistent with the negotiated work plan. As part of each office's post-award monitoring of grants, recipients are required to affirm that funds designated to each program area are indeed spent for the intended purpose. EPA/IG staff report that ex-poste cost accounting needs more attention to assure that funds were spent on intended purposes.	Reports for the toxics program indicate timely obligation. End-of-year obligation reports for the toxics objective. However, the EPA/IG staff reports that it is not apparent that EPA does an adequate job of ex-poste cost accounting.	8%	0.1

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
4	<i>Does the program have incentives and procedures (e.g., competitive sourcing/cost comparisons, IT improvements) to measure and achieve efficiencies and cost effectiveness in program execution?</i>	Yes	In general EPA selects contractors through a competitive process based on costs, at times it awards noncompetitive contracts due to looming deadlines. Beginning in FY 2003, EPA will award grants competitively, implementing a policy now nearing completion.	OAR relies on work assignments placed against negotiated competitive contracts awarded through full and open competition. Each procurement undergoes a cost analysis that feeds directly into the negotiation process. Each potential contractor must also undergo an outside audit to determine the reasonableness of costs, particularly indirect costs.	8%	0.1
5	<i>Does the agency estimate and budget for the full annual costs of operating the program (including all administrative costs and allocated overhead) so that program performance changes are identified with changes in funding levels?</i>	Yes	All spending categories are included in the integrated Annual Plan and Budget Request including pension and benefits, which current Federal policy covers outside an individual agency's budget. The plan and request present the Agency's goals and objectives and identifies the resource levels and activities associated with them. Overhead costs, including payroll, travel, operating expenses, and Working Capital Fund, are spread across specific programs to capture the indirect and administrative costs associated with each program. Impacts to annual performance goals and measures are identified when changes in funding levels are made during the budget process.	The 2003 Budget request and justification; the integrated Annual Plan and Budget request (pre-decisional).	8%	0.1
6	<i>Does the program use strong financial management practices?</i>	Yes	The air toxics program has no material weaknesses as reported by the IG and has procedures in place to minimize erroneous payments,	IG's FY 2001 identification of Agency level material weaknesses. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives.	8%	0.1

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
7	<i>Has the program taken meaningful steps to address its management deficiencies?</i>	Yes	The air program has implemented recommendations included in reviews by the IG and+D46 GAO.	As an example: the OIG Audit, The Effectiveness and Efficiency of EPA's Air Program (February 27, 1998) found the Air program has been effective in cleaning the air and reducing the potential for depleting the ozone layer. Also concluded that while the Air Program has generally operated efficiently, it could also be more efficient. OAR implemented these recommendations.	8%	0.1
8 (Reg 1.)	<i>Did the program seek and take into account the views of affected parties including state, local and tribal governments and small businesses, in drafting significant regulations?</i>	Yes	EPA follows administrative procedures of notice and comment as well as other statutory requirements such as the Small Business Regulatory Enforcement Fairness Act (SBREFA).	Regulations that are proposed in the Federal Register. All interested parties have an opportunity to submit comments. EPA evaluates them and makes necessary revisions before promulgating regulations. In cases where regulations may impact a substantial number of small entities, EPA sets up SBREFA panels.	8%	0.1

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
9 (Reg 2.) <i>Did the program prepare, where appropriate, a Regulatory Impact Analysis that comports with OMB's economic analysis guidelines and have these RIA analyses and supporting science and economic data been subjected to external peer review by qualified specialists?</i>	Yes	EPA's RIAs generally comport with OMB's economic analysis guidelines. However, they are less used to inform the decision-making process, than they are used as ex-poste justifications. The RIAs state the need for regulation, examine alternative approaches at times, and analyze the benefits, costs, and economic impacts. EPA generally reports total costs; cost-per-ton; changes in price, production, and revenues in affected industries; impacts on small entities and the energy sector; and total benefits. The methodologies have been peer-reviewed by an independent panel of experts on the Science Advisory Board (SAB), and negotiated with OMB.	EPA prepared several RIAs (available at www.epa.gov/ttn/ecas). The RIAs are consistent with the peer-reviewed Guidelines for Preparing Economic Analyses (U.S. EPA, 1999a; EPA-SAB-EEAC-99-020). Regulatory cost estimates are based on engineering theory, vendor information, and the OAQPS Control Cost Manual, which has received substantial review by industry experts and manufacturers of pollution control equipment over the past 25 years, and is an internationally known manual to determine the cost of air pollution control equipment. Economic analysis methods are available in the OAQPS Economic Analysis Resource Document (U.S. EPA, 1999b). Too often, RIAs with analysis of alternatives are not available in time to affect decisions.	8%	0.1
10 (Reg 3.) <i>Does the program systematically review its current regulations to ensure consistency among all regulations in accomplishing program goals?</i>	Yes	As required by the CAA, EPA will review each MACT standards as part of the residual risk program. EPA periodically reviews mobile source regulations for impacts on air toxics as well.	Clean Air Act, as amended (section 112(f) and 202(e)).	8%	0.1

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
11 (Reg 4.) <i>In developing new regulations, are incremental societal costs and benefits compared?</i>	Yes	The RIAs prepared by EPA assess and compare the total social costs and benefits incremental to baseline conditions prior to regulation (including other relevant regulations already in place). Social costs include estimates of total compliance cost and incorporate changes in producer and consumer welfare. Where possible, benefits are assessed for changes in cancer incidence, and changes in effects from criteria pollutants.	The Coke Ovens RIA estimated total net benefits of about \$16 million, and the Petroleum Refineries RIA shows net benefits of \$58 million. For new regulations that are not economically significant under E.O. 12866, EPA prepares assessments of total societal costs, economic impacts, and a qualitative discussion of the effects of pollutant reductions. For an upcoming nonroad diesel proposal, which will address air toxics, the Agency is evaluating banking and trading options to minimize societal cost and maximize benefits.	8%	0.1

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
12 (Reg 5.) <i>Did the regulatory changes to the program maximize net benefits?</i>	No	Under the Clean Air Act, EPA must prepare standards for HAPs that meet the requirements set forth by the Act regardless of net benefits. Stationary source regulations for 174 categories (set by EPA) are to be not less than the average achieved by the best performing 12 percent within the category – commonly known as the MACT floor. Ten year MACT standards are likely to lead to over-regulating sources with little benefit to society. For example, EPA's use of synthetic minor data in the MACT floor has had the effect of changing the brick rule from no MACT floor, to a MACT floor, because so few facilities are even controlled, given the lack of environmental benefits. EPA could have exercised its discretion to eliminate synthetic minors in this and other rules.	EPA may increase cost effectiveness by considering the feasibility of subcategorizing source categories to distinguish among classes, types, and sizes of affected emission units, which may provide greater compliance flexibility and reduce regulatory burden. A rule may also minimize costs and provide greater flexibility by allowing facilities to meet an equivalent control device outlet concentration, a target mass level, demonstrate that the control device meets certain specified design criteria, allow for pollution prevention options, or allow for exemptions of control for segments of a source category. Nevertheless, EPA has not developed the basic information necessary to take advantage of the opportunities provided by the Act to limit regulation to sources posing real health risks. The Agency collects just enough information to implement the mechanical MACT floor rather than more complete information on exposures to hazardous air pollutants from specific sources and risks associated with hazardous air pollutants.	8%	0.0

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
13 (Reg 6.) <i>Does the program impose the least burden, to the extent practicable, on regulated entities, taking into account the costs of cumulative final regulations?</i>	No	EPA created some subcategories and delisted some sources. But it has not taken full advantage of its authority. The residual risk standards will be structured to ensure only high risk facilities will be impacted. The mobile source air toxics rule does not require additional sampling or measurement, or in general, effort beyond what the refiner did during the baseline period (1998-2000) with respect to gasoline production. Toxics determinations for the mobile source air toxics rule are taken from the determinations made for the reformulated gasoline and anti-dumping programs.	MACT standards do not impose the least burden. To an extent, there are alternatives to monitoring, record keeping, and reporting, so that sources can choose what is best suited for them and sometimes requirements are changed for small sources to accommodate their reduced impact. EPA could be more efficient on subcategorization, but sometimes gets around this problem by creating process-specific MACT standards within a given subcategory, without calling it a new subcategory. With the start of the residual risk program, EPA must establish risk-based standards for any industrial source category that has an unacceptable residual risk after a MACT standard is implemented. The mobile source air toxics standard is a toxics performance standard, which provides more flexibility to regulated entities than a single fuel parameter might provide.	8%	0.0
Total Section Score				100%	77%

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
-----------	------	-------------	---------------	-----------	----------------

Section IV: Program Results (Yes, Large Extent, Small Extent, No)

1	<i>Has the program demonstrated adequate progress in achieving its long-term outcome goal(s)?</i>	No	There is no baseline for assessing progress toward reducing risks of cancer and other significant health problems for at least 95 percent of the population. There is no efficiency goal (e.g., number of cancer cases avoided per \$10 million invested).	EPA measures progress to the long-term goal through tons reduced from a 1993 emissions estimate. In 1993, the last year before the MACT standards and mobile source regulations developed under the Clean Air Act began to be implemented, stationary and mobile sources are now estimated to have emitted 6.0 million tons of air toxics. However, there is no assessment of the number of cancers and significant health effects were caused by air toxics in 1993. Monitoring data are scarce so the annual performance goal and measure are estimated emissions reduced from mobile, stationary, area, and all other air toxics.	20%	0.0
---	---	----	--	--	-----	-----

Long-Term Goal I:	Percent of U.S. population free from unacceptable risks of cancer and other significant health problems from air toxic emissions.	
Target:	95% by 2020	
Actual Progress achieved toward goal:	Not available	
Long-Term Goal II:	Cancer incidence reduction in urban areas (from 1990 levels)	
Target:	By 2020, 75% from stationary sources; 65% from mobile sources	
Actual Progress achieved toward goal:	Not available	
Long-Term Goal III:	Noncancer risk from all sources; disproportionate impacts on populations and areas.	
Target:	By 2020, substantially reduce (not quantified)	
Actual Progress achieved toward goal:	Not available	

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
--	------------------	-------------	--------------------	----------------------	------------------	-----------------------

2	<i>Does the program (including program partners) achieve its annual performance goals?</i>	Small Exten	While there is no demonstrable link between the annual goals and the strategic goals, EPA assumes an intuitive link between emissions reductions and cancer incidence.	EPA brings together disparate data from multiple sources to compare to a 1993 baseline for air toxics emissions. Periodically, EPA updates the baseline and annual reductions based on improvements in the data.	20%	0.1
---	--	-------------	--	--	-----	-----

	Key Goal I:	Air toxics emissions nationwide from stationary and mobile sources combined.				
	Performance Target:	5 % combined stationary and mobile source reduction in air toxics emissions; cumulative -40% from 1993 level				
	Actual Performance:	EPA is using an updated 1993 baseline of 6.0 million tons. Through 2002, combined stationary and mobile source air toxics reductions are 33.8% of the 1993 baseline or approximately 2 million tons. Using the original estimated baseline of 4.3 million tons, combined stationary and mobile source reductions through 2002 are 40% of the baseline or approximately 1.7 million tons. Emissions performance is reported in a significant data lag. (Accuracy of emissions factors is unknown.)				
	Key Goal II:	Efficiency measure under development				
	Performance Target:	Not available				
	Actual Performance:	Not available				
	Key Goal III:	Federal Register Publication of final MACT Standards				
	Performance Target:	13 finalized (see Evidence/Data below for Question 3)				
	Actual Performance:	13 finalized				
	Key Goal III:	Federal Register Publication of proposed MACT Standards				
	Performance Target:	15 proposed (see Evidence/Data below for Question 3)				
	Actual Performance:	8 proposed.				

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
3	<i>Does the program demonstrate improved efficiencies and cost effectiveness in achieving program goals each year?</i>	Large Exter	There is no efficiency measure for this program, EPA may have reduced costs of promulgation, but it has not demonstrated improvement in the number of health benefits per dollar invested.	Generic MACT rules combined 8 source categories into 2 standards to eliminate potential duplicative or conflicting control requirements, and to assure consistency of emission control required for similar emission points. EPA combined 23 sources categories into the Miscellaneous Organic NESHAP. EPA decreased its costs and increased the number of actions as noted: 1999-2000 promulgated 1 standard and proposed 4 standards; 2000-2001 promulgated 4 standards and proposed 13 standards; 2001-2002 promulgated 13 standards and proposed 8 standards; 2002-2003 will promulgate 28 standards and propose 11 standards; and 2003-2004 will promulgate the remaining 4 standards. Of the original 55 10-year MACT Standards, 5 were delisted.	20%	0.1
4	<i>Does the performance of this program compare favorably to other programs with similar purpose and goals?</i>	N/A	There is no evidence or data provided to compare to other programs that reduce or eliminate toxic releases. A comparison could be made if EPA estimated the numbers of cancers avoided per million dollars.	Although there are many federal programs that protect the environment or reduce toxics, there is no analogous program with technology based and risk based approaches	0%	
5	<i>Do independent and quality evaluations of this program indicate that the program is effective and achieving results?</i>	No	It is unclear whether the stationary source program has been achieving results (e.g., the joint EPA/Amoco Yorktown Refinery benzene study (December 1991, revised May 1992) found that more emissions could have been reduced at less cost). Evaluations of the program are planned or underway.	The IG and GAO have evaluated parts of the program. GAO concludes that data gaps prevent EPA from establishing a connection between annual performance and long-term goals. EPA's SAB evaluated the design of the air toxics monitoring program and evaluated EPA's residual risk methodology.	20%	0.0

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
6 (Reg 1.) <i>Were programmatic goals (and benefits) achieved at the least incremental societal cost and did the program maximize net benefits?</i>	No	EPA has chosen to interpret their statutory authority prescriptively for setting a MACT floor. It is easier on EPA to enforce a mechanistically-set MACT floor without seeking additional data to determine the risk associated with the source. But for the regulated entity, MACT is resource intensive. The 1992 Yorktown, Virginia refinery study, done jointly by Amoco and EPA, found that more benzene emissions could have been reduced for less money, had EPA looked at the entire operation. To some extent EPA tried to minimize costs, but EPA could have employed risk-based exemptions more often. As residual risk standards are developed, EPA plans to use the flexibility allowed by the Act to ensure that only those facilities with high residual risk be required to reduce emissions beyond what is required in the MACT standard.	EPA sometimes reduced costs through subcategorization to allow stationary facilities emitting less to be exempt from a standard or have less costly options. For the most part EPA chose a more prescriptive, mechanistic approach for MACT. As residual risk standards are developed, they may be structured so only those facilities with significant risk have to reduce emissions. Such standards could allow options for facilities to show if risk is below the limits outlined in the Act (e.g., no additional control required if facilities are able to monitor their emissions and model their risk from their facility, or show that their emissions are at a low level). For mobile sources, the substantial reductions already being achieved and the large reductions projected are resulting from emission and fuel controls designed primarily to reduce criteria pollutant emissions, and impose little additional societal cost.	20%	0.0
Total Section Score				100%	20%

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The statute describes the purpose of the program is to promote cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, and to enhance state response programs. Subtitle A authorizes EPA to provide grants to eligible entities to assess, cleanup, establish revolving loan funds, conduct job training programs, and perform targeted site assessments at brownfields sites, as well as for research and technical assistance. Subtitle C authorizes EPA to award grants to States and Indian tribes to establish or enhance programs.

Evidence: Small Business Liability Relief and Brownfields Revitalization Act (PL 107-118)

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Office of Technology Assessment estimated that there are over 450,00 brownfields properties. Program provides financial and technical assistance to assess, cleanup, and leverage the redevelopment of these brownfield properties.

Evidence: The Office of Technology Assessment report State of the States on Brownfields: Program for Cleanup and Reuse of Contaminated Sites (OTA-BP-ETI-153, June 1995) indicated the range of brownfields sites in the U.S.

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: EPA's Brownfields program does not replicate other federal programs and targets contaminated properties not addressed by other federal programs. Program partners with other federal agencies to coordinate efforts and achieve goals. In addition to federal agencies, the program works in partnership with and provides funding to states, tribes, and local governments as outlined by the authorizing statute.

Evidence: FY 03 Grant Funding Guidance for State and Tribal Response Programs; FY 03 Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants; FY 03 Proposal Guidelines for Brownfields Job Training Grants; Brownfields Federal Partnership Action Agenda

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?

Answer: YES

Question Weight: 20%

Explanation: No major flaws in the program design have been identified. Program strongly supported by stakeholders, and the interest and support for the program continues to grow. No known studies on the cost effectiveness of the program, though independent research found that "\$2.48 in private sector funds are leveraged for every dollar that is invested by the public sector" for brownfields cleanup.

Evidence: The program continues to receive increased interest from all stakeholder groups. In 2003, the program received over 1300 applications for funding, but the program anticipates that it will only be able to fund approximately 200 applicants. Council for Urban Economic Development (CUED) study, "Brownfields Redevelopment: Performance Evaluation;"

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: Program competes all Subtitle A grants nationally, using the selection criteria outlined in the authorizing statute. Authorizing statute also outlines entities eligible to receive grants and activities allowable for grant funding. Subtitle A grants are predominately awarded to local, state, and tribal governments with some minor distributions to non-profits.

Evidence: Small Business Liability Relief and Brownfields Revitalization Act (PL 107-118); Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants; Proposal Guidelines for Brownfields Job Training Grants; Proposal Guidelines for Brownfields Training, Research, and Technical Assistance Grants and Cooperative Agreements; Grant Funding Guidance for State and Tribal Response Programs

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: YES Question Weight: 12%

Explanation: The program funds assessments and cleanup of properties. OMB views the output of assessments as an appropriate goal since it is the first step to be taken in redevelopment and the program is by its nature a process.

Evidence: 2003 EPA Strategic Plan, EPA's Annual Reports, Small Business Liability Relief and Brownfields Redevelopment Act

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 12%

Explanation: Guidance states, "Targets and timeframes must be ambitious ... must be set at a level that promotes continued improvement and achievable efficiencies." FY 2003 appropriations for brownfields assessments are nearly twice the FY 2001 appropriation, yet performance is expected to be about the same as FY 2001 for the foreseeable future. Targets and timeframes do not appear ambitious or set at a level that promotes continued improvement or efficiency. The program argues that the program's recent authorization and subsequent large funding increase has outpaced EPA's ability to reset its goals.

Evidence: 2003 EPA Strategic Plan, Annual Performance Report and Congressional Justifications

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: EPA tracks the number of assessments that it conducts each year. EPA is developing efficiency measures.

Evidence: EPA Annual Performance Report and Congressional Justification

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: NO Question Weight: 12%

Explanation: The program has established the baseline and developed performance targets based on prior year program performance. It is unclear that the program's goals are ambitious considering that the program has received a substantial increase in funding for FY 03. The program argues that the program's recent authorization and subsequent large funding increase has outpaced EPA's ability to reset its goals. See measures tab for more details.

Evidence: EPA Annual Performance Report and Congressional Justifications

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 12%

Explanation: Grant recipients report on performance measures, including completed assessments and cleanups and the cleanup/redevelopment jobs and dollars leveraged. Grantee performance measure information is used to set and track progress towards long term program goals.

Evidence: EPA grantee terms and conditions require grantees to include information on performance measures in quarterly reports.

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: No evaluations of significant scope have been conducted to date. Within the next couple years EPA's IG is required by the Brownfields authorizing legislation to "submit to Congress a report that provides a description of the management of the program."

Evidence: EPA OIG 2002 Memo Observations on EPA's Plans for Implementing Brownfields Performance Measures

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 12%

Explanation: While EPA estimates full annual costs of operating its programs, the Brownfields program does not tie resources to its outputs/outcomes. For instance, neither the new \$50 M state categorical grants nor the two-year 64% increase to the assessment program have an output impact. It is unclear how additional resources would affect outcomes. Part of the challenge for EPA will be to adopt new performance metrics for the newly authorized categorical grants, or link them to valid existing measures.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports; Agency's Integrated Financial Management System (IFMS) Reports

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: Strategic planning deficiencies stem from a lack of performance measures and links between performance and budgets. Program collects performance information from grantees in quarterly reports, as outlined in grantee terms and conditions. Performance information is stored in the Brownfields Management System (BMS) and reviewed for quality assurance. Management utilizes performance information to adjust out-year projections for both annual and long term goals. In addition to its utility in setting and monitoring progress towards program goals, BMS also provides anecdotal information on partner successes and challenges that inform program management. Monthly reports are generated to inform headquarters and regional managers of program progress.

Evidence: Grantee Terms and Conditions, Brownfields Data Primer, Brownfields Management System (BMS)

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 10%

Explanation: Program collects performance information from grantees in quarterly reports, as outlined in grantee terms and conditions. Performance information is stored in the Brownfields Management System (BMS) and reviewed for quality assurance. Management utilizes performance information to adjust out-year projections for both annual and long term goals. In addition to its utility in setting and monitoring progress towards program goals, BMS also provides anecdotal information on partner successes and challenges that inform program management. Monthly reports are generated to inform headquarters and regional managers of program progress.

Evidence: Grantee Terms and Conditions, Brownfields Data Primer, Brownfields Management System (BMS)

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: NO Question Weight: 10%

Explanation: No evidence provided to demonstrate the linkage to performance.

Evidence: None.

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 10%

Explanation: Each fiscal year, the program executes an operating plan that displays appropriated resources allocated by goal, objective, subobjective, program and object class. Program budget is aligned with the Agency's Strategic Plan. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. In FY 2002, the program obligated 100% of its resources in IFMS. EPA works with grantees to ensure that their work plans reflect the Agency's Strategic Plan and Operating Plan and that recipient spending is consistent with the approved workplan. Each program office and grants management office conducts post-award monitoring of assistance agreements, including monitoring the draw-down of funds against grantee progress on workplan tasks and deliverables. This monitoring ensures that recipients are spending the funds designated to each program area for the intended purpose. All grantees are required to submit annual or more frequent financial status reports.

Evidence: EPA's annual Operating Plan and Congressional Justification, EPA's Strategic Plan, Budget Automation System (BAS) data, EPA's Annual Report and Financial Statements. EPA's Policy on Compliance, Review, and Monitoring (EPA 5700.6, Advanced post-award monitoring (i.e. on and off-site grantee review) reports, documentation of post-award monitoring in assistance agreement files, grantee financial status reports.

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 10%

Explanation: Program selects grant recipients on a competitive basis. It contracts competitively and subsequently monitors contract cost, schedule, and performance. Program nationally competes all grants. This is the first year grants will be awarded under authorizing statute. Previous pilot awards considered applicant past performance. Future awards will also consider grantee performance in selection criteria. Program developing business case for the Brownfields Management System (BMS) through the OMB Capital Planning and Investment Control (CPIC) process.

Evidence: Requests for Proposals for major contracts; Monthly Progress Reports and Invoices from all contractors; FY 03 Grant Funding Guidance for State and Tribal Response Programs; FY 03 Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants; FY 03 Proposal Guidelines for Brownfields Job Training Grants; Brownfields Federal Partnership Action Agenda

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 10%

Explanation: The program is collaborating on the One Cleanup Program which works to present a unified picture of Agency land cleanup programs. The program has had an active dialogue with and participation from the states in implementing Subtitle C of the Brownfields law. The program continues to work with the Office of Underground Storage Tanks to accommodate the inclusion of petroleum sites within the definition of brownfields.

Evidence: EPA One Cleanup Program website: <http://www.epa.gov/oswer/onecleanupprogram/> ; FY 03 Grant Funding Guidance for State and Tribal Response Programs

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 10%

Explanation: The program follows EPA's financial management guidelines for use of funds. EPA's controls on improper payments are based on GAO and other principles. At each step in the process, the propriety of the payment is reviewed. Training ensures staff understand their invoice review and financial responsibilities. EPA received an unqualified audit opinion on its FY03 financial statements with no audit material weaknesses. EPA met the new accelerated due dates for financial statements. The program has no material weaknesses and has procedures in place to minimize erroneous payments. The OIG's January 03 report on improper contract payments at EPA concluded that the number of improper contract payments found is minimal and EPA appears focused on providing high quality and accurate contract payments.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports, unqualified audit opinion on EPA FY02 financial statements, Fiscal Year 2002 Advice of Allowance Letter, 2002 Integrity Act Report, resource policies at: <http://intrasearch.epa.gov/ocfo/policies>.

3.7 Has the program taken meaningful steps to address its management deficiencies? Answer: YES Question Weight: 10%

Explanation: The program uses various mechanisms including monthly calls and periodic HQ/Regional coordination meetings to discuss program performance and budgeting/strategic planning for outyears (e.g., discuss changes to allocation of budget dollars among various grant types). The program participates in Agency grant management reviews. As the Brownfields Law was signed last year, the program is developing its own protocol for regular regional grant management reviews. The program also conducts data quality reviews, both at the national and regional level, of the information reported in grantee quarterly reports prior to entry into the Brownfields Management System (BMS), the program performance measure database.

Evidence: Program does not have any identified material deficiencies in management as identified in the FMFIA annual review process; Brownfields Data Primer.

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

- 3.CO1 Are grants awarded based on a clear competitive process that includes a qualified assessment of merit?** Answer: YES Question Weight: 10%
- Explanation: The program competes all Subtitle A grants nationally using evaluation criteria stipulated in the grant guidelines. The evaluation criteria originate from the authorizing statute. Applicant review panels include participation of various EPA offices as well as other federal agencies. The program broadly publicizes grant opportunities through federal register notices, press releases, web postings, list serve notices, and inclusion in the Catalog of Federal Domestic Assistance. Program continues to receive and award grants to new program participants.
- Evidence: 2003 Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants; 2003 Proposal Guidelines for Brownfields Job Training Grants; Proposal Guidelines for Brownfields Training, Research, and Technical Assistance Grants and Cooperative Agreements; Grant Funding Guidance for State and Tribal Response Programs
- 3.CO2 Does the program have oversight practices that provide sufficient knowledge of grantee activities?** Answer: YES Question Weight: 10%
- Explanation: Program negotiates work plans prior to grant award. Grantees submit quarterly reports including information on performance measures and budget. Program monitors grantee budget expenditures to ensure that funded activities are eligible and allowable. The program also conducts data quality reviews, both at the national and regional level, of the information reported in grantee quarterly reports prior to entry into the Brownfields Management System (BMS), the program performance measure database.
- Evidence: Brownfields Data Primer
- 3.CO3 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 10%
- Explanation: EPA collects grantee performance information on a quarterly basis. Grantee performance information aggregated and provided in EPA Annual Performance Reports and Congressional Justifications. Individual grantee performance information is scheduled to be available to the public by the end of the fiscal year.
- Evidence: EPA Annual Reports; Brownfields Management System (BMS) database
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: SMALL EXTENT Question Weight: 25%
- Explanation: While the program has already achieved its longterm goals in the current strategic plan. New goals are now being established in EPA's new strategic plan. As stated above those goals do not appear ambitious.
- Evidence: 2003 EPA Strategic Plan
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: SMALL EXTENT Question Weight: 25%
- Explanation: The program has achieved its goals along with its program partners over the last several years.
- Evidence: EPA Annual Reports

Program Assessment Rating Tool (PART)

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	90%	17%	

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?

Answer: NO

Question Weight: 25%

Explanation: EPA is developing its efficiency/cost effectiveness measures.

Evidence: FY 03 Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund and Cleanup Grants; Brownfields Grantee Property profile

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?

Answer: NA

Question Weight: 0%

Explanation: Program unique from other federal and private efforts. Could be compared to EPA OUST program as it is land cleanup program that addresses smaller sites (including petroleum properties); however, program design is quite different as it performs assessments.

Evidence:

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: NO

Question Weight: 25%

Explanation: No evaluations of significant scope have been conducted to date. Within the next couple years EPA's IG is required by the Brownfields authorizing legislation to "submit to Congress a report that provides a description of the management of the program."

Evidence: EPA OIG 2002 Memo Observations on EPA's Plans for Implementing Brownfields Performance Measures

PART Performance Measurements

Program: Brownfields
Agency: Environmental Protection Agency
Bureau:

Measure: Brownfields Properties Assessed

Additional Information: This measure tracks the number of brownfields properties assessed by program grant recipients. Grantees report on this measure in quarterly reports.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2002	2,500		
2008	9,200		

Measure: Assessed Properties Redeveloped (new measure - targets under development)

Additional Information: This measure shows if assessments are leading to redevelopment.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
-------------	---------------	---------------	-----------------------------

Measure: Dollars leveraged at Brownfields properties

Additional Information: This measure tracks the amount of cleanup/redevelopment funding leveraged by program grant recipients at brownfields properties. Grantees report on this measure in quarterly reports.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2005	\$3.0 B		
2008	\$10.2 B		

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The purpose of EPA's Civil Enforcement Program (i.e., compliance assistance, compliance incentives, compliance monitoring, and civil and administrative enforcement actions) is to protect human health and the environment by ensuring that regulated entities achieve full compliance with the nation's environmental laws; and by assisting and overseeing our state, tribal, and local partners in achieving maximum compliance with federal and state environmental laws. All major environmental laws provide the Agency enforcement and oversight authority, as well as authority to achieve compliance through other means (e.g., compliance assistance). The program purpose is embodied in the Agency's strategic plan, and the mission statements of the Office of Enforcement and Compliance Assurance (OECA) and its subsidiary offices.

Evidence: EPA Strategic Plan (EPA 190-R-00-002), goal 5 and goal 9; Citations to Regulatory Authority (Appendix C, EPA Strategic Plan); and OECA mission statements

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Though progress has been made addressing the nations environmental problems over the past 30 years, the Agency is still faced with significant environmental challenges. The Agency is planning to release its first 'State of the Environment report at the end of June that will describe progress made and the environmental challenges that remain. In order to protect human health and the environment the United States has a vast array of environmental statutes and regulations covering a regulated universe numbering more than 41 million entities. An effective national system for environmental protection depends on compliance of these entities with the nation's environmental laws and regulations. The Civil Enforcement Program helps maximize compliance and contributes significantly to environmental protection. The program focuses on environmental risks and noncompliance patterns that contribute to environmental and public health problems associated with industry, sectors, specific pollutants, geographic areas, and particular facilities or companies. In addition, the program works with, and provides assistance to our state, tribal, and local partners to help them improve compliance. Compliance assistance is also provided directly to regulated entities to help them understand and meet their environmental obligations. Assistance is targeted to specific environmental problems, industry sectors, and particular entities such as small business and local governments.

Evidence: Regulatory citations (Appendix C, EPA Strategic Plan); research on size of the regulated universe; Compliance Assistance Activity Plan, FY 2002 (EPA 305-R-02-002)

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort? Answer: YES Question Weight: 20%

Explanation: While working closely with program partners the federal civil enforcement program makes a unique contribution to protecting the environment by ensuring compliance with environmental laws, and protecting human health and the environment. The federal role in the civil enforcement program is to: implement and enforce programs that cannot be delegated to states and tribes (e.g. the Emergency Planning and Community Right to Know Act, the Oil Pollution Act), and programs that have not yet been delegated to states and tribes; to handle more complex cases involving multiple states or trans-boundary issues; to deal with issues that require expertise or resources that only EPA can provide; and to enforce when states and tribes are unable or unwilling. The Civil Enforcement Program is also responsible for ensuring that states and tribes maintain their enforcement programs in accordance with federal law, and delegation agreements. See Attachment A for examples of the Civil Enforcement Program's unique contribution to protecting human health and the environment.

Evidence: Final Fiscal Year 2002/2003 Office of Enforcement and Compliance Assurance Memorandum of Agreement Guidance, June 19, 2001; Fiscal Year 2003 OECA Memorandum of Agreement Guidance Update, June 28, 2002; Memorandum, Revised Policy Framework for State/EPA Agreements, August 25, 1986; Memorandum, Oversight of State and Local Penalty Assessments: Revisions to the Policy Framework for State/EPA Agreements, July 20, 1993; Federal Register Notice requesting feedback for national priority selection (FR Vol. 65, No. 189, Thursday, September 28, 2000).

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: YES Question Weight: 20%

Explanation: The program employs a set of four tools to ensure that program activities have a significant impact on the environmental problems addressed. Compliance assistance: through various forms of outreach including compliance assistance visits to regulated facilities, conferences, training sessions, targeted distribution of printed materials, online compliance assistance centers, and wholesaling of compliance assistance information to states and other partners; compliance incentives: through policies which motivate facility self-audits by providing penalty relief for self-disclosed and corrected violations; compliance monitoring: through inspections and investigations; and through civil and administrative enforcement to correct current and deter future violations. Planning and analysis is done to develop tailored strategies that apply the most effective mix of these tools to address specific environmental risks or noncompliance pattern. The Integrated Strategies pilot is testing a template that encourages the consideration, and integration of all appropriate tools when developing a compliance and enforcement strategy. The goal in each instance is to enable the civil enforcement program to use its limited resources to achieve the greatest level of compliance among the greatest portion of the identified regulated community. Currently, 10 Integrated Strategies pilots are being run in eight EPA regions. Among the sectors covered by the pilots are construction and auto salvage.

Evidence: Compliance Assistance Activity Plan, FY 2002 (EPA 305-R-02-002); U.S. Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001), U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001) for examples of sector initiatives, and tool specific results. Memorandum from the Assistant Administrator for Enforcement and Compliance Assurance: Operating Principles for an Integrated Enforcement and Compliance Assistance Program, November 27, 1996; Memorandum from the Director of the Office of Compliance: Integrating Compliance Assistance and Incentives with Enforcement in EPA and State Planning Meetings, June 11, 2002; Draft Framework for Developing Integrated Compliance Assurance Strategies for Consideration by the Compliance Assistance and Policy Infrastructure (CAPI) Steering Committee; from the Assistant Administrator for Enforcement and Compliance Assurance: Using Integrated Strategies and Outcome Measurement to Address Environmental Problems, November 27, 2002

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

1.5 **Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?** Answer: YES Question Weight: 20%

Explanation: A number of steps are taken to ensure that the civil enforcement program focuses on the most important environmental problems. The program conducts extensive analyses of enforcement and compliance data to identify trends and patterns of noncompliance. In-depth analyses are also done on emerging sectors; those sectors that may, or have the potential, to pose significant environmental and human health problems in the future. To enhance the impact of the Civil Enforcement Program national compliance and enforcement priorities are selected to focus program efforts on a limited number of problems. Feedback on priority selection is gathered from States, Tribes, and other regulatory partners, the regulated community, and the interested public. Regions have the flexibility to opt out of a national priority if it is not relevant to states in the region, and to define their own regional priorities. All regional priorities support the long-term goals of the national civil enforcement program.

Evidence: Draft Framework for a Problem-based Approach to Integrated Strategies, August 18, 2002; Memorandum: Request for Problem Nominations from U.S. Environmental Protection Agency Compliance Inspectors, August 1, 2002; Memorandum: Kick-Off of the OC Problem-Solving Pilot Project, June 6, 2001; Problem-Solving Pilot Project: Progress Report and Next Steps, July 1, 2002.

2.1 **Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program?** Answer: YES Question Weight: 12%

Explanation: On balance, this answer is a "yes" because EPA has reduced the number of extraneous measures and focused on those of an outcome nature. However, there is still concern that the outcome measure, pounds of pollutants reduced, should be further categorized as to toxicity/risk/hazard and exposure to be meaningful. For FY 2002 the program used six long-term measures; a mix of outcome, intermediate outcome, and output measures (outlined on the measures sheet). The program is proposing reducing the number of long-term measures to two as part of the 2003 Agency Strategic Plan. Goal 5: Compliance and Environmental Stewardship, Objective 5.1: Improve Compliance, of the Agency's 2003 Draft Strategic Plan contains two long-term performance measures that will be used to gauge the success of the civil enforcement program beginning in FY 2005. These long-term measures are: pounds of pollutants reduced, treated, or eliminated; and the number of regulated entities making improvements in environmental management practices.

Evidence: EPA Strategic Plan (EPA 190-R-00-002); 2003 Strategic Plan, U.S. Environmental Protection Agency, Draft dated March 5, 2003. Final Strategic Plan, Sept. 30, 2003.

2.2 **Does the program have ambitious targets and timeframes for its long-term measures?** Answer: NO Question Weight: 12%

Explanation: The long-term measures are developed in the context of the Agency Strategic Plan, which covers a five year timeframe. The Agency's 2000 Strategic Plan does not set targets for its long-term measures. The final 2003 Agency Strategic Plan does set targets for the proposed long-term measures. Under Goal 5 the target for both of the long-term measures is a five percent increase over the five year period ending in 2008. This is not a large percentage increase, and therefore does not qualify as an ambitious target, since the annual variation has been as high as three hundred percent. Moreover, the baseline needs to be developed.

Evidence: EPA Strategic Plan (EPA 190-R-00-002); 2003 Strategic Plan, U.S. Environmental Protection Agency, Draft dated March 5, 2003. Final Strategic Plan, Sept. 30, 2003.

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: NO Question Weight: 12%

Explanation: There are not a limited number of specific annual performance measures. Annual measures need to be targeted toward implementation of the longer term measures.

Evidence: U.S. Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001); U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001); Superfund/Oil Program Implementation Manual Fiscal Year 2002/2003 (EPA 540-R-01-004), March 30, 2001; Compliance and Enforcement Data Systems.

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: NO Question Weight: 12%

Explanation: Unfortunately, the targets set are within the range of normal variation, and thus do not allow adequate evaluation of progress. The program still needs to work on development of an adequate baseline. Constructing a baseline that uses more than one year makes sense when variations are extreme. Depending on the measure, the program will use as a baseline either the previous years performance, or an average of the previous three years performance. The three year average is used for measures that are more case-dependent, and can vary widely from one year to the next. Annual targets are set to ensure that the program is improving on the previous years performance, and is on track to achieve its long-term goals. Targets set for annual measures are outlined on the performance measures spreadsheet. Unfortunately, the targets set are within the range of normal variation, and thus do not allow adequate evaluation of progress.

Evidence: U.S. Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001), U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001)

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 12%

Explanation: The biennial selection of national priorities is the primary planning tool employed by the enforcement program to direct activities to achieve long-term goals (See Attachment B for a list of the FY 2002/2003 national priorities). In order to garner broad support for the national priorities (from program offices within EPA, and program partners external to the Agency) the program goes through an extensive process for gathering feedback and reaching consensus on the national priorities. Feedback is gathered from EPA program offices (three of the current six national priorities were recommended by other program offices within EPA); EPA Regions; states, tribes and other program partners; and the general public. Feedback from all of these sources influences the selection of the program's national priorities. The national priorities are incorporated into the annual Memorandum of Agreement (MOA) Guidance, a work planning tool used by EPA headquarters and regional offices to establish programmatic operating plans for a two-year cycle.

Evidence: Final Fiscal Year 2002/2003 Office of Enforcement and Compliance Assurance Memorandum of Agreement Guidance, June 19, 2001; Superfund/Oil Program Implementation Manual Fiscal Year 2002/2003 (EPA 540-R-01-004), March 30, 2001; MOAs from Regions 1 through 10; Core Program revisions; FY 2001 Measures of Success Management Reports.

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: Although independent evaluations as defined in the PART instructions are not available, the civil enforcement program routinely collects and uses performance information to evaluate program effectiveness. In February of 2003 OECA completed an in-depth performance analysis of the NPDES Majors portion of the water program covering the period 1999-2001. The report included 13 recommendations, currently being implemented, for improving the performance and management of the NPDES program. OECA has also completed internal reviews of workforce deployment and management of the criminal enforcement program that resulted in recommendations that are currently being implemented. There are compliance data systems in place tracking the performance of significant portions of the regulated community; and data analysis tools such as the Online Tracking Information System (OTIS) and the Integrated Data for Enforcement Analysis (IDEA) system that enable holistic multimedia analysis of facility-level compliance information, and sector and industry trends.

Evidence: Final Report on the NPDES Majors Performance Analysis, February, 2003; Using Performance Measurement Data as a Management Tool, June 10, 2002. Workforce Deployment Report, Oct. 2003. Report on the Management of the Criminal Enforcement, Forensics, and Training Office, Nov. 25, 2003.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 12%

Explanation: OMB finds no linkage between the performance measures cited in EPA's Annual Reports and the budget requests submitted to OMB in terms of how performance has affected budget requests except in the most simplistic ways. This year EPA has produced guidance that has as its goal, relating performance measures to budget decision-making. EPA has been asked to provide information regarding this linkage. It is OMB's belief that budget decisions are formulated, and then allocated back to the Strategic Plan's goals, objectives, etc.

Evidence: EPA's Annual Plan and Congressional Justification, Budget Automation System Reports, PERS, Operating Plan Guidance, OECA's spending plans. EPA IG Report "EPA Enforcement Resources and Accomplishments", Oct. 10, 2003.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: Several steps have been taken to improve strategic planning efforts. The process for selecting national priorities was significantly reworked for the Fiscal Year 2002/2003 planning cycle in order to greatly expand the opportunities for regulatory partners and stakeholders to offer input, to ensure that there was greater consensus on selected priorities, and to focus on high priority problems. In December of 2002 OECA released a final report with recommendations for improving OECA planning, priority setting, application of tools to address problems, and use of performance information to improve program management and effectiveness. One such recommendation was the creation of a Planning Council to focus on strategic planning for OECA.

Evidence: Federal Register Notice requesting feedback for national priority selection (FR Vol. 65, No. 189, Thursday, September 28, 2000; Final Report of the OECA Planning and Review Team: Recommendations for Improving OECA Planning, Priority Setting, and Performance Measurement, December 18, 2002; Memorandum from the Assistant Administrator for Enforcement and Compliance Assurance: Establishing the Office of Enforcement and Compliance Assurance (OECA) Planning Council, February 25, 2003.

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 14%

Explanation: The Agency collects performance information on a routine basis from state and federal partners, and on its own performance. Both baseline performance data and trend information is captured in national data systems to inform management and Congress of the state of the program, and the progress toward performance goals. Phase I of the Integrated Compliance Information System (ICIS), a multi-phase information modernization project, allows headquarters and regional offices to collect, track and manage (in real-time) compliance information from inspections through settlement of enforcement actions. In addition, ICIS enables analysis of environmental results achieved through assistance, incentives, monitoring, and enforcement. The Online Tracking Information System (OTIS) is a web interface that enables fast, tailored queries of the data in 12 data systems, enabling a multimedia approach to the analysis of environmental and enforcement trends. OECA is implementing a broad data quality strategy to ensure that data is of high and sufficient quality for program management.

Evidence: All of the measures used to evaluate the performance of the program are identified in Reporting for Enforcement and Compliance Assurance Priorities (RECAP), which is issued bi-annually by the program. Subsets of the measures included in this report are used for different purposes including semi-annual program status reports, an annual measures of success report, and the annual accomplishments report required under GPRA. Slide Presentation: Statistically Valid Noncompliance Rates, April 29, 2002; Case Conclusion Data Sheet Training Booklet, November 2000; Quick Guide for the Case Conclusion Data Sheet, November 2000; Report: Results of the Random Audit of FY 2001 Inspection Data, December 18, 2002.

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 14%

Explanation: Performance standards for federal managers are based on program goals, and managers are evaluated on whether they have achieved program goals; bonuses and awards reflect program accomplishments as well. Memoranda of Agreement (MOAs), outlining regional goals and resource commitments, are used as a work planning tool between headquarters and regional senior managers. MOA goals are reviewed periodically by headquarters managers to ensure sufficient progress is being made towards achieving goals in the established time frame. Project Officers work closely with the Contract Officer to ensure that all billing and work is on schedule, within budgetary limitations, and meets contract requirements. See the response to question four in this section for an explanation of EPA's contractor assessment process and how it results in greater contractor accountability.

Evidence: EPA's Policy on Compliance, Review, and Monitoring dated August 2, 2002; Memorandum: OECA Post-Award Assistance Management Plan, January 28, 2002; Contract and grant spending plans; awards guidance.

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 14%

Explanation: Prior to the beginning of the fiscal year, the program develops an operating plan by activity that reflects how the program plans on spending its budget as requested in the President's Budget. Resources are allocated by goal, objective, and subobjective. Programs then adjust the operating plan to reflect appropriated levels. EPA's budget and annual Operating Plan are aligned with the Agency's Strategic Plan and approved by OMB and Congressional Appropriations Committees. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. Material changes to the enacted spending plan require a formal reprogramming of funds. Fund transfers between program objectives in excess of Congressional established limits require Congressional notification and/or approval. In FY 2002, the program obligated over 97% of its budget. As part of the year-end close out process, the Agency sends guidance to programs including deadlines on spending funds, and when expiring funds might be swept if they are not obligated.

Evidence: EPA's Annual Operating Plan and Congressional Justification, EPA's Strategic Plan, Budget Automation System Reports, EPA's Annual Report and Financial Statements, OECA's spending plans, FY 2003 Year-End Close Out Guidance (signed by David Bloom, Acting, Director, Annual Planning and Budget Division).

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 14%

Explanation: OECA is currently developing an efficiency measure, pounds of pollutants reduced per FTE, that will help it analyze program efficiencies and effectiveness. OECA's declaration of commercial positions under the Federal Activities Inventory Reform (FAIR) Act has been relatively modest due to the inherently governmental nature of many enforcement activities. OECA will continue to evaluate its portfolio of activities to determine the appropriate mix of Federal FTE and contract support to achieve program objectives in the most cost efficient manner. For contracted services, OECA tracks the past performance of its contractors in order to ensure that the most qualified contractor is selected in the future. Contractors are assessed on cost, schedule, technical performance (quality of product or service), and business relations including customer satisfaction. Since the contractor is aware of the rating system it provides an incentive to maintain a high-level of performance during the contract period in order to improve the chances of being selected again in the future. The program has demonstrated improved efficiencies in generating outcomes over the past several years.

Evidence: Memorandum: OECA Post-Award Assistance Management Plan, January 28, 2002; contract and grant spending plans. FY 2005 Budget Submission.

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 14%

Explanation: The civil enforcement program collaborates with groups that represent the interests of state program partners such as the Environmental Council of the States (ECOS), and the National Association of Attorneys General (NAAG); and with media specific associations such as STAPPA/ALAPCO, ASIWPCA, and ASTSWMO on a variety of policies and projects. The program works closely with EPA program offices when selecting national priorities (see Sec II, Q8), and when developing compliance assistance information for new regulations. Superfund enforcement work planning is done collaboratively with the EPA Office of Solid Waste and Emergency Response (OSWER), and is carried out using the Superfund/Oil Program Implementation Manual (SPIM). The Memorandum of Agreement (MOA) process is used as a work planning process between headquarters and the regions. The MOA Guidance delineates core program requirements for each Federal environmental statute EPA is responsible for, and directs each regional office to complete a resource chart displaying the numbers and types of inspections and investigations to be carried out, and the allocation of FTE by media. The program also collaborates with numerous Federal Agencies, and with states and tribes to ensure compliance with delegated Federal programs. The program works most closely with the Department of Justice (DOJ) who functions as legal counsel representing the Federal Government in civil enforcement cases initiated and developed by the civil enforcement program. The program works closely with other Federal Agencies with which it shares program responsibilities for environmental protection, such as: the Department of Interior, the Department of Agriculture, the Coast Guard, and the Army Corp of Engineers through the Superfund, Section 117, Natural Resources Damages Assessment and Claims process. The program distributes \$2.2 million in grants to build the capacity of state and tribal enforcement programs. Past grant have supported the development of outcome-based performance measures, public access to information, and data quality. The FY2003 grants support enforcement training, and improved linkages between EPA and state and tribal data systems.

Evidence: Memoranda of Understanding with other federal agencies; Final Fiscal Year 2002/2003 Office of Enforcement and Compliance Assurance Memorandum of Agreement Guidance, June 19, 2001; Fiscal Year 2003 OECA Memorandum of Agreement Guidance Update, June 28, 2002; Superfund/Oil Program Implementation Manual Fiscal Year 2002/2003 (EPA 540-R-01-004), March 30, 2001; Notice of Availability for FY 03 Enforcement and Compliance Assurance Multi-Media Assistance Agreements, Federal Register, March 28, 2003.

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 14%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. EPA provides guidance and directives on resource operation and management for each fiscal year. The Advice of Allowance Letter provides specific information on the current operating plan, budget ceilings, reprogramming limitations, Congressional limits and directives, unliquidated obligations, and re-certification guidance. During the fiscal year, OECA updates its sub-objective descriptions, which are used by the program to guide where spending will be charged based on the type of work being performed. In addition, OECA holds status of funds meetings with the Assistant Administrator, Deputy Assistant Administrator, and Office Directors to discuss resource and spending issues throughout the fiscal year. EPA received an unqualified audit option on its FY02 financial statements and had no material weaknesses associated with the audit.

Evidence: Annual Congressional Justification, Budget Automation System reports, unqualified audit option on EPA FY02 financial statements, Fiscal Year 2003 Advice of Allowance Letter, 2002 Integrity Act Report, The Agency's resource policies can be found at: <http://www.epa.gov/ocfo>

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 14%

Explanation: The program continuously reviews its policies, procedures, and guidance to assure that they support Agency and OECA goals and objectives, and reviews management deficiencies (with associated corrective actions) per the guidelines of the Federal Managers Financial Integrity Act (FMFIA). The results of each Office's reviews are provided to the Administrator, and discussions are held with OMB, GAO, and the OIG to outline steps for correcting FMFIA weaknesses, and improving management of OECA's Federal programs. OECA provides an annual letter to the Administrator to confirm that its policies, procedures, and guidances are adequate, and outlining any corrective actions needed to address weaknesses. Periodic updates on progress towards correcting weaknesses or meeting challenges are also reported. Additionally, EPA has undertaken 2 internal reviews (workforce deployment, criminal enforcement management) and implemented changes pursuant to recommendations contained in these reports.

Evidence: EPA's FY 2002 Integrity Guidance, signed by Linda Combs dated August 9, 2002. Workforce Deployment Review, Oct. 2003. Report of the Management Review of the Office of Criminal Enforcement, Forensics, and Training, Nov. 25, 2003.

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?

Answer: SMALL EXTENT

Question Weight: 25%

Explanation: EPA's use of assistance, incentives, monitoring, and enforcement produces measurable results for environmental protection. For fiscal years 2000 through 2002 EPA's enforcement and compliance assurance program eliminated over 1.63 billion pounds of pollution from air, land, and water through enforcement actions; compelled violating companies to invest 8.8 billion dollars in environmental improvements; provided 1.6 million regulated entities with compliance assistance; and led to 5,421 facilities disclosing violations under EPA's audit policies. Long-term measures are outlined on the measures sheet.

Evidence: U.S. Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001), U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001)

4.2 Does the program (including program partners) achieve its annual performance goals?

Answer: NO

Question Weight: 25%

Explanation: The answer to 2.3 and 2.4 drive this to a NO. A limited number of specific annual performance measures, baselines, and ambitious targets are needed. Although, under Goal 9 of the EPA strategic plan the civil enforcement program met or exceeded 86% of its annual performance goals (APGs) for FY 2002; 100% for FY2001; 80% in FY2000, and 100% in FY1999 these goals out not sufficiently outcome oriented to warrant a higher score.

Evidence: U.S. Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001), U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001)

Program Assessment Rating Tool (PART)

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	38%	100%	17%	

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: **SMALL EXTENT** Question Weight: 25%

Explanation: Achievement of the Program's annual and long-term goals is highly dependent on the enforcement cases that are concluded each year. The case-dependent nature of annual and long-term program outcomes can result in significant variability in a measure from one year to the next. For example, in FY99 6.8 billion pounds of pollution were reduced as a result of concluded enforcement cases, largely due to a settlement with diesel engine manufacturers. This outcome is over 6 billion pounds higher than the results for all subsequent years, with the average between 2000 and 2002 being 545 million pounds. To address this variability the program is basing their efficiency measures on three-year rolling averages. The two time periods that will be compared are FY99-FY01 and FY00-FY02. The three-year rolling average for the value of Supplemental Environmental Projects per workyear for FY00-FY02 is down approximately 44% from the previous period. Entities reached through compliance assistance activities per workyear, and entities seeking compliance assistance per workyear during FY00-FY02 are up 22% and 40% respectively. Injunctive relief collected per workyear is up 5.25% for FY00-FY02. The pounds of soil treated or removed per workyear is up three-tenths of a percent for FY00-FY02. The pounds of pollution reduced per workyear is down 79% from the previous period. There are two explanations for this decrease. The first, mentioned above, is that pollutant reductions achieved in FY99 are over nine and a half times larger than the next largest annual total. The second is that for FY02 the program began using new measures that decreased the overall pollutant reduction measure. Prior to FY02 the pollutant reductions associated with the 2.8 billion gallons of groundwater to be treated would have been part of the overall pollutant reduction measure. The following two measures are new for FY02, and their efficiency measures are based on a single year of data. For FY02 there were over 900 thousand gallons of groundwater treated per workyear. In addition, over 1,000 people were served by drinking water systems brought back in to compliance per workyear.

Evidence: Data generated for PART analysis of the Civil Enforcement Program, comparing outcome trends and resource levels.

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: **NA** Question Weight: 0%

Explanation: There are no other programs with 'similar goals and purposes which offer a valid comparison to EPA's Civil Enforcement Program. While other federal regulatory agencies have enforcement programs, they are seeking compliance with laws and regulations different from those for which EPA is responsible. Further, these other agencies have regulated universes which do not align with the regulated universe covered by the laws in EPA's purview. Comparisons with state enforcement programs are also invalid since those programs also enforce a host of state environmental and natural resource statutes in addition to the Federal statutes they enforce under delegated agreements. Furthermore, very few state enforcement programs measure any outcomes associated with their activities.

Evidence:

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: **NO** Question Weight: 25%

Explanation: There are no comprehensive, independent, quality evaluations of the Civil Enforcement Program as it has been defined for the purposes of this review. Evaluations of particular components, or aspects of the program have been conducted over the past several years by EPA's Office of Inspector General, the General Accounting Office, and the National Academy of Public Administration.

Evidence: See Attachment D

PART Performance Measurements

Program: Civil Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance

Measure: Pounds of pollutants reduced (characterized as to risk and exposure) (revised measure and targets under development).
Additional Information: For fiscal years 2000 through 2002 over 5.23 billion pounds of pollution was reduced (1.63 billion pounds) and soil treated or removed (3.60 billion pounds) as a result of concluded enforcement cases.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
Measure: Millions of pounds of pollutants reduced through concluded enforcement actions			

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2002	300	261	
2003	300	600	
2004	350		
2005	300		

Measure: Pounds of pollutants (in thousands) reduced, treated or removed per workyear (targets under development).

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2000		617	
2001		760	
2002		245	
2003		2,577	

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	25%	100%	27%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The CWSRF provides funds to states to establish state loan revolving funds that finance infrastructure improvements for public wastewater systems and other sources of water quality impairment. While the CWSRF is primarily a financing program, it is in essence 51 state financing programs which are run in accordance with the federal statute and regulations. As such, each state establishes and funds its own highest priority eligible projects. The 51 CWSRF programs are a type of public bank intended to run in perpetuity to provide assistance for construction of publicly-owned wastewater treatment works and certain nonpoint source and estuarine projects.

Evidence: The program's authorizing statute (Water Quality Act of 1987, Pub.L. 100-4) and final rule (40CFR Part 35, subpart K) provide clear and consistent statements that the purpose of the CWSRF is to award grants to capitalize state revolving funds for the express purpose of providing loans and other forms of assistance (but not grants) for 1) wastewater treatment facility construction, 2) implementation of nonpoint source management plans, and 3) development and implementation of estuary conservation and management plans. The website for the program contains all of the authorizing legislation, regulations, guidance and policy documents, as well as numerous facts sheets. <<http://www.epa.gov/owm/cwfinance/cwsrf/law.htm>>

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: The CWSRF provides a financial tool to address infrastructure construction needed to solve point and nonpoint sources of water pollution. The Agency released its report of the gap between funding and needs in FY2002. The CWSRF helps states provide an important tool to address the need and close the gap.

Evidence: The 1996 Clean Watersheds Needs Survey identified \$139.5 billion of wastewater treatment needs through design year 2016. The most current needs survey, based on data collected in 2000, continues to document high levels of both traditional wastewater treatment needs and significant nonpoint source needs. See 1996 Clean Watersheds NeedsSurvey, 2002 Gap Report, FY 2004 President's Budget.

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: The CWSRF is an innovative financing approach, which replaced the federal construction grants program and added eligibilities for projects to control sources of diffuse polluted runoff. The federal investment is designed to be used in concert with other sources of funds to meet water quality needs. With assets of over \$42 billion, the CWSRF is certainly the largest source of funds but is not the only source. The program precludes duplicative funding of projects through regulatory constraints and segmentation of multiple sources of funding within EPA.

Evidence: CFR 35.3125 Limitations on SRF Assistance specifies the prevention of double benefit.

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?

Answer: NO

Question Weight: 20%

Explanation: The CWSRFs utilize loans plus a state match, rather than grants, to enable a sustainable source of funding. The program design provides significant flexibility to the states to help optimize the fund, for example, by leveraging through the issue of bonds. However, there is no evidence that the design ensures long-term sustainability of a state's fund once federal support ends.

Evidence:

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	25%	100%	27%	

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: States receive grants which are allotted based on their share of the overall national need identified in the most recent infrastructure needs survey. States must develop priority systems which give emphasis to projects needed for public health protection, compliance and economic need on a per household basis. During required annual reviews of state programs, EPA regional staff review records to ensure that the state is in compliance with the requirement to address the highest priority projects.

Evidence:

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: NO Question Weight: 12%

Explanation: The agency has proposed outcome-based, long-term performance measures that support the goals of: (1) Water Quality Protection, (2) Water Safe for Swimming, and (3) Safe Fish and Shellfish. These performance measures may be characterized as Level 6 on GAO's Hierarchy of Indicators. The program has a long-term output measure that supports the goal of developing state funds that are self-sustaining after federal support ends. The program measures only process (output) efficiencies. The agency must implement an outcome efficiency measure to receive a yes answer.

Evidence: The CWSRF contributes to at least three long-term performance measures proposed in EPA's 2003 Strategic Plan: (1) increase number of water bodies attaining standards, (2) reduce waterborne disease outbreaks attributable to recreational contacts with oceans, and (3) improve water and sediment quality to allow increased consumption of safe fish. The program tracks the national long-term average revolving level of the fund to assess long-term sustainability. The program measures financial indicators to assess output efficiencies of the fund.

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 12%

Explanation: The targets and timeframes are ambitious given the existing external factors that limit EPA control of program performance. For example, states decide the number, size and location of water segments to be assessed for attainment. States also assign the designated use for their water bodies. In addition to developing an outcome efficiency measure, EPA must reduce the limitations to progress caused by external factors and demonstrate progress toward more ambitious targets and timeframes to receive a yes answer.

Evidence: Summarized in measures tab.

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: Although this measure does not capture water quality improvements that derive only from SRF-funded projects, it measures a key intermediate outcome for which the SRF program was designed.

Evidence: The CWSRF program indirectly links the benefits of SRF-funded improvements in water treatment infrastructure to the long-term goals by measuring National Pollutant Discharge Elimination System (NPDES) compliance for all publicly owned treatment works (POTWs).

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	25%	100%	27%	

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: NO Question Weight: 12%

Explanation: Targets are not ambitious because the measure does not include minor systems, which comprise a large portion of SRF-funded projects. Also, the reporting system used for the measure does not report pathogens in the POTW discharge, a significant parameter associated with waterborne disease.

Evidence:

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: NO Question Weight: 12%

Explanation: Insufficient evidence. States submit annual reports on the use of funds, but do not report on how funding is linked to measurable water quality improvements.

Evidence:

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: The 51 state CWSRFs are required to submit annual reports to EPA to document performance. EPA HQ conducts evaluations of regional management and the oversight of their state CWSRF programs. EPA regions conduct annual onsite program evaluation reviews in each of their states. At the state level, 43 states conduct independent financial audits with the remainder conducted by the EPA IG, which also reviews the quality of the other independent audits (quality control reviews). These evaluations support program goals for financial performance. None of these audits evaluate the project level data necessary to assess performance with respect to water quality and public health goals.

Evidence: EPA HQ CWSRF evaluation reports (1999 & 2002). Regional Performance Evaluation Reports (PERs). MOU with EPA Inspector General (IG). CWSRF 2001 Regional Review Strategy.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 12%

Explanation: EPA utilizes a planning model to align the budget with the output goal of achieving a target long-term revolving level.

Evidence: The SRF planning model has been used by both OMB and EPA to evaluate the impact of changes in appropriations and economic factors on the long-term revolving level.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: NO Question Weight: 12%

Explanation: EPA has taken steps to strengthen its oversight of States management and use of the fund, and has developed several key measures of the programs financial performance. But it has not linked this oversight role to performance evaluation related to the long-term goal of protecting public health and establishing funds that are sustainable in the absence of federal support.

Evidence:

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	25%	100%	27%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 11%

Explanation: EPA HQ conducts annual oversight reviews of both regional management and selected state programs and issues reports documenting findings and recommendations. EPA collects program performance information through State annual reports (PERs) and the CWSRF National Information Management System (CWNIMS). There is sufficient evidence to indicate that the agency effectively utilizes this information for program management or improvements to efficiency.

Evidence: HQ CWSRF evaluation reports (1999 & 2002). Regional PERs. CWSRF NIMS Reports

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 11%

Explanation: EPA has designated CWSRF program managers in all ten regional offices and at the national level. Additionally, federal regional grant project officers are held accountable for ensuring that all policies and procedures of the EPA Grants Administration Division are followed. Grantees are accountable through grant agreements with EPA for program costs. EPA regions annual review of state performance under the grants and audit results can be used to adjust grant conditions.

Evidence: CWSRF program responsibilities are specified under performance standards in personnel performance appraisals. The final rule (40 CFR 35, Subpart K) specifies performance standards to be included in grant agreements.

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 11%

Explanation: Federal capitalization grants must be awarded within two years after appropriation. Most states take their grants in the first year of availability (currently, about 40 states). EPA HQ issued two policy memorandums (SRF 99-05 & 99-09) clarifying its expectations of the timely and expeditious requirements of the CWA. Regions and states were advised that all funds (including interest & repayments) in the fund must be scheduled for use within one year of availability or a detailed plan showing a longer term course to using all the funds must be developed, approved, and implemented.

Evidence: As of June 30, 2002, only \$3.7 of the \$42.2 billion available in State CWSRFs remains uncommitted, which yields a 91% fund utilization rate. Given the lag time to complete construction, this is excellent performance, significantly better than the former constructions grants program. Timely and Expeditious Use memorandums. PaceHandbook. GPRA financial target of 90% fund utilization rate.

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
80%	25%	100%	27%	Demonstrated

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution?

Answer: YES

Question Weight: 11%

Explanation: The CWSRF program requires states to have a schedule with timing targets to ensure that federal grants are taken in a timely and efficient way. States have flexibility to adopt procedures to maximize effectiveness.

Evidence: Operating agreements obtain state commitment schedules to commit and expend all funds as efficiently as possible. On a quarterly basis, EPA regional staff checks federal cash draw requests against negotiated payment schedules to ensure state compliance (documented in Performance Evaluation Reports).

3.5 Does the program collaborate and coordinate effectively with related programs?

Answer: YES

Question Weight: 11%

Explanation: EPA has national agreements to maximize effectiveness of programs with the USDA Rural Utilities Service and HUD Community Development Block Grant programs, which also operate financing programs for wastewater treatment. Internally, the CWSRF coordinates closely with the 319 (Nonpoint source) and 320 (Estuary) programs to assure consistency between eligibilities. For instance, the CWSRF nonpoint source funding policy states explicitly that projects eligible for funding must also be eligible under guidance provided in the Nonpoint Source Grant Guidance. States are encouraged to coordinate funding sources to maximize availability of funds, minimize duplication of efforts, and to ensure affordability of projects. Many of the states which fund agriculture polluted runoff projects use USDA staff expertise to develop their CWSRF loan projects.

Evidence: Examples of coordination activities within states are documented in "One-Stop Shopping in the Clean Water State Revolving Fund Program." A forthcoming report by the EPA Environmental Finance Advisory Board (EFAB) is expected to indicate that coordination generally has been effective although there are state-specific issues impeding coordination.

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 11%

Explanation: State CWSRF programs must follow Generally Accepted Accounting Principles, the Single Audit Act, OMB Circular A-133, and the Audit Compliance Supplement. In accordance with EPA's SRF Audit Program Plan, EPA's Inspector General audits states without independent audits (currently 8 states). EPA also conducted an assessment of erroneous payments and found only a few minor problems within the 51 state CWSRF programs. States conduct financial capability assessments of borrowers, as well as financial modeling, and those states with leveraged programs have AAA bond ratings.

Evidence: The final rule (40 CFA 35, Subpart K) specifies audit requirements for the program. See also, Fund Management Guidance.

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 11%

Explanation: At the request of EPA management, CWSRF program priorities focused in 2002 on pursuing a more aggressive program oversight and evaluation role. Updated guidance is being provided to the regions to strengthen their oversight and evaluation roles. The SRF Audit Strategy is also being implemented. The IG was asked and is undertaking a program evaluation of the CWSRF program in FY 2003. Preliminary research for this evaluation was conducted from June-August 2003. An IG initiated risk assessment is also underway in 2003. In addition, development of environmental benefits measures is being pursued through the SRF EPA/State Workgroup

Evidence: 2001 CWSRF Regional Evaluation Strategy. SRF Audit Strategy. FY2003 CWSRF Work Plan. OIG Multi-Year Plan for Fiscal 2003-2005.

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	25%	100%	27%	

- 3.BF1 Does the program have oversight practices that provide sufficient knowledge of grantee activities?** Answer: YES Question Weight: 11%
- Explanation: Annually, data collection through CWSRF NIMS, site visits, program audits and performance evaluation reports (PERs) track how funds are used. EPA's integrated financial management system tracks federal outlays to grantees.
- Evidence: Grantee activities and use of funds are documented in the CWSRF NIMS data reported by states.
- 3.BF2 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 11%
- Explanation: EPA HQ collects data on grantee activities through CWSRF NIMS and makes them available to the public through its web site. State grantees must submit annual reports on meeting goals/objectives. EPA regions conduct annual reviews with each states. States are audited for proper practices.
- Evidence: CWSRF NIMS data are available at: www.epa.gov/r5water/cwsrf. Many regions and states make their annual report information available on their web sites.
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: NO Question Weight: 20%
- Explanation: Outcome performance measures were only recently developed. They are presented in the draft strategic plan that is still under review. Progress toward the long-term output goal (revolving level target) is suggested by model projections. There is no outcome efficiency measure.
- Evidence: EPA's Financial Planning Model projections indicate that a long-term revolving level of \$2.8 billion can be achieved under current economic and proposed federal funding conditions.
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: NO Question Weight: 20%
- Explanation: Performance measures were only recently developed.
- Evidence:
- 4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?** Answer: YES Question Weight: 20%
- Explanation: The program demonstrates improved efficiencies in meeting its financial management goals.
- Evidence: The average fund utilization rate nationwide continues to increase. A high rate indicates that CWSRF funds are expeditiously used. From 1990 to 2003, the rate increased from 54% to 93% .

Program Assessment Rating Tool (PART)

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	25%	100%	27%	

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?

Answer: SMALL EXTENT

Question Weight: 20%

Explanation: The CWSRF program provides more comprehensive assistance than any program whose purpose is solving water quality impairment problems. However, there is no evidence that it performs more effectively than other niche programs.

Evidence: GAO report on water funding sources discussed differences between different federal programs.

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: NO

Question Weight: 20%

Explanation: Although quality evaluations have been performed, they have not been independent and comprehensive. The Inspector General (IG) conducts financial audits of selected state programs each year, and evaluates independent audits conducted within each state for consistency with financial accounting standards. No independent evaluations of program achievements with respect to outcomes have been performed, Given that the program represents more than 15% of EPA's budget, more frequent and comprehensive evaluations are warranted.

Evidence: GAO last conducted a review in 1996.

PART Performance Measurements

Program: Clean Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:

Measure: Percent of stream miles/acres of water identified in 2000 as not attaining standards that fully attain water quality standards.

Additional Information: 2002 Baseline: 0% of the 255,408 miles and 6,803,419 acres of waters on 1998/2000 lists of impaired waters developed by States and approved by EPA under section 303(d) of the Clean Water Act.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2006	5%		
2012	25%		

Measure: Average number per year of waterborne disease outbreaks attributable to swimming in, or other recreational contact with, the ocean, rivers, lakes, or streams.

Additional Information: 2002 Baseline: average of 9 outbreaks per year reported by CDC.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2002	9	9	
2008	8		

Measure: Percent of water miles/acres with fish consumption advisory removed.

Additional Information: 2002 Baseline: 485,205 river miles and 11,277,276 lake acres with fish consumption advisory.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2008	3%		

Measure: Percent of all major Publicly Operated Treatment Works (POTWs) that comply with their permitted wastewater discharge standards

Additional Information: 2002 Baseline: 97.6% of major POTWs. Measure includes discharge violations only (excludes administrative violations)

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2002	97.6%	97.6%	
2003	98%		
2004	98%		

PART Performance Measurements

Program: Clean Water State Revolving Fund

Agency: Environmental Protection Agency

Bureau:

Measure: Percent of all major Publicly Operated Treatment Works (POTWs) that comply with their permitted wastewater discharge standards

Additional Information: 2002 Baseline: 97.6% of major POTWs. Measure includes discharge violations only (excludes administrative violations)

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2005	98.5%		

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	13%	100%	17%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The core purpose of EPA's Criminal Enforcement Program is to investigate violations of egregious conduct or that cause or threaten significant harm to human health and the environment, and to refer cases to the Department of Justice or states for prosecution. Congress gave EPA primary responsibility for enforcement, added criminal enforcement authorities to most environmental statutes, and mandated levels of investigative resources and enforcement training capability. The program maintains expert investigative, forensic, scientific, technical, and legal components for case support, trains a highly skilled national enforcement workforce, and partners with other units of government. The program has been given two new responsibilities following September 11, 2001. First, it assists the F.B.I. and other federal agencies in the investigation of environmentally-related threats to homeland security. Second, it provides physical protection to the EPA Administrator.

Evidence: EPA Strategic Plan (EPA 190-R-00-002) goal 9; Citations to Regulatory Authority (Appendix C, EPA Strategic Plan); OCEFT Five Year Strategic Plan, 2002-2006; 1990 Pollution Prosecution Act, P.L. 101-593 ; Presidential Decision Directive 39, June 21, 1995.

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Congress has charged EPA with the nationwide responsibility to lead criminal enforcement of federal environmental law. No other component of the federal government has this mission. Besides investigating regulated pollution sources, the program addresses illegal behavior by entities that are outside of the formal regulatory system, e.g., midnight dumpers or other nonpermitters whose activities are difficult to detect. Unlike civil enforcement, criminal enforcement, with its potential incarceration sanction, is generally reserved for willful violations, as well as those with the most potentially serious health and environmental consequences. Congress expanded EPA's criminal enforcement program in the 1990 Pollution Prosecution Act (PPA), which authorized 200 criminal investigators nationwide. Congress has vested these agents with full law enforcement powers. The program also supports EPA civil enforcement goals, e.g. the National Enforcement Investigations Center (NEIC) gives technical support to complex civil cases that result in significant pollutant reduction.

Evidence: Regulatory citations (Appendix C, EPA Strategic Plan); 1990 Pollution Prosecution Act (P.L.101-593); FY 2002 NEIC Accomplishments Report..

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: Congress has charged EPA with the nationwide responsibility to lead criminal enforcement of federal environmental law. No other component of the federal government has this mission. Unlike its civil counterpart, criminal enforcement is not delegated to States, so primary responsibility for criminal enforcement of federal environmental law rests with EPA. The cases often contain general criminal code violations (e.g., mail fraud, conspiracy in addition to environmental violations. The program has unique expertise to investigate and prosecute traditional environmental crimes, as well as emerging areas such as computer crime. The program is also uniquely qualified among EPA programs to train state, local, and tribal investigators in the skills needed to investigate environmental crimes (many of whom then can become partners in federal investigations) and to provide investigative, technical, and legal support to the federal government's homeland security efforts.

Evidence: Presidential Decision Directive 39; Criminal Enforcement Addendum to the Revised Policy Framework on State/EPA Agreements; 1990 Pollution Prosecution Act

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	13%	100%	17%	

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: YES Question Weight: 20%

Explanation: The program analyzes enforcement and compliance data to identify risk-based patterns of noncompliance that warrant criminal investigation. Using tips from the public and informants, as well as civil inspection data, the criminal program investigates significant threats to human health or the environment or that demonstrate criminal intent. Special Agents rely on the technical expertise of NEIC, the only nationally accredited environmental forensics center, to collect and analyze forensic evidence. The Agents, located in 47 offices across the country, participate in federal/state/local task forces and Joint Terrorism Task Forces (JTTF). These agents are trained to conduct environmental investigations at the Federal Law Enforcement Training Center (FLETC). The program does face one inherent constraint in attempting to measure long-term effectiveness, i.e., unlike the EPA civil enforcement program, the criminal program lacks the legal authority to monitor long term compliance with its cases. That authority rests with the Federal District Courts and the Federal Probation Office.

Evidence: U.S. Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001), U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001) for examples of specific criminal cases and activities. Memorandum from the Assistant Administrator for Enforcement and Compliance Assurance: Operating Principles for an Integrated Enforcement and Compliance Assistance Program, November 27, 1996; 18 U.S.C. § 3063.

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: EPA's criminal program focuses on the most serious federal environmental crimes and builds partnerships with state, local, and tribal law enforcement agencies. It has formal policy and criteria for determining when a violation warrants a criminal, rather than civil, enforcement response. Case screening committees meet in each EPA region to decide whether a violation should be addressed criminally or civilly. The criminal program participates in OECA bi-annual MOA priority setting to ensure that criminal authorities support Agency national priority enforcement areas. The program receives feedback on cases from the U.S. Department of Justice. The program helps State, local, and tribal governments, which may lack criminal environmental enforcement programs, e.g., Special Agents serve on Law Enforcement Coordinating Committees and Task Forces for community-based environmental enforcement. The program supports Homeland Security efforts, e.g., its specialized evidence team gave forensic support at the World Trade Center, the Pentagon, and the Capitol anthrax investigation.

Evidence: See U.S. EPA Annual Reports for examples of priority or sector-specific criminal enforcement initiatives; The Exercise of Investigative Discretion in Criminal Enforcement, January 12, 1994; Fiscal Year 2002/3 MOA Guidance; Presidential Decision Directives 39, 62, and 63; Assistant Administrator's Memorandum on 'Smart Enforcement,

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: NO Question Weight: 12%

Explanation: Long term performance measures need to be developed that reflect more outcome oriented measures. Pounds of pollutants reduced is a good start if it is categorized as to 1) risk/hazard and 2) population exposed. A recidivism rate, particularly if it can be tied to pounds of pollutants reduced, might also be helpful. Further attempts to produce some measures related to specific deterrence should also be undertaken.

Evidence: EPA Strategic Plan (EPA 190-R-00-002); 2003 Strategic Plan, U.S. Environmental Protection Agency, Draft dated March 5, 2003; OCEFT Five Year Strategic Plan, June 2002.

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	13%	100%	17%	

- 2.2 Does the program have ambitious targets and timeframes for its long-term measures?** Answer: NO Question Weight: 12%
- Explanation: Targets and timeframes need to be adjusted for revised long term measues.
- Evidence: OECA strategic planning material; OCEFT Strategic Plan, FY 2002-2006; draft Agency FY 2003 Strategic Plan.
- 2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: NO Question Weight: 12%
- Explanation: The annual measures need to be targeted toward implementation of the longer term measures. Until revised long term measures are devised, tha annual measures are inadequate.
- Evidence: Environmental Protection Agency Fiscal Year 1999 Annual Performance Report (EPA 190-R-00-001), U.S. Environmental Protection Agency Fiscal Year 2000 Annual Report (EPA 190-R-01-001), U.S. Environmental Protection Agency Fiscal Year 2001 Annual Report (EPA 190-R-02-001); U.S. Environmental Protection Agency Fiscal Year 2002 Annual Report (EPA 190-R-03-001) OCEFT Five Year FY 2002-2006 Strategic Plan; Criminal Enforcement Docket System (CRIMDOC); Criminal Enforcement Case Conclusion Report System.
- 2.4 Does the program have baselines and ambitious targets for its annual measures?** Answer: NO Question Weight: 12%
- Explanation: Once new annual measures are derived, the targets should reflect both previous history (ie three year averages) and ambitious targets. Depending on the annual measure, the criminal program will use as a baseline either the previous years performance or an average of the previous three years performance. The three year average is used for measures that are more case-related (e.g., pollutant reductions) and can vary widely from year to year. Targets set for annual measures are outlined on the performance measures spreadsheet.
- Evidence: U.S. EPA Annual Reports, FY 2000-2002; OCEFT Five Year Strategic Plan, FY 2002-2006; Criminal Enforcement Docket System (CRIMDOC); Criminal Enforcement Case Conclusion Report System.
- 2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: NO Question Weight: 12%
- Explanation: The program does not have sufficiently outcome oriented long term or annual goals. The program needs to work toward defining more outcome oriented goals, and then encouraging the partners to work toward achieving the revised goals. However, based on the goals that the program has been using, the program partners are working towards those goals. The program has cooperative agreements with the State Regional Associations, whose members are from law enforcement agencies. Funds are used for training to enhance state environmental criminal enforcement and training statistics are reported to EPA annually. States and tribes participate in EPA national enforcement priority setting, which highlights which types of cases may be jointly prosecuted. EPA Regions also support criminal enforcement priorities through the biannual MOA process. Special Agents serve on federal/state/ tribal/ local Law Enforcement Coordinating Committees (LECCs), which investigate national and local criminal enforcement priorities. The program internally tracks cases prosecuted through such task forces. The program gives environmental crimes training to the National Organization of Black Law Enforcement Executives to promote environmental justice.
- Evidence: U.S. EPA Annual Reports, FY 2002-2002; Criminal Enforcement Case Conclusion Report; EPA Region I-X FY 2002/2003 MOA's; NEIC annual MOA with Regions; Fy 2002 NETI Accomplishment Report.

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	13%	100%	17%	

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: Although independent evaluations as defined in the PART instructions are not available, EPA has recently undertaken several rigorous internal reviews of the entire enforcement program and of the criminal enforcement program. In addition, EPA's criminal enforcement program meets regularly with DOJ to discuss pending cases, which make up 66% of DOJ's case docket. In FY 2002, the NEIC, the program's scientific and forensics division, was accredited by the National Forensic Science Technology Center (NFSTC) after an intensive 3-year process developing a rigorous set of standards for collecting and analyzing evidence and conducting environmental measurements in environmental enforcement cases. In 2003, NEIC was certified in the international standard for quality management in testing facilities. NEIC is the first forensics environmental center in the country to be granted this accreditation for environmental measurement and overall forensic activities. The criminal program also has an Agency-approved quality assurance program covering all environmental measurements and environmental data used in decision-making. OCEFT's Quality Management Plan has received a five-year approval from the EPA Office of Environmental Information.

Evidence: OECA strategic planning material; OCEFT Strategic Plan, FY 2002-2006; draft Agency FY 2003 Strategic Plan. OECA review, "Report of the Management Review of the Criminal Enforcement, Forensics, and Training [Office]. Nov. 25, 2003. Workforce Deployment Report, Oct. 2003.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 12%

Explanation: OMB finds no linkage between the performance measures cited in EPA's Annual Reports and the budget requests submitted to OMB in terms of how performance has affected budget requests except in the most simplistic ways. This year EPA has produced guidance that has as its goal, relating performance measures to budget decision-making. EPA has been asked to provide information regarding such linkage. It is OMB's belief that budget decisions are formulated, and then allocated back to goals, objectives, etc.

Evidence: EPA's Annual Plan and Congressional Justification, Budget Automation System Reports, PERS, Operating Plan Guidance, OECA's spending plans.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: The program is participating in developing EPA's new 5 goal Strategic Plan but more work needs to be done to develop outcome oriented performance measures. The program's five-year Strategic Plan articulates a proactive criminal enforcement program that supports the goals and priorities of EPA. The plan expands its internal program performance measures and develops additional GPRA measures that will take effect over the next several years to cover existing gaps in its performance measures, e.g., in FY 2002, the program developed a homeland security GPRA measure. Also in FY 2003, the program will develop a long-term measure on defendant recidivism, which will make an initial attempt to quantify the specific deterrent effect of the criminal enforcement program. The OCEFT Five-Year Strategic Plan will be reviewed and changed periodically to keep pace with Agency requirements. Also, the recent reviews of workforce deployment and the criminal enforcement office have led to significant management changes.

Evidence: OCEFT Five Year Strategic Plan, FY 2002-2006; U.S. EPA 2002 Annual Report; Criminal Program Case Conclusion Report System. Workforce Deployment Report, Oct. 2003. Report of the Management Review of the Enforcement, Forensics, and Training [Office], Nov. 2003.

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	13%	100%	17%	Demonstrated

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 14%

Explanation: The field offices submit Projected Activities and Agenda Reports that inform headquarters of significant judicial and investigative developments and update the status of major cases. The reports also contain budget details and statistical data. Headquarters processes the Area Office's formal requests for prosecutive case support. "Real time information is entered into The Criminal Docket System (CRIMDOC), a case management, tracking and reporting system containing information about cases from their inception through conclusion. CRIMDOC also identifies homeland security or counter-terrorism-related cases. The system administrator performs scheduled quality assurance/quality control checks of CRIMDOC to validate data and to evaluate and recommend enhancements to the system. A new case management, tracking and reporting system (Case Reporting System or CRS), with greater capabilities, is currently being developed to replace CRIMDOC. This new system will contain the relevant information for OCEFT's homeland security activities and reporting requirements.

Evidence: OCEFT Projected Activities and Agenda Reports; OCEFT Criminal Docket System (CRIMDOC).

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 14%

Explanation: Performance standards for Federal managers are based on program goals and managers are evaluated on whether they have achieved program goals. Bonuses and awards reflect program accomplishments. Project Officers for contracts work closely with Contracting Officers to ensure that all billings and work products are on schedule, within budgetary limitations, and meet contract requirements. Project Officers on grants and cooperative agreements work closely with Grants Specialists and Award Officials to ensure grantees make progress on projects, perform work consistent with work plans, and costs expended are appropriate, fair, and reasonable.

Evidence: SES Performance Management System; Memorandum: OECA Post-Award Assistance Management Plan, Dec 30, 2002; Contract and grant award spending plans.

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	13%	100%	17%	

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 14%

Explanation: Prior to the start of the fiscal year, the program develops a spending plan based on the President's Budget request. Resources are allocated by goal, objective, sub-objective, and object class and are aligned with EPA's Strategic Plan. Adjustments are made to reflect changes in the enacted appropriation and Congress is notified of any fund transfers in excess of Congressionally established limits. Expenditures are tracked against the Op Plan in the Agency's Integrated Financial Management System and management reports are provided on a monthly basis. In FY 2002, the program obligated over 99% of expiring funds. EPA works with grantees to ensure that their work plans reflect the Agency's Strategic Plan and that recipient spending is consistent with the approved work plan. Post-award monitoring of assistance agreements, including monitoring the draw-down of funds against grantees progress on work plans and deliverables, ensure that recipients are spending the funds for the intended purpose. All grantees are required to submit annual financial status reports.

Evidence: EPA's Annual Plan and Congressional Justifications; Memo: FY 2003 Year-End Close Out Schedule, April 2003; Budget Automation System Reports; Agency and OCEFT Operating Plan Guidance; OCEFT Operating Plans and Monthly Status Reports; Carryover data for FY 2002 shows minimal balances in expiring accounts.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 14%

Explanation: Most of the program's extramural resources are spent via simplified acquisitions, cooperative agreements, and interagency agreements (IAGs). For simplified acquisitions, program staff work with EPA procurement officials who follow the Federal Acquisition Regulations and EPA Acquisition Regulations to ensure competition and best price. For requirements where technical quality and other factors are more important than price to achieve program results, a best value approach is used to evaluate and select vendors/contractors. In FY 2002, EPA implemented EPA Order 5700.5 that promotes competition in the award of grants and cooperative agreements to the maximum extent practicable. This process reaches a wider audience of organizations and provides a greater base from which to select the ones with the most meritorious proposals. Where authority is provided, IAGs promote the economy and efficiency of government by utilizing the programs of other federal agencies specifically designed to provide these services (i.e. Public Health Service, the Federal Law Enforcement Training Center, and GSA).

Evidence: OECA Post Award Assistance Management Plan, Dec. 30, 2002.; Contract and grant spending plans.

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	13%	100%	17%	

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 14%

Explanation: EPA's criminal enforcement program is the only law enforcement program in the country that focuses on environmental crimes with a national jurisdiction. Nonetheless, the program collaborates effectively with other federal investigatory agencies and prosecutorial agencies that have complementary missions and responsibilities regarding specific aspects of environmental law, e.g., EPA's cooperative efforts with the U.S. Coast Guard on prosecutions of the Cruise Line Industry for illegal dumping at sea; cooperation with HUD on prosecutions of violations of the lead paint disclosure rule. EPA also cooperates with other federal agencies in the area of Homeland Security. The criminal program participates in DOJ's National Joint Terrorism Task Forces, and, under Presidential Decision Directive 39, supports the FBI in the event of a terrorist attack. EPA's criminal program also provides counter terrorism support at National Security Special Events when requested by the U.S. Secret Service works closely with the International Criminal Police Organization on international environmental crimes.

Evidence: U.S. EPA Annual Accomplishment Reports, 2000-2002; Criminal Investigations Division Annual Report, 2002; Presidential Decision Directives 39 (June 21, 1995), 62 (May 22, 1998), and 63 (May 22, 1998).

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 14%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. EPA has a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. EPA trains staff to ensure they understand requirements for invoice review and the financial aspects of program objectives. EPA is taking steps to meet the new accelerated due dates for financial statements. The OIG's January 2003 report on improper contract payments concluded that the number of improper contract payments found is minimal and EPA appears to provide high quality and accurate contract payments. EPA provides guidance and directives on resource operations including the annual "Advice of Allowance Letter" which provides specific information on the current operating plan, budget ceilings, reprogramming limitations, Congressional limits and directives, unliquidated obligations, and recertification guidance. During the fiscal year holds quarterly status of funds meetings with the AA on resource spending issues.

Evidence: Sub-objective descriptions book located at: <http://intranet.epa.gov/ocfo/budg.>; The resource policies can be found at: <http://intrasearch.epa.gov/ocfo/policies.>; Annual Congressional Justification; Budget Automation System (BAS) reports; Unqualified audit opinion on EPA FY 2002 financial statements and no material weaknesses associated with the financial audit., Fiscal Year 2002; Advice of Allowance Letter; OIG's January 26, 2003, Final Status Results on The Review of Improper Payments at EPA,

3.7 Has the program taken meaningful steps to address its management deficiencies? Answer: YES Question Weight: 14%

Explanation: OECA continuously reviews its policies, procedures, and guidances to assure they support Agency and OECA goals/objective. During FY 2002, OCEFT worked with EPA's Quality Staff to implement changes to the OCEFT Quality Management Plan, (QMP). The program also conducted QMP training and began QMP implementation. The NEIC received accreditation from the National Forensic Science Technology Center, confirming that NEIC is implementing a recognized and systematic approach to planning, conducting, documenting, and assessing forensic and environmental data collection activities. Per the Federal Managers Financial Integrity Act the program performs an annual review and identifies proposed areas of material weakness for consideration by OECA's Assistant Administrator. In FY 2002, none of the program's recommended material weaknesses were forwarded by OECA for Agency level review; however, the program has continually sought additional resources, and has redirected available base resources, to begin addressing areas of concern.

Evidence: FMFIA Annual Review Process; OCEFT Quality Management Plan;

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	13%	100%	17%	Demonstrated

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals? Answer: NO Question Weight: 25%

Explanation: The "NO" in 2.1 drives this answer to a No. Although, the criminal program may have exceeded existing targets for criminal investigations in FY 2001-2002, and met its target of 100% response for homeland security support, these are not necessarily meaningful outcome oriented targets. In FY 2002, over 20 million lbs. of pollutants were addressed through criminal enforcement actions. This reduction needs to be categorized as to risk/hazard reduction and exposure reduction. Since social science cannot measure the general deterrent effect of criminal sanctions, the program is developing a measure of recidivism viz., the incidence of repeat violations by a defendant -- as an indicator of specific deterrence resulting from criminal prosecution. The program also is recommending to DOJ that it seek the requirement in plea agreements that defendants develop and implement Environmental Management Systems, which are facility-wide plans designed to produce continuous environmental improvement in order to enhance compliance. The adoption of this recommendation would enhance the program's ability to measure case effectiveness over the long term.

Evidence: FY 2000-2 EPA Annual Reports; FY 2000-2002 CID and NETI Annual Accomplishment Reports; CRIMDOC; Case Conclusion Report System

4.2 Does the program (including program partners) achieve its annual performance goals? Answer: NO Question Weight: 25%

Explanation: The answer to 2.3 drives this to a No. The issue is one of adequate long term and annual performance goals that are not all output oriented. Although, the criminal enforcement program has met or exceeded the majority of its annual performance goals (APGs) under Goal 9 of the EPA Strategic Plan, despite requiring additional duties (homeland security and protective service) following the terrorist attacks of September 11, 2001(see measures), these goals are all output goals.

Evidence: FY 2000-2 CID and NETI Annual Accomplishment Reports; CRIMDOC; Case Conclusion Report System; OCEFT Five Year Strategic Plan, FY 2002-2006

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: SMALL EXTENT Question Weight: 25%

Explanation: The program is improving program efficiencies and cost effectiveness, although it will continue to work over the next year to develop a formal measure of program efficiency. Special Agents participate on environmental crimes task forces, which maximizes program resources and ensure that the program is addressing community and geographically-based priorities. In the period from FY 1996-2000, approximately 50 percent of its investigative leads were developed through the use of task forces. The program provides assistance to state, local, and tribal law enforcement agencies that are conducting their own criminal prosecutions, which leverages scarce resources and promotes criminal enforcement nationally. In FY 2003, the program will develop a program measure and baseline on the amount of investigatory, forensic, technical, or legal support it provides state, tribal or local governments that conduct their own criminal enforcement cases. To increase cost-effectiveness in training, NETI is expanding distance technology programs.

Evidence: FY 2000-2 CID and NETI Annual Accomplishment Reports; CRIMDOC; Case Conclusion Report System; OCEFT Five Year Strategic Plan, FY 2002-2006

Program Assessment Rating Tool (PART)

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	13%	100%	17%	Demonstrated

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?

Answer: NA

Question Weight: 0%

Explanation: The EPA criminal enforcement program is the only national environmental crime enforcement program mandated by Congress . While Special Agents are fully-authorized federal law enforcement officers, the program does not function as a local police force. Rather, it specializes in the investigation of complex environmental crimes. While there are other federal law enforcement agencies who jurisdictions overlap with EPA in some areas, and EPA's criminal enforcement program also investigates general criminal conduct under U.S.C. Title 18 if such violations are associated with environmental crimes, the other law enforcement agencies have regulated universes that do not generally align with the regulated universe of entities covered by the environmental laws under EPA's jurisdiction. This makes valid comparisons between EPA's criminal enforcement program and other federal law enforcement difficult. Nor do most states have comprehensive environmental crime law enforcement components, so comparisons with the states are not valid. There is no comparable private sector program.

Evidence: Citations to Regulatory Authority (Appendix C, EPA Strategic Plan); 1990 Pollution Prosecution Act, P.L. 101-593.

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: SMALL
EXTENT

Question Weight: 25%

Explanation: It would be unusual for an outside entity to do a complete audit of a law enforcement organization, given the need for enforcement confidentiality. However, as described in Section II, Question six, there has been an independent evaluation of the program's forensic component through the NFSTC's accreditation of NEIC as well as regular case-related meetings between the program and DOJ. However, since the forensic component is a small part of the entire program, this answer is "small extent".

Evidence: NFSTC Accreditation letters and certificates of March 2003 and January 2001; NEIC receipt of Excellence in Government Quality Improvement Award for 2002 from the Denver Federal Executive Board;

PART Performance Measurements

Program: Criminal Enforcement
Agency: Environmental Protection Agency
Bureau: Office of Enforcement and Compliance Assurance

Measure: Millions of pounds of pollutants, reduced, eliminated, or curtailed (to be further developed as to risk and exposure)
Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2002		20.5	
2003		40.6	

Measure: Reduction from recidivism baseline (baseline and targets under development)
Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual

Measure: Pounds of pollutants reduced per workyear (targets under development)
Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long term

Program Assessment Rating Tool (PART)

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	38%	89%	47%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The DWSRF provides funds to States to establish State loan revolving funds that finance infrastructure improvements for public water systems and other activities that support State drinking water programs and promote public health protection.

Evidence: The program's authorizing statute (Safe Drinking Water Act amendments of 1996, Section 1452) and final rule (40 CFR 35, Subpart L) provide clear and consistent statements that the purpose of the DWSRF is to further public health objectives under the SDWA and to promote the efficient use of fund resources.

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: The DWSRF provides a financial tool to address infrastructure problems associated with the provision of drinking water that is safe, affordable and compliant with SDWA drinking water standards. The program also has a focus on assistance to small systems (including private systems) that have difficulty finding financing.

Evidence: The 1999 Drinking Water Infrastructure Needs Survey identified \$151 billion in infrastructure needs for the next 20 years. The DWSRF Report to Congress estimates that 93% of community water systems serve fewer than 3,300 people (19% of total population).

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: While other programs may provide financial assistance to water systems for infrastructure improvements, none have the program design of a revolving fund which can provide a long-term, sustainable funding source for states to address system needs. Additionally, the DWSRF may provide assistance to privately-owned systems, which most similar programs are not allowed to fund. The program precludes duplicative funding of projects through regulatory constraints and segmentation of multiple sources of funding within EPA.

Evidence: SDWA. GAO report on water funding sources discussed differences between different federal programs. CFR 35.3125 Limitations on SRF Assistance specifies the prevention of double benefit.

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?

Answer: NO

Question Weight: 20%

Explanation: The priority-setting process that states are required to use focuses the funds on the most important public health and compliance infrastructure needs. The DWSRFs utilize loans plus a state match, rather than grants, to enable a sustainable source of funding. The program design provides significant flexibility to states to maximize protection of public health (including leveraging of funds). However, there is no evidence that the design ensures long-term sustainability of a state's fund once federal support ends.

Evidence:

Program Assessment Rating Tool (PART)

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	38%	89%	47%	

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: States receive grants which are allotted based on their share of the overall national need identified in the most recent infrastructure needs survey. States must develop priority systems which give emphasis to projects needed for public health protection, compliance and economic need on a per household basis. States must then offer funding to those systems with the highest priority that are ready to proceed with construction. During required annual reviews of state programs, EPA regional staff review records to ensure that the state is in compliance with the requirement to address the highest priority projects.

Evidence: SDWA and regulations describe allotment formula and priority-setting requirements

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: NO Question Weight: 12%

Explanation: The program has an outcome-based, long-term performance measure that supports the goals of "Water Safe to Drink" by reducing exposure to contaminants. The performance measure may be characterized as a Level 3 outcome measure on GAO's Hierarchy of Indicators. The program has a long-term output measure that supports the goal of developing state funds that are self-sustaining after federal support ends. The program measures only process (output) efficiencies. The agency must implement an outcome efficiency measure to receive a yes answer.

Evidence: The performance measure tracks the percent population served by community water systems that receives drinking water in compliance with health-based standards. The measure is listed in EPA's 2003 Strategic Plan as a strategic target to track progress on the proposed goal of "Water Safe to Drink." The program tracks the national long-term average revolving level of the fund to assess long-term sustainability.

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 12%

Explanation: The targets and timeframes are ambitious given the existing external factors that limit EPA control of program progress. For example, the performance measure is sensitive to large systems where a noncompliance event at a single large system can reduce or even reverse progress. The measure emphasizes the importance of sustaining compliance as well as returning systems to compliance. In addition to developing an outcome efficiency measure, EPA must reduce the limitations to progress caused by external factors and demonstrate progress toward more ambitious targets and timeframes to receive a yes answer.

Evidence: Summarized in measures tab.

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: The program has an outcome-based annual measure that tracks the rate of compliance of the nation's 53,000 community water systems with drinking water standards. If systems are in compliance, the population's exposure to contaminants is reduced.

Evidence: The DWSRF contributes to the performance measure proposed in EPA's 2003 Strategic Plan: Increase the percent of community water systems that meet Pre-2001 and Post-2001 drinking water standards.

Program Assessment Rating Tool (PART)

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	38%	89%	47%	

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: YES Question Weight: 12%

Explanation: The targets and timeframes are ambitious given the the existing external factors that limit collection of reliable data. For example, a percentage of the systems do not submit compliance reports. In future years, EPA must reduce external factors and demonstrate progress toward more ambitious targets and timeframes to continue to receive a yes answer.

Evidence: Summarized in measures tab.

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: NO Question Weight: 12%

Explanation: Insufficient evidence. States submit annual reports on the use of funds, but do not report on how funding is linked to the long-term goal.

Evidence:

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: At the Federal level, GAO has evaluated EPA's DWSRF program. EPA/HQ conducts reviews of EPA regional programs. EPA Regional Offices review state programs annually. At the State level, 43 states conduct separate independent audits with the remainder scheduled for periodic audits by the EPA Inspector General, which also reviews the quality of the other independent audits. These evaluations support program goals for financial performance. None of these audits evaluate the project level data necessary to assess performance with respect to public health goals.

Evidence:

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 12%

Explanation: EPA utilizes a planning model to align the budget with the output goal of achieving a target long-term revolving level.

Evidence: The SRF planning model has been used by both OMB and EPA to evaluate the impact of changes in appropriations and economic factors on the long-term revolving level.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: NO Question Weight: 12%

Explanation: EPA has taken steps to strengthen its oversight of States management and use of the fund, and has developed several key measures of the programs financial performance. But it has not linked this oversight role to performance evaluation related to the long-term goals of protecting public health and establishing funds that are sustainable in the absence of federal support.

Evidence:

Program Assessment Rating Tool (PART)

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
80%	38%	89%	47%	Demonstrated

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 11%

Explanation: EPA collects performance information annually from states through Annual Reports and through its information management system (DWNIMS). Regions review reports and data to determine if the program is meeting its objectives described in annual intended use plans and to use in discussions with the state on how to improve program performance.

Evidence: Regulatory requirements for annual reports, information collection, annual reviews by regional staff. Examples of PERs that show how information collected is used to assess performance.

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 11%

Explanation: EPA has designated DWSRF program managers in all regional offices and at the national level. Additionally, Federal regional grant project officers are held accountable for ensuring that all policies and procedures of the EPA Grants Administration Division are followed. Grantees are accountable through grant agreements with EPA for program costs. EPA Regions annual review of state performance under the grants and audit results can be used to adjust grant conditions.

Evidence: DWSRF program responsibilities are specified under performance standards in personnel performance appraisals. The final rule (40 CFR 35, Subpart L) specifies performance standards to be included in grant agreements (Section 35.3550).

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: NO Question Weight: 11%

Explanation: Federal capitalization grants must be awarded within two years after appropriation. Each year of the program there has been improvement in the timeliness of federal obligation of funds (currently about 30 states are taking their grant within the first year). Federal regulations specify limits on categories of spending (i.e., set-asides) to direct the use of funds. There is significant variation among grantees ability to commit federal funds to projects.

Evidence: Currently, \$1.6 billion of the \$8 billion available in State SFRs remains uncommitted.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 11%

Explanation: The DWSRF program requires states to have a schedule with timing targets to ensure that federal grants are taken in a timely and efficient way. States have flexibility to adopt procedures to maximize effectiveness. For example, states may not award loans to systems that do not have the technical, financial and managerial capacity to accomplish the intended results.

Evidence: Operating agreements obtain state commitment schedules to commit and expend all funds as efficiently as possible. On a quarterly basis, EPA regional staff checks federal cash draw requests against negotiated payment schedules to ensure state compliance.

Program Assessment Rating Tool (PART)

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	38%	89%	47%	

3.5 Does the program collaborate and coordinate effectively with related programs?

Answer: YES

Question Weight: 11%

Explanation: EPA has national agreements with the USDA Rural Utilities Service and HUD Community Development Block Grant programs, which also operate financing programs for water supply, to facilitate coordination within states. However, the effectiveness of coordination at the federal level has not been evaluated. A forthcoming report from EPA's Environmental Finance Advisory Board is expected to indicate that coordination generally has been effective although there are state-specific issues impeding coordination.

Evidence: DWNIMS records indicate that 27 states report that 15% of DWSRF agreements were coordinated funding. Supporting material from State data submissions to DWNIMS indicates that at least 41 States answer "yes" to the question of whether they coordinate funding for infrastructure.

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 11%

Explanation: The DWSRF program requires states to have a schedule with timing targets to ensure that federal grants are taken in a timely and efficient way. States have flexibility to adopt procedures to maximize effectiveness. For example, states may not award loans to systems that do not have the technical, financial and managerial capacity to accomplish the intended results.

Evidence: Operating agreements obtain state commitment schedules to commit and expend all funds as efficiently as possible. On a quarterly basis, EPA regional staff checks federal cash draw requests against negotiated payment schedules to ensure state compliance.

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 11%

Explanation: EPA has taken steps to address program management deficiencies. For example, EPA has taken action to address findings in a January 2002 GAO report that criticized EPA's slow development of financial indicators for use in assessing state programs and insufficient use of DWNIMS data in conducting annual reviews of state programs. EPA/HQ developed a review strategy to evaluate regional program management effectiveness and EPA Regions conduct annual reviews of state program effectiveness and compliance. EPA also has procedures to address non-compliant state programs.

Evidence: EPA finalized a suite of financial indicators in May 2002 and is working to increase use of DWNIMS data in oversight. EPA has provided past examples of non-compliance notices to states.

3.BF1 Does the program have oversight practices that provide sufficient knowledge of grantee activities?

Answer: YES

Question Weight: 11%

Explanation: Annually, data collection through DWNIMS, site visits, program audits and performance evaluation reports track how funds are used. EPA's Integrated Financial Management System tracks federal outlays to grantees.

Evidence: Grantee activities and use of funds are documented in the DWNIMS data reported by states.

3.BF2 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?

Answer: YES

Question Weight: 11%

Explanation: EPA/HQ collects data on grantee activities through DWNIMS and makes them available to the public through a web site. State grantees must submit biennial reports on meeting goals/objectives. EPA Regions conduct annual reviews with each state. States are audited for proper practices.

Evidence: DWNIMS data are available at: www.epa.gov/safewater/dwsrf/dwnims.html. Many state and regional offices make annual report information available on their web sites.

Program Assessment Rating Tool (PART)

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
80%	38%	89%	47%	

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals? Answer: NO Question Weight: 20%

Explanation: The DWSRF is progressing toward its long-term performance target. It also met targets that measure relevant outputs that link to the long-term goal. A no answer is given because there is no outcome efficiency measure.

Evidence: Summarized in measures tab. EPA's Financial Planning Model projections indicate that a long-term revolving level of \$1.2 billion can be achieved under current economic and proposed federal funding conditions.

4.2 Does the program (including program partners) achieve its annual performance goals? Answer: YES Question Weight: 20%

Explanation: The DWSRF met its annual performance target. It also met targets that measure relevant outputs that link to the annual goal.

Evidence: Summarized in measures tab.

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: YES Question Weight: 20%

Explanation: The program demonstrates improved efficiencies in meeting its financial management goals.

Evidence: The average fund utilization rate nationwide continues to increase. A high rate indicates that DWSRF funds are expeditiously used. From 1998 to 2003, the rate increased from 33% to 79%.

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: SMALL EXTENT Question Weight: 20%

Explanation: The Administration's Common Measures assessment for rural water activities indicated higher efficiencies for the Rural Utilities Service Water Funding Program and EPA's DWSRF relative to the Bureau of Reclamation Water Funding Program and the IHS Sanitation Program. The common measures selected were population and connections served per million dollars. The measures are considered imperfect and focus on only a small part of the DWSRF program.

Evidence: Findings of Rural Water drinking water funding projects described in the Department of the Interior FY 2004 budget narrative.

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: NO Question Weight: 20%

Explanation: Although quality evaluations have been performed, they have not been independent and comprehensive. The Inspector General (IG) conducts financial audits of selected state programs each year, and evaluates independent audits conducted within each state for consistency with financial accounting standards. No independent evaluations of program achievements with respect to outcomes have been performed. Given that the program represents more than 10% of EPA's budget, more frequent and comprehensive evaluations are warranted.

Evidence: There has been no comprehensive independent evaluation of the DWSRF. A single GAO report has evaluated three key aspects of the program and has identified some deficiencies. GAO concluded that "EPA does not have all the information it needs to monitor the state's implementation of the program or assess the programs overall effectiveness."

PART Performance Measurements

Program: Drinking Water State Revolving Fund
Agency: Environmental Protection Agency
Bureau:

Measure: Percent population served by community water systems in compliance with health-based drinking water standards.

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2002	91.6%	91.6%	
2008	95%		

Measure: Percent community water systems in compliance with drinking water standards.

Additional Information: This measure tracks the compliance rate of the nation's 53,000 community water systems with drinking water standards. If systems are in compliance, the population's exposure to contaminants is reduced.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2001	91.5%	91.5%	
2002	91.6%	91.6%	
2003	92%		
2004	92.5%		
2005	93%		

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	30%	73%	20%	

- 1.1 Is the program purpose clear?** Answer: YES Question Weight: 20%
- Explanation:** The purpose of EPA's Ecological Research Program is to provide the scientific understanding to measure, model, maintain, and/or restore, at multiple scales, the integrity and sustainability of highly valued ecosystems now and in the future.
- Evidence:** Ecological Research Multi-Year Plan (Page 5). Clean Water Act (CWA) Title I (33 USC 1251-1271); The Clean Air Act Amendments (CAAA); Toxic Substances Control Act; Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Comprehensive Environmental Resource Conservation and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA); Pollution Prevention Act (PPA) (42 USC 13101-13109)
- 1.2 Does the program address a specific and existing problem, interest or need?** Answer: YES Question Weight: 20%
- Explanation:** Environmental assessments have increased in complexity over the last decade or so. For example, it is widely agreed that a watershed or landscape approach is necessary to appropriately assess and address water quality problems. However, there are significant gaps in the science available to support this more complex work.
- Evidence:** Ecological Research Multi-Year Plan (Page 5). ORD Strategic Plan 2001 (Page 5) (<http://www.epa.gov/osp/stplan.htm>) Ecological Research Strategy (Section 1, pp 1-1 - 1-7)
- 1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?** Answer: NO Question Weight: 20%
- Explanation:** Other Federal agencies also carry out similar research efforts on water quality, land use, and wildlife. EPA maintains that, as a regulatory agency, its research focus is different and distinct from other agencies. However, it appears overlapping efforts remain.
- Evidence:**
- 1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?** Answer: YES Question Weight: 20%
- Explanation:** EPA's ecosystem research program uses a combination of in-house and competitive grants to carry out research. This leverages the knowledge of both the agency and other institutions.
- Evidence:** Ecological Research Multi-Year Plan Clean Water Act (CWA) Title I
- 1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?** Answer: NO Question Weight: 20%
- Explanation:** Because the program does not adequately coordinate with other EPA offices and other agencies, it lacks enough information to effectively target its resources.
- Evidence:**

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	30%	73%	20%	Demonstrated

2.1 **Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program?** Answer: YES Question Weight: 10%

Explanation: The program has a LTG that will result better environmental information for policy-makers and environmental managers. However, the program should focus on developing one or two more outcome-oriented LTGs to better focus other activities.

Evidence: Ecological Research Multi-Year Plan

2.2 **Does the program have ambitious targets and timeframes for its long-term measures?** Answer: NO Question Weight: 10%

Explanation: The program lacks ambitious targets and timeframes for its LTG.

Evidence:

2.3 **Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: NO Question Weight: 10%

Explanation: The majority of the program's annual performance measures do not measure the program's progress toward reaching meaningful long-term goals.

Evidence:

2.4 **Does the program have baselines and ambitious targets for its annual measures?** Answer: NO Question Weight: 10%

Explanation: Received a "No" for 2.3.

Evidence:

2.5 **Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: NO Question Weight: 10%

Explanation: Received a "No" for 2.3.

Evidence:

2.6 **Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need?** Answer: NO Question Weight: 10%

Explanation: Evaluations have either been insufficient in scope or strictly process-focused. For example, the National Academy of Science's review of the STAR program includes many different areas of research, in addition to only a portion of the ecosystem research program.

Evidence:

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	30%	73%	20%	

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 10%

Explanation: The Agency estimates and budgets for the full annual costs of operating its programs, taking into consideration any changes in funding, policy, and legislation. All spending categories and the resource levels and activities associated with them are included in the annual Congressional Justification. Performance data are considered at every step in EPA's planning and budgeting process (i.e. developing the OMB submission, Congressional Justification, and annual Operating Plan and reporting our results in the Annual Report). EPA managers use up-to-date financial, policy, and regulatory information to make decisions on program management and performance. The Agency's financial information is integrated with performance and other program data to support day-to day decision making of managers and executives.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports. [EPA was selected as a government-wide finalist for the 2002 President's Quality Award in the area of budget and performance integration.]

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: NO Question Weight: 10%

Explanation: While the MYPs represent a step in the right direction, they have not gone far enough in improving strategic planning. However, ORD is instituting an internal program evaluation process that could help them correct strategic planning deficiencies. The next revision of the office's Multi-Year Plan also presents an opportunity to improve strategic planning.

Evidence:

2.RD1 If applicable, does the program assess and compare the potential benefits of efforts within the program to other efforts that have similar goals? Answer: NO Question Weight: 10%

Explanation: The program has not assessed or compared what its potential benefits might be in relation to other efforts that have similar goals either within the Agency, such as OW's water quality monitoring program within EPA, or in other agencies.

Evidence:

2.RD2 Does the program use a prioritization process to guide budget requests and funding decisions? Answer: YES Question Weight: 10%

Explanation: ORD has a documented process where it identifies low priority activities that can be cut to meet budget guidance or appropriations constraints. It is unclear, however, how often the information generated by this exercise is used.

Evidence: ORD Contingency Plan Development Process

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	30%	73%	20%	Demonstrated

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 9%

Explanation: The establishment and review of annual performance goals and measures is an integral part of the Ecological Research program's annual planning and budgeting process. Progress towards achieving the APGs/APMs is reported quarterly within ORD. This information is used to inform the annual planning process as well as to update the MYP. Contractors and holders of cooperative agreements are monitored on a regular basis to ensure their progress is compatible with the overall aims of the MYP. STAR grantees are required to report annual progress and final results, including publications and significant accomplishments that are posted on a public web site. They are also required to participate in periodic program review workshops with other grantees and EPA staff to review progress and findings.

Evidence: EPA FY 2002 Annual Report (<http://www.epa.gov/ocfo/finstatement/2002ar/2002ar.htm>)STAR Web Site (<http://es.epa.gov/ncer/>)

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 9%

Explanation: The program incorporates program performance into personnel performance evaluation criteria. Management is accountable for specific performance standards relating to program goals. The program also monitors progress against GPRA targets, including mid-year reviews with the Deputy Administrator. For contracts and grantees, statement of work, deliverables, costs, and schedules are written into award terms. All ORD Project Officers (POs) are responsible for seeing that the agreement is awarded and managed according to government regulations in a way that gives value to the government and public.

Evidence: SES Performance standardsProject Officer Training (<http://epawww.epa.gov/oamintra/training/index.htm>)

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	30%	73%	20%	

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 9%

Explanation: Prior to the beginning of the fiscal year, the program develops an operating plan which reflects how it plans on spending its budget (as requested in the President's Budget). Resources are allocated by goal, objective, subobjective, program and object class. Programs then adjust the operating plan to reflect appropriated levels. EPA's budget and annual Operating Plan are aligned with the Agency's Strategic Plan and approved by OMB and Congressional Appropriations Committees. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. Fund transfers between program objectives in excess of Congressionally established limits require Congressional notification and/or approval. EPA works with grantees to ensure that their work plans reflect the Agency's Strategic Plan and Operating Plan and that recipient spending is consistent with the approved workplan. Each program office and grants management office conducts post-award monitoring of assistance agreements, including monitoring the draw-down of funds against grantee progress on workplan tasks and deliverables. This monitoring ensures that recipients are spending the funds designated to each program area for the intended purpose. All grantees are required to submit annual or more frequent financial status reports.

Evidence: End of year obligation reports. EPA's annual Operating Plan and Congressional Justification, EPA's Strategic Plan, Budget Automation System (BAS) data, EPA's Annual Report and Financial Statements. EPA's Policy on Compliance, Review, and Monitoring (EPA 5700.6, Advanced post-award monitoring (i.e. on and off-site grantee review) reports, documentation of post-award monitoring in assistance agreement files, grantee financial status reports.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: NO Question Weight: 9%

Explanation: While ORD is undertaking efforts related to this issue (the average length of time it takes to make grant awards, IT business cases that discuss efficiency improvements), nothing is currently available to measure efficiency of the program.

Evidence:

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: NO Question Weight: 9%

Explanation: While the program collaborates with a few other agencies, documented by MOUs, much of its effort generally appears distinct from related efforts within EPA and other Federal agencies. It is unclear how EPA's ecosystem research supports yet is distinct from other Federal efforts.

Evidence:

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	30%	73%	20%	Demonstrated

3.6 Does the program use strong financial management practices?

Answer: YES Question Weight: 9%

Explanation: The Ecological Research program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. EPA is taking steps to meet the new accelerated due dates for financial statements.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports, unqualified audit opinion on EPA FY02 financial statements, Fiscal Year 2002 Advice of Allowance Letter, 2002 Integrity Act Report, resource policies at: <http://intrasearch.epa.gov/ocfo/policies>.

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: NO Question Weight: 9%

Explanation: ORD is considering developing a program evaluation process. Enough details are not yet available to assess how effective it will be.

Evidence:

3.CO1 Are grants awarded based on a clear competitive process that includes a qualified assessment of merit?

Answer: YES Question Weight: 9%

Explanation: 100% of the ecological research grants are awarded through ORD's competitive STAR grants program, using external scientific peer reviewers to rate applications based on scientific merit. Only applications rated as excellent or very good (usually 10-20% of proposals) are then considered for funding based on relevance to EPA programmatic priorities. To attract new investigators, research solicitations are announced in the Federal Register, posted on the NCER website for at least 90 days, emailed to institutions and individuals that have indicated an interest in receiving them, distributed at scientific conferences, and disseminated to researchers by other federal agencies.

Evidence: EPA National Center for Environmental Research website: RFA announcements (<http://es.epa.gov/ncer/rfa/>) NAS review, The Measure of STAR, April, 2003 (<http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)

3.CO2 Does the program have oversight practices that provide sufficient knowledge of grantee activities?

Answer: YES Question Weight: 9%

Explanation: Grant project officers monitor grantee performance, including submission of annual progress reports and compliance with federal requirements. Project officer site visits conducted on a minimum on 10% of active grantees. Project officers attempt to visit all research centers and institutions that receive large individual grants to check research progress (NAS review, The Measure of STAR, April, 2003). Grant specialists conduct site visits for administrative and financial evaluations on a minimum of 10% of active grants annually.

Evidence: EPA Order 5700.6 Policy on Compliance Review and Monitoring

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	30%	73%	20%	

- 3.CO3 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 9%
- Explanation: An annual progress report is submitted by each grantee and posted on the EPA National Center for Environmental Research website. Reports grantees are distributed to EPA staff to disseminate to interested parties. These reports include summaries of progress in relation to project objectives as well as publications of research results. Grantees also present results at the multitude of scientific conferences held annually.
- Evidence: EPA National Center for Environmental Research website: progress reports and publications lists (<http://es.epa.gov/ncer/results/>)NAS review, The Measure of STAR, April, 2003 (<http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)
- 3.RD1 For R&D programs other than competitive grants programs, does the program allocate funds and use management processes that maintain program quality?** Answer: YES Question Weight: 9%
- Explanation: EPA carries out a significant portion of its ecosystem research in-house. These funds must adhere to EPA's strong financial management practices.
- Evidence: ORD Contingency Plan Development ProcessBAS reportsEPA annual report and financial statements
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: NO Question Weight: 20%
- Explanation: The program lacks ambitious targets and timeframes.
- Evidence:
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: NO Question Weight: 20%
- Explanation: Received "No" for 2.3.
- Evidence:
- 4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?** Answer: NO Question Weight: 20%
- Explanation: ORD is undertaking efforts related to this issue, but cannot demonstrate results at this time. Efforts include currently monitoring the average length of time for EPA to make grant awards. In addition, ORD is developing IT business cases that document how particular projects improve efficiency.
- Evidence:

Program Assessment Rating Tool (PART)

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	30%	73%	20%	Demonstrated

4.4 **Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?** Answer: YES Question Weight: 20%

Explanation: Where the program has been compared to other research, it has been reviewed favorably. While no overall comparisons of this program have been completed, a recent NAS review of Agricultural Research in the Environment showed U S EPA exceeded USDA ARS in number of citations per published paper, a key metric in evaluating research productivity, and was comparable with CSIRO (Australia).A recent NAS report "The Measure of STAR", which included Ecological Indicators research supported under this objective, concluded "The U.S. Environmental Protection Agency's competitive research grants program has yielded significant new findings and knowledge critical for EPA's decision-making process ..." (NAS Press release) A citation analysis of ecological indicators grants "indicated that the rate of citations of STAR-funded research was similar to other research in the field." (pg 76)

Evidence: National Academy of Sciences report "The Measure of STAR" 2003.National Academy of Sciences report "Frontiers in Agricultural Research: Food, Health, Environment, and Communities" pages 128 and 134,

4.5 **Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?** Answer: NO Question Weight: 20%

Explanation: Evaluations have either been insufficient in scope or strictly process-focused. For example, the National Academy of Science's review of the STAR program includes many different areas of research, in addition to only a portion of the ecosystem research program.

Evidence:

PART Performance Measurements

Program: Ecological Research
Agency: Environmental Protection Agency
Bureau:

Measure: The states and tribes use a common monitoring design and appropriate ecological indicators to determine the status and trends of ecological resources
Additional Information:

Year

Target

Actual

Measure Term: Long-term

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	25%	100%	7%	Demonstrated

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The purpose of the Environmental Education (EE) Programs is to provide national leadership and resources to the field of environmental education at the local, state, national and international levels, to encourage careers related to the environment, and to leverage non-federal investment in environmental education and training programs. Congress mandates the following programs to accomplish this purpose: 1) teacher training; 2) EE Grants to grassroots and larger organizations nationwide; 3) fellowships to college students; 4) youth awards for achievements to protect the environment; 5) a task force of Federal agencies to increase coordination; 6) an external advisory committee to advise EPA; and 7) a separate nonprofit foundation to work with the private sector to advance environmental education.

Evidence: Purposes as identified in Section 2 of the National Environmental Education Act of 1990 (the Act) which is Public Law 101-619 or 20 USC 5501. EPA's Office of Environmental Education (OEE) Strategic Plan. The National Environmental Education and Training Foundation Charter, articles of incorporation, and bylaws.

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Congress found, and Roper ASW survey research results confirm, that efforts to inform and educate the public concerning complex environmental problems are not adequate and financial support to develop an educated workforce for the environmental fields is not sufficient. Environmental education opportunities must be available in schools and universities to teach students about career opportunities in the scientific and environmental fields. Increased environmental knowledge will decrease pollution and solid waste, help improve public health, advance scientific learning, and increase private sector funding and volunteerism for public purposes.

Evidence: National Environmental Education Act, Sections 2,3,4,5,6,7,&10. 68% of adult Americans questioned fail a basic environmental knowledge quiz (Roper ASW International, Environmental Survey, 2002). By 2012, 50% of the federal environmental and natural resource workforce will reach retirement age, possibly creating a void of trained environmental professionals in the workforce. EPA believes that some of the environmental ed activities provide knowledge for persons to pursue environmental professions.

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: NO

Question Weight: 20%

Explanation: While the Act is the only comprehensive piece of federal legislation to specifically address national environmental knowledge through education, it is unclear that this program is not duplicative of other state, local, and private efforts. For example, the Environmental Education and Training Partnership (EETAP) is a partnership of environmental education organizations, universities, and non-profits, which offers professional development and support for educators to provide education about the environment. In addition, the National Science Foundation (NSF) has programs similar to those of EPA. The 2003 President's Budget attempted to minimize this redundancy / duplication by proposing funding for environmental ed within NSF's budget.

Evidence: EETAP, EETAP Celebrates, 2001.2003 President's Budget.

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: NO Question Weight: 20%

Explanation: Congress drafted the Environmental Education Act to be prescriptive of allocation of funds. EPA is required to implement and manage statutorily-mandated programs with specific associated dollar appropriations: 38% of appropriated funds are for Environmental Education Grants to educational or environmental agencies and non-profit organizations; 25% are for training and supporting environmental educators (Teacher Training); 25% are for activities of the Office of Environmental Education to include interagency agreements (IAGs) with other Federal agencies, administrative costs, and contractors; 10% goes to the National Environmental Education and Training Foundation (NEETF) for challenge grants to education agencies and non-profit organizations; and 2% to the Council on Environmental Quality (CEQ) to develop and manage a teacher award program. This prescriptive allocation can prevent EPA from distributing funds based on performance.

Evidence: National Environmental Education Act of 1990, PL 101-619 (Section 11).

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: The target audience has benefitted from federal funding for EE and from the non-federal matching funds leveraged by these programs. Since 1992, over 2,500 EE Grants have been awarded competitively nationwide. Each year, EE Grants reach 50,000 students and 6,000 teachers, plus 100,000 in the general public. EE Grants require a match of 25%, which is typically greatly exceeded; e.g., in 2002 EPA awarded \$2.7 million for EE grants and leveraged \$5.2 million in non-federal matching funds. The Teacher Training Program has educated over 100,000 teachers and leveraged 30% of the funding or \$6 million from non-federal sources. 1,200 college students have received training and career development the National Network for Environmental Management Studies (NNEMS) Fellowship Program. Over 40 IAGs with other Federal agencies for \$5.7 million in funds have leveraged \$7.5 million from other agencies. NEETF leverages its \$700,000 annual federal funding to realize a \$20 million business impact from matching grant funds; and has programs with high visibility such as Greenbiz.com; development of EE curricula for healthcare providers; and EE training of broadcast meteorologists.

Evidence: Listing of over 2,500 EE grants with descriptions of each grant and state location is available on the EE website at epa.gov/enviroed; List of 2002 grants with non-federal match per grant; Environmental Education; Solicitation Notice explaining required matching funds in Paragraph (K)(4); Training and Partnership (EETAP) teacher training description available on website listed above; 2003 National Network for Environmental Management Studies (NNEMS) description of fellowship program projects to fund students and support career development which attracts youth into environmental engineering jobs (also available on website listed above); List of IAGs with other Federal Agencies; NEETF annual report.

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: NO Question Weight: 12%

Explanation: Program is currently developing long-term measures, some of which will be outcome measures. However, no adequate long-term measures currently exist.

Evidence: See "Measures" tab.

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

- 2.2 Does the program have ambitious targets and timeframes for its long-term measures?** Answer: NO Question Weight: 12%
- Explanation: Received "No" in 2.1.
 Evidence:
- 2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: NO Question Weight: 12%
- Explanation: Because the program is currently developing long-term measures, it has not yet presented annual measures to support the purpose and goals of the program.
 Evidence:
- 2.4 Does the program have baselines and ambitious targets for its annual measures?** Answer: NO Question Weight: 12%
- Explanation: Received "No" in 2.3.
 Evidence:
- 2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: NO Question Weight: 12%
- Explanation: Received "No" for 2.1 and 2.3.
 Evidence:
- 2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need?** Answer: NO Question Weight: 12%
- Explanation: The program has not had any independent evaluations in the last five years. EETAP evaluations are not considered independent because EETAP receives grant funding annually through the program. NEETF, which receives 10 percent of program funds, is evaluated independently annually in three areas: assessment of public knowledge (to improve programs); steering committee program evaluations, and independent audits. EPA plans to implement an independent evaluation of the program.
 Evidence: EETAP 2001 Evaluation Study, Western Michigan University; EETAP Capacity Building Evaluation, independent review team, 2002; EETAP Formative Evaluation, independent review team, 2002; Program Evaluation in Practice: A Pilot Project Evaluating the US Environmental Protection Agency Environmental Education Grants Program, 1995 (University of Vermont Graduate Thesis); Grant Work Products: An Evaluation for Environmental Educators; Annual NEETF/Roper ASW Research Report Cards on the State of Environmental Knowledge in America; program-by-program steering committee notes on recommended program strategies and modifications; Challenge Grant peer review forms, annual independent audit reports, Board of Trustees meeting minutes, and annual OMB Circular 133 audit reports (for organizations that impose additional requirements on organizations receiving federal financial support).

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 12%

Explanation: OEE is required to spend the annual EE appropriation according to percentages specified by Congress. Within those percentages, the spending is aligned with the EE Strategic Plan which includes annual and long-term performance goals. EPA estimates and budgets for the full annual costs of operating its programs, taking into consideration any changes in funding, policy and legislation. All spending categories and the resource levels and activities are included in the annual Congressional Justification. Performance data are considered at every step in EPA's planning and budgeting process (i.e., developing the OMB submissions, Congressional Justification, and annual Operating Plan and results in the Annual Report). The Agency's financial information is integrated with performance and other program data to support day-to-day decision making of managers and executives. OEE managers are given and use current financial information to make decisions on program management. If funding levels change, it is possible for OEE to quickly calculate the impact on each EE program managed and revise plans accordingly.

Evidence: Section 11 of The Act; Annual Congressional Justification, Budget Automation System (BAS) Reports. EPA was selected as a government-wide finalist for the 2002 President's Quality Award in the area of budget and performance integration.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: Prior to 1998, the Environmental Education Programs did not have a strategic plan, long-term performance goals or specific performance measures. To ensure the optimum use of staff and funds, in 1998 OEE devised a strategic plan to ensure that resources are allocated to areas and projects that most develop and improve the field of environmental education, such as the national environmental education guidelines. The strategic plan was also designed to fill gaps, i.e. internal and external evaluations of existing EE curricula indicated that too many materials existed and too few were well designed. Hence, OEE funded the quality materials guidelines to fill the gap in directions to educators and others who develop materials. Improved curricula and educational products have resulted. Since 1998, the OEE has revised and updated the strategic plan as necessary. The current strategic plan was revised in 2002 and is in place until 2005, when OEE will convene with partner organizations and agencies to assess the need for revisions.

Evidence: OEE Strategic Plan for FY 2000-2005 (revised 2002); National Project for Excellence in EE: Guidelines for Excellence, which establishes three sets of guidelines for using and evaluating materials; educating teachers, and educating students.

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 10%

Explanation: EPA managers and project officers are involved with key partners as follows: 1) Teacher Training Program and IAGs -- EPA participates in all major phases of work plan development and oversees project implementation in several ways: participating in key activities; reviewing quarterly progress reports; commenting on the design of annual independent evaluations; and reviewing the results of those evaluations. Results are then factored into planning for the following year. 2) Competitive grant programs -- all EPA project officers are required to develop post-award monitoring plans to ensure timely collection of performance information from grantees, perform a sample of on-site reviews, and take corrective action where necessary. 3) NEETF EPA attends board meetings, receives regular status reports, and evaluates the budget. For all of the above, regularly scheduled conference calls provide a cost effective way to work with key program partners. On site evaluations and partner meetings are scheduled when needed to manage the programs and improve performance.

Evidence: Office of the Administrator Post-Award Management Plan for Assistance Agreements; Draft report on the environmental education activities and authorities of 14 Federal agencies; EETAP 2001 Evaluation Study, Western Michigan University; EETAP Capacity Building Evaluation, independent review team, 2002; EETAP Formative Evaluation, independent review team, 2002.

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 10%

Explanation: Prior to awarding any funds for the partners listed above, EPA project officers critique all objectives and milestones in project work plans, perform cost analyses, and require revisions where necessary. Once funds are awarded, all partners are subjected to thorough post-award monitoring of expenditures as compared to the original budget. EPA monitoring also ensures adherence to timelines and evaluation of performance results. For the environmental education grant programs, the standing policy is that no incremental funding awards are made unless they were planned from the inception of the work plan and/or were scheduled to be phased into future years. The EE Grant Program Solicitation Notice informs applicants that if they will be needing funds above their original budget amount, they must submit a new proposal in the next grant cycle and go through another competition process. There is no tolerance for cost over-runs or additions to the original budget. No-cost extensions to the budget period are approved if the project officer deems that there is sufficient reason.

Evidence: Office of the Administrator Post-Award Management Plan for Assistance Agreements; Environmental Education Grants Program Solicitation Notice; Invitation for Proposals, National Environmental Education Training Program (EETAP Teacher Training)

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 10%

Explanation: Prior to the beginning of each fiscal year, OEE develops a projected budget based on the percentages established by Congress in the Act. Flexibility in spending within those program categories and percentages is determined by the EE Strategic Plan which has goals, objectives, and subobjectives and are obligated by program and object class codes. The EPA Operating Plan and Strategic Plan require that individual offices track their funds in that manner. OEE also must ensure that the 10 EPA regional offices receive adequate funding from the appropriation to manage their own EE Grant Program expenditures and other EE operations. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. Fund transfers between program objectives in excess of congressionally established limits require Congressional notification and/or approval.

Evidence: EPA's annual Operating Plan and Congressional Justification; EPA's Strategic Plan, Budget Automation System (BAS) data; EPA's Annual Report and Financial Statements; EPA's Policy on Compliance, Review, and Monitoring (EPA 5700.6; Post-award monitoring and Advanced monitoring (i.e. on and off-site grantee review); documentation of post-award monitoring in assistance agreement files; grantee project reports and financial status reports.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 10%

Explanation: The program has increased the useage of IT to enhance communication, achieve efficiencies, eliminate duplication, and conserve or leverage resources. These IT approaches include the use of: (1) a grants database on-line and searchable by recipient organization, environmental issue, dollars leveraged and other key topics. This database allows EPA to study trends in grants issued and alter funding priorities accordingly. It also assists in preventing duplicate or repeat awards of grants from two regional offices or by Headquarters. (2) an on-line searchable EE materials database, that represents EPA's best effort to catalog all existing EE materials developed or funded by EPA. This resource allows EPA to prevent the unnecessary and costly development of duplicate materials. (3) a website with links to each of the EE programs such as grants, youth awards, and internships. This site and the teacher training website improves public access to quality EE information and materials. All products and materials developed through the teacher training program are available on-line to reduce consumer purchase costs and EPA's material production costs.

Evidence: Environmental Learning in America: Working Toward Nationwide Environmental Literacy, 2002; National Environmental Education Act of 1990 (PL 101-619), Section 4; EE website epa.gov/enviroed ; the contractor that assists the EE staff by developing IT was selected through use of the competitive sourcing process and IGCEs are performed for budget analysis and level of effort purposes.

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	25%	100%	7%	Demonstrated

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 10%

Explanation: OEE works with other EPA offices, such as the Office of Water, in the development and dissemination of EE programs, projects and materials. EPA collaboration is done at two levels: at HQ and also at the ten regional offices each of which has an environmental education coordinator. OEE chairs the National EE Task Force which brings together many Federal agencies to reduce duplicative efforts and leverage resources. OEE coordinates a citizen advisory council, which represents the following sectors: business and industry, not-for-profits, colleges/universities, primary/secondary education, state departments of education and environmental protection, and senior Americans. The Teacher Training Program is a partnership of 11 organizations and universities which coordinate delivery of EE training programs and services for educators. The EE Grant program creates partnerships with thousands of state, local and grassroots organizations. All programs mandated by the Act are accomplished through partnerships with organizations producing and providing EE at the national, state, and local levels.

Evidence: The Act, Sections 4,5, 6, and 9, mandates collaborations as listed in this response through a Federal Task Force, a National Advisory Council, and a Teacher Training Program; additional information about each of these collaborations can be found on the epa.gov/enviroed website. The NEETF website (neetf.org) also contains information about extensive partnerships with business, industry, NGOs, health organizations, etc; publication demonstrating collaboration between OEE and another EPA office entitled Education Projects in the Office of Water -- A How-To Guide for Developing Environmental Education Projects.

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 10%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. EPA is taking steps to meet the new accelerated due dates for financial statements.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports, unqualified audit opinion on EPA FY02 financial statements, Fiscal Year 2002 Advice of Allowance Letter, 2002 Integrity Act Report, resource policies at: <http://intrasearch.epa.gov/ocfo/policies>.

3.7 Has the program taken meaningful steps to address its management deficiencies? Answer: YES Question Weight: 10%

Explanation: Recently, OEE has made changes to improve management of programs. Three steps for improved management are: (1) OEE designed and implemented an on-line database that allows for the tracking of all competitive EE grants awarded since 1992. The database allows OEE to determine the dollar amount of each grant; recipient organization; the geographic location; the audience, such as teachers; environmental issue; and method of delivery for each grant. This database allows for analysis of trends to direct funds where needed and provides a safeguard against duplicate funding. (2) Creation of an EE Resource Library for materials developed and/or implemented by EPA, grantees, and other key partners. Collecting this information in a searchable database will save money by preventing EPA Offices (Air, Water) and regions from duplicating curricula; it also identifies gaps in materials development. (3) The post-award monitoring requirements recently put into place for the EPA managers of grants and assistance agreements will improve oversight and quick solutions to management issues as they arise.

Evidence: Environmental Education Grants Database available on line; Environmental Education Resource Library which is searchable by topic such as pesticides or asthma; Office of the Administrator Post-Award Management Plan for Assistance Agreements.

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

- 3.CO1 Are grants awarded based on a clear competitive process that includes a qualified assessment of merit?** Answer: YES Question Weight: 10%
- Explanation:** OEE uses the Federal Register and EPA website to advertise the availability of funds. EE programs are also featured in educational journals, newsletters and catalogs that list grant programs. The EE Grant Solicitation Notice spells out the 100 point scoring system used for each grant proposal. The structured scoring system evolved to distinguish between excellent proposals. Precise scores lead to the selection of top quality proposals. Out of 100% of applications per year and average of 94% of the grantees are non-repeaters from one year to the next. The number of applications received annually has dropped to under 1,000 nationwide because of the high rejection rate. A two-tiered review process uses external reviewers and EPA panels to score applications. A Reviewer Guidebook with explicit directions and scoring sheets are improved annually based on comments from EPA and external reviewers.
- Evidence:** EE Grant Program Solicitation Notice (Paragraph G) specifies that grantees will not be selected more than once, unless they have a new project or a new audience. The OEE website and Grant STATS database list all EE Grants awarded by State and on average less than 6% received a grant in the previous year. EPA required enhanced Grant Competition Policies in 2003 and the EE Grant Program was used as the model Solicitation Notice in the Administrator's Office Handbook. OEE Grant Reviewer Guidebook.
- 3.CO2 Does the program have oversight practices that provide sufficient knowledge of grantee activities?** Answer: YES Question Weight: 10%
- Explanation:** Grantees are required to submit quarterly reports to explain their: progress to date; expenditures; preliminary data results; descriptions of equipment purchased; techniques and materials used; and a statement of activity anticipated for the next reporting period. Differences between the proposed work plan and progress or expenditures to date must be explained to enable EPA to take corrective action. A final report is also required and it must expand on the above and also include two copies of all tangible products resulting from the grant, such as curriculum, videos, workshop agendas, training materials, and posters. EPA has an on line financial system that allows staff to print a report of the expenditures to date for any grant awarded. EPA recently issued tighter monitoring requirements and now schedules mandatory off-site and on-site evaluations of grantees.
- Evidence:** EPA Post Award Management Guidance; Cost Analysis Guidance; and Copy of Financial Report (Random selection).
- 3.CO3 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 10%
- Explanation:** OEE created an analysis system to track expenditures for grants and audiences reached. It allows EPA to study trends to improve the grant program and share information with the public. Educational priorities can be revised to direct funds into gaps in EE or away from saturated topics. This EE Grant Searching Tool and Tracking System (EE STATS) is on line and allows access to the following information about grants: matching funds per grant; environmental issue addressed, such as lead in water; educational priority such as career development; type of recipient organization such as university, state agency, or nonprofit; target audience such as teachers; and number of grants and dollars per state. EE STATS can also search over 2,500 EE Grants and locate grants by word search, e.g. grants that addressed asthma or endangered species. It allows the public to determine if another organization has experience and can serve as a partner on a grant project. Also, on the website the public can see a State map showing the location of every EE Grant and find partners with expertise that are located nearby.
- Evidence:** Grant STATS Graphs and search pages by topic; Grant Maps from website epa.gov/enviroed

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals? Answer: NO Question Weight: 20%

Explanation: Received "No" in 2.1.

Evidence:

4.2 Does the program (including program partners) achieve its annual performance goals? Answer: NO Question Weight: 20%

Explanation: Received "No" in 2.1 and 2.3.

Evidence:

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: SMALL EXTENT Question Weight: 20%

Explanation: While the program has not developed an efficiency measure, the procedures cited in 3.4 have resulted in cost effectiveness in program execution. Some examples include: (1) Teacher Training Program - leverages resources by funding a consortium of universities and partners to work toward a common purpose, rather than funding each individually; (2) EE Grant Solicitation Notice - reaches educators in all states to impart news, such as the discontinuance of EE funding for new curricula, because excellent materials already exist and limited resources will now be used to train educators about the proper use of the materials; (3) new EE Resource Library - reduces EPA's duplication of materials by enabling access to existing materials that EPA HQ or Regions have developed or sponsored through grants; and (4) new Grant STATS system - enables EPA program offices to determine if EPA has already provided funding for an environmental ed project that is similar to one seeking grant funding.

Evidence: Grant Solicitation Notice; Description of Resource Library which is also available on line; description of Grant Searching and Tracking System (Grant STATS) which also available on line; List of Interagency Agreements and description of projects.

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: NO Question Weight: 20%

Explanation: The National Science Foundation (NSF) has programs similar to those of EPA. The 2003 President's Budget proposed to fund environmental ed within NSF's budget because it is believed that NSF's expertise in science education would improve the performance of national environmental ed. The program has not been evaluated to assess impacts at the state or local level, therefore it is difficult to assess its performance relative to state and local programs with similar purpose and goals. Other examples of possible duplication include the North American Association for Environmental Education (NAAEE) and SEEK: Sharing Environmental Education Knowledge, Minnesota's Interactive Directory of Environmental Education Resources. NAAEE, which is made up of professionals and students, provides support for environmental education and educators through a variety of programs and activities.

Evidence: 2003 President's Budget. NAAEE website: www.naaee.org.

Program Assessment Rating Tool (PART)

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:
Type(s): Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	25%	100%	7%	

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: NO

Question Weight: 20%

Explanation: Program has not been independently evaluated.

Evidence:

PART Performance Measurements

Program: Environmental Education
Agency: Environmental Protection Agency
Bureau:

Measure: Measures not needed due to zero funding.
Additional Information:

Year

Target

Actual

Measure Term: Long-term

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 25%

Explanation: The Toxic Substances Control Act (TSCA) requires that the Agency systematically assess adverse effects of exposure to chemicals in commerce. The Administrator has authority to regulate chemical substances and mixtures that "present an unreasonable risk of injury to health or the environment" and to summarily redress those which are "imminent hazards". TSCA provides EPA with comprehensive authority to regulate the manufacture (including importation), use, distribution in commerce, and disposal of chemical mixtures (as defined by the Act. Disposal of solid wastes and hazardous wastes is regulated by the Resource Conservation and Recovery Act). Before undertaking a regulatory action under TSCA to protect from unreasonable risk, the Administrator, however, must consider the environmental, economic, and social impact of that action, and use the least burdensome requirements to address such risk.

Evidence: TSCA, Section 2 (Findings, Policy, and Intent), Section 4 (Testing of Chemical Substances and Mixtures); Section 6 (Regulation of Hazardous Chemical Substances and Mixtures); and Section 8 (Reporting and Retention of Information).

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 25%

Explanation: The program's purpose is to identify and manage unreasonable risk of injury to health and the environment from the manufacture, importation, use, processing, or disposal of a chemical substance or mixture in US commerce in the least burdensome way.

Evidence: Approximately 60,000 chemicals lacked data on health and environmental effects at enactment in 1976. Currently, very small percentage of existing chemicals has basic risk screening data.

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 25%

Explanation: EPA's progress on gathering health data on existing chemical substances has been slower than expected. The program was established by Congress to fill gaps in existing environmental laws rather than supplant the then-existing programs for control of toxic substances. Consequently, EPA may not regulate an existing chemical if the chemical's risks could be eliminated or reduced under another Federal law administered by EPA (Section 6). Furthermore, TSCA provides that if other agencies can adequately control a risk, then EPA may not act on its own (Section 9).

Evidence: GAO. TSCA, Section 6. Section 9 (Relationship to Other Federal Laws). In 20 years, EPA has issued 7 rules to control only 15 of 62,000 existing chemicals. Inventory Update Rule Amendments will collect exposure data in future.

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: YES Question Weight: 25%

Explanation: Congress intended TSCA to be a "gap-filling" statute. The aim is to prevent risks from toxics that might "fall through the cracks" between other environmental statutes. This crosscutting role means that there have been ongoing questions about TSCA's overlap with other environmental statutes. The goal of TSCA is not to regulate all chemicals which present risk, but those that present an "unreasonable risk". EPA has rather general authority to seek out and regulate any "unreasonable risk" wherever it finds it, but that sweeping authority is balanced by a requirement to consider economic impacts. The act places other small checks on TSCA authority and it requires other authorities to be considered --"If...a risk of injury to health or the environment could be eliminated or reduced to a sufficient extent by actions taken under another Federal law" [§6(c); §9(a)(1)], that other law must be deferred to unless it can be shown to be in the public interest to regulate under TSCA. Since 2002 EPA has sought to reestablish the use of voluntary testing, as opposed to testing required by consent agreements, as had been the case since a lawsuit challenged the earlier practice of negotiated voluntary testing .

Evidence: Sections 4 and 6, Toxics Substances Control Act. Also, 1994 GAO study found burden on EPA for compiling data to be costly and time-consuming. TSCA authorizes EPA to issue rules to require testing, however, promulgating a test rule can require over 2 years and cost \$69,000 to \$234,000. The lawsuit that discouraged voluntary testing was NRDC v. EPA, 595 F.Supp. 1255 S.D.N.Y.(1984).

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: NA Question Weight: 0%

Explanation:

Evidence:

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: YES Question Weight: 12%

Explanation: The program has one long-term (LT) outcome goal, which aims to reduce the relative risks to human health associated with environmental releases of industrial chemicals. The program also has one output measure, which is to establish short-term acute exposure limits for chemicals. This information will aid in homeland security response, recovery, and preparedness. The efficiency measure that supports the long-term measures (LTMs) is under development: increasing the efficiency of achieving Risk Screening Environmental Indicators Model (RSEI) risk reductions through improved targeting of program activities. Office of Pollution Prevention and Toxic Substances (OPPT) will be looking to the National Pollution Prevention and Toxics Advisory Committee FACA for guidance on the direction / emphasis of the Existing Chemicals program. With this guidance the program intends to develop new performance measures that will enable OPPT to chart the program's progress. In addition, OPPTS and the Office of Water are exploring a new tool that could help with measuring human health impacts of EPA's actions, by addressing and aggregating economic costs of morbidity and mortality related to certain chemical exposures.

Evidence: The Agency intends to include the following in either the Agency's revised strategic plan or the FY 2005 Annual Performance Plan: 1 (outcome). Through 2008, reduce relative risks to chronic human health associated with environmental releases of industrial chemicals in commerce by 6% from 2001 levels, as measured by EPA's Risk Screening Environmental Indicators model, and 2 (output). By 2008, establish short-term exposure limits for 60% of the chemicals identified as priority by the Acute Exposure Guideline Levels (AEGLS) Program and representing a wide range of acutely toxic substances.

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

- 2.2 Does the program have ambitious targets and timeframes for its long-term measures?** Answer: YES Question Weight: 12%
 Explanation: The target for LTG1 (21 percent risk reduction by 2008) is ambitious and challenging, especially because of uncertainty in future production levels.
 Evidence: See "Measures" tab.
- 2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: YES Question Weight: 12%
 Explanation: The program is commended for developing two outcome APGs that support the purpose of the program, which is to assess adverse effects of exposure to chemicals in commerce. The program has also developed one output APG that supports the LT output measure to develop short-term acute exposure limits. The proposed efficiency measure also supports the LTM.
 Evidence: APGs are: 1. Reduction in risk-based score of releases for releases of Toxic Release Inventory (TRI) chemicals, 2. Reduction in hazard-based score of releases of TRI chemicals, 3. number of chemicals with final acute exposure values and proposed / interim acute exposure values. RSEI Trend Analyses: FY 1995-2000; AEGL Value Production Table: Trend Analysis; OPPT's Annual Performance Goal and Measure Portfolio.
- 2.4 Does the program have baselines and ambitious targets for its annual measures?** Answer: YES Question Weight: 12%
 Explanation: The program has baselines and ambitious targets for its annual measures.
 Evidence: See "Measures" tab.
- 2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: YES Question Weight: 12%
 Explanation: Some technical support for the program is completed with contractor assistance. Commitment to the program's LTGs and APGs is ensured by EPA's definition of the scope of work of these extramural activities. Contractors are held to deliverables and time schedules. For the Acute Exposure Guideline Levels Program (AEGL, which develops the short-term acute exposure limits), EPA's Office of Pollution Prevention and Toxics (OPPT) leads the collaborative effort that includes nine federal agencies (EPA, DOE, DOD, DOT, NIOSH, OSHA, CDC, ATSDR, and FDA), numerous state agencies, private industry, academia, emergency medical associations, unions, and other organizations in the private sector as well as members of the international community. The work of the program is accomplished through the National Advisory Committee for Acute Exposure Guideline Levels for Extremely Hazardous Substances (a FACA committee for development of the AEGLs comprised of representatives of federal and state agencies and organizations in the private sector). EPA's long-term and short-term AEGL measures capture those of the FACA committee and reflect a commitment of all collaborators for achievement.
 Evidence: OPPT Finance Central report drawing on Contracts file showing types of vehicles to which 40302C funds are obligated (HPV and VCCEP Programs excluded); EPA Contract files; EPA's OPPTS. Overview of the Acute Exposure Guideline Levels (AEGL) Program. June 2002.

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: YES Question Weight: 12%

Explanation: GAO published a number of reports in the early 1990s, with the most recent study concluded in 2000. The Agency has been slow to address these chemicals. GAO also recommended to Congress in 1994 legislative changes to make TSCA more effective. NAS will review in the near future some aspects of program, including the APGs presented in Sections II and IV, Qs 2. The program was also reviewed in 1995 by the Office of Technology Assessment (OTA).

Evidence: Numerous reports, only most recent listed below: GAO. Toxic Chemicals: Long Term Coordinated Strategy Needed to Measure Exposures in Humans, RCED-00-80, May 2000; GAO. TSCA: Legislative Changes Could Make the Act More Effective. RCED-94-103 September 1994; GAO. TSCA: EPA's Limited Progress in Regulating Toxic Chemicals, RCED-94-212 June 1994. OTA. Screening and Testing Chemicals in Commerce, OTA-BP-ENV-166 September 1995.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 12%

Explanation: The Agency estimates and budgets for the full annual costs of operating its programs, taking into consideration any changes in funding, policy and legislative changes. All spending categories and the resource levels and activities associated with them are included in the annual Congressional Justification. Performance data are considered at every step in EPA's planning and budgeting process (i.e. developing the OMB submission, Congressional Justification, and annual Operating Plan and reporting our results in the Annual Report). EPA managers use up-to-date financial, policy, and regulatory information to make decisions on program management and performance. The Agency's financial information is integrated with performance and other program data to support day-to-day decision making of managers and executives.

Evidence: Agency's annual Operating Plan. Program office's Annual Program Plan worksheets, which show allocation of programmatic infrastructure costs to all programs. OPPT's financial management system, Finance Central, reports present total allocations and expenditures. OPPT's Annual Performance Goal and Measure Portfolio; FY 2004 AEGL: Investment Document

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: Agency has cooperative agreement w/ Florida State University (FSU) to identify and develop improved environmental indicators and program performance measures. Program office has committed to working with OMB and stakeholders to develop improved long-term goals and APGs.

Evidence: The Agency is currently revising its Strategic Plan to focus on outcomes. The program's management has committed to developing outcome LTGs and, to the extent possible, APGs.

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: NO Question Weight: 14%

Explanation: The program has not regularly collected performance information, but rather sporadically and only recently. We are encouraged by the program's examination of its performance and its early attempts to institutionalize a regular evaluation of itself. The program was created by TSCA in 1976, and to date, only 7 percent of chemicals which are produced or imported at greater than 1 million pounds annually (2,8000 chemicals) have basic screening data. EPA has also been slow to develop its testing program (Section 4), issuing its first test rule in 1984. EPA recognized these shortcomings and created the High Production Volume (HPV) Challenge program outside the Existing Chemicals program to obtain screening data on these chemicals. The results of this effort, however, are unknown at this time (data are still being collected), and the program will be evaluated with the PART in the near future. In the aftermath of September 11, 2001, the program also recognized the need to more quickly establish acute exposure values for emergency response for priority chemicals. The 2004 President's Budget provided funding for this effort. The program recently worked with the New Chemicals program to release two Significant New Use Rules (SNURs) addressing 88 perfluorooctane sulfonate-(PFOS)-related chemicals. This resulted in a drop in domestic PFOS production to zero before the end of 2002, from a total volume of 6.5 million pounds of PFOS-chemical production in the U.S. in 2000.

Evidence: GAO Reports. Agency's 2004 Congressinal Justification. AEGL (short-term acute exposure limits) 2004 Investment Document. PFOS SNUR Final Rules (TSCA Section 5): 67 FR 11008, FRL-6823-6, March 11, 2002; 67 FR 72854, FRL-7279-1, December 9, 2002.

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 14%

Explanation: Program incorporates program performance into personnel performance evaluation criteria. Management accountable for specific performance standards relating to program. Program also monitors progress against GPRA targets, including mid-year reviews with the Deputy Administrator. For contracts and grantees, statement of work, deliverables, costs, and schedules are written into award terms. Program tracks monthly deadlines, through monthly reports by contractors/grantees.

Evidence: Program includes performance standards for managers in relation to meeting GPRA goals, which are evaluated mid-year with the DA and at the end of year during preparation of Annual Performance Plans and Reports. Contract awards and renewals consider past performance. Evidence includes closeout reports for contracts and grantees.

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 14%

Explanation: Program funds are obligated consistently with overall program plan. The program office's finance management system combines manager oversight with goal achievements, resulting in exceptionally strong accountability and spending records. Prior to the beginning of the fiscal year, the program develops an operating plan that reflects spending priorities consistent with the President's Budget. Resources are allocated by goal, objective, subobjective, program, and object class. Programs then adjust the operating plan to reflect appropriated levels. EPA's budget and annual Operating Plan are aligned with the Agency's Strategic Plan and approved by OMB and Congressional Appropriations Committees. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. Fund transfers between program objectives in excess of Congressionally established limits require Congressional notification and/or approval. In FY 2002 approximately 96 percent of the existing chemicals program budget was obligated by the end of the fiscal year.

Evidence: Status reports from OPPT's financial management system, Finance Central. Annual apportionments. Contracts and grants status reports. Actual spending as compared to Congressional Justifications and Annual Operating Plans.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 14%

Explanation: Program supports competitive sourcing and is launching a detailed competitive sourcing review of selected functions. EPA believes that improved efficiencies and cost effectiveness are driven by declining programmatic budget and changes in information technology. Program participates in Agency-wide re-engineering of docket system to include electronic docket. Agency also developing electronic software for industry's use in submitting data.

Evidence: Program has technology replacement program and invests in analytical tools and the appropriate equipment to run them. In 2002, the program office participated in OEI's Central Data Exchange (CDX) to allow electronic submission of TSCA Section 8 data directly into an Agency public access database. CDX will also allow submitters to correct and update all non-Confidential Business Information submissions, thus saving EPA resources normally required for document handling (decreasing \$/data submission).

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 14%

Explanation: 1. Cooperative effort with Federal agencies and state environmental agencies on Consumer Labeling Initiative, which aims to provide consumers with clear information on product labels so that they can make informed choices when choosing products. 2. Working with OSHA in development of test rule under Section 4 for in vitro dermal penetration rate testing. OSHA plans to use data from these tests to develop "skin notations" for its Permissible Exposure Limits (PELs). 3. Working with Agency's OAR, OW, and ORD in developing regulatory options for MTBE. 4. Participating in international effort with OECD.

Evidence: 1. Consumer Product Safety Commission, US Federal Trade Commission, FDA, California, Maryland, Minnesota, and Vermont. 2. Collaborates as member of Toxic Action Committee and OMNE committee, the latter is comprised of OSHA, Mine Safety and Health Association, and NIOSH, which provides input to EPA on worker protection issues. 3. Program office considering developing proposed Section 6 rule. 4. Works with OECD on design of tests, testing protocols, and basic information summary formats employed by the Screening Information Data Set (SIDS), which is an international effort to secure basic toxicity information on OECD defined high production volume chemicals worldwide (those produced or imported at 2.2 million pounds annually).

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 14%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. The Assistant Administrator conducts program reviews twice annually to ensure strong financial management practices. EPA performs audits of the Agency contract and grants offices (or program offices) to ensure that proper financial procedures are followed in contracts/grants. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. EPA is taking steps to meet the new accelerated due dates for financial statements.

Evidence: Monthly Status of Funds reviews; Finance Central status reports; and near-perfect finance totals at EOY closeouts.

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 14%

Explanation: While no Agency- or program-level Material Weaknesses have been identified for the program, independent evaluations (GAO) indicated that the program had inadequate management which hindered the success of the program in reviewing the effects of existing chemicals. The program, however, has addressed these deficiencies, which included the creation of the High Production Volume (HPV) Challenge program and better strategic planning to focus on health outcomes. In addition, the program reviews potential new deficiencies in annual review process to address Federal Managers Financial Integrity Act (FMFIA) material weaknesses.

Evidence: FMFIA annual review process.

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?

Answer: LARGE
EXTENT

Question Weight: 25%

Explanation: As recommended in the 2004 President's Budget, the program has developed an outcome goal for reducing risk to chronic human health and has also pursued activities to develop acute exposure guidelines (AEGs) to aid in homeland security response, recovery, and preparedness (output LTG). These goals are new, but past trend data indicates that the program is progressing in meeting its LTGs: data shows progress towards the outcome goal of reducing risk and progress in developing AEGs with a projected annual production rate of approximately 20 chemicals per year. From 2000 through mid-2003, for example, the program's performance for developing AEGs has shown steady progress, with a total of 18 chemicals with final values, 48 chemicals with interim values, and 29 chemicals with proposed values.

Evidence: RSEI Trend Analyses: FY 1995-2000; AEGL Value Production Table: Trend Analysis; OPPT's Annual Performance Goal and Measure Portfolio

4.2 Does the program (including program partners) achieve its annual performance goals?

Answer: LARGE
EXTENT

Question Weight: 25%

Explanation: The measures are new, but EPA does have a robust set of data to offer for analysis. The program has been collecting trend data that indicates that it has made progress in the APGs, which support the LTGs.

Evidence: RSEI Trend Analyses: FY 1995-2000; AEGL Value Production Table: Trend Analysis; OPPT's Annual Performance Goal and Measure Portfolio

Program Assessment Rating Tool (PART)

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	100%	86%	34%	

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: NO Question Weight: 25%

Explanation: The program is in the process of developing efficiency measures. Upon completion of the long-term efficiency measures referenced in question 2.1, the Agency will compile baseline cost-benefit information and monitor progress towards the goals through annual efficiency improvement measures.

Evidence: Two programs, High Production Volume (HPV) Challenge and Inventory Update Rule Amendments, may results in improved efficiencies by reducing the time necessary to address existing chemicals. The HPV program, however, will be evaluated with the PART in the near future.

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: NA Question Weight: 0%

Explanation: There is no other program across US government or in industry with similar purpose and goals.

Evidence: N/A

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: NO Question Weight: 25%

Explanation: Independent evaluations indicate that this program has been slow to address these chemicals. We will be evaluating a new voluntary program, the HPV Challenge program, in the near future, and we are optimistic that the program will fill gaps that have been identified in this PART evaluation. The HPV Challenge program is intended to address the lack of basic screening data on high production-volume existing chemicals.

Evidence: Numerous reports, only most recent listed below: GAO. Toxic Chemicals: Long Term Coordinated Strategy Needed to Measure Exposures in Humans, RCED-00-80, May 2000;
 GAO. TSCA: Legislative Changes Could Make the Act More Effective. RCED-94-103
 September 1994;
 GAO. TSCA: EPA's Limited Progress in Regulating Toxic Chemicals, RCED-94-212 June 1994;
 OTA. Screening and Testing Chemicals in Commerce, OTA-BP-ENV-166 September 1995.

PART Performance Measurements

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:

Measure: Reduction in the current year production-adjusted risk-based score of releases and transfers of toxic chemicals.

Additional Information: Baseline is prior year's data(for 2000, baseline is 1999). Currently, 1999 data is under review. Chemicals are those reported to the Toxic Release Inventory (TRI) from the level of previous year (reported two years after current year due to TRI data lag). EPA uses RSEI model to determine risk. Releases/off-site transfers to air and water. Supports chronic human health risk Long-Term Goal.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2006	3%		
1996		7%	
2008	3%		
2007	3%		
1997		24%	
1998		11%	
1999		(35%)	
2000		32%	
2002	3%		
2003	3%		
2004	3%		
2005	3%		

Measure: Reduction in the current year production-adjusted hazard-based score of releases and transfers of toxic chemicals.

Additional Information: Baseline is prior year's data. For 2000, the baseline is 1999. Chemicals are those reported to TRI from the level calculated for the previous year (reported two years after current year due to TRI data lag). EPA uses RSEI model to determine hazard. Releases/off-site transfers to air, water, and land. Supports LTG1.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
1996		1%	
1997		4%	

PART Performance Measurements

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:

Measure: Reduction in the current year production-adjusted hazard-based score of releases and transfers of toxic chemicals.

Additional Information: Baseline is prior year's data. For 2000, the baseline is 1999. Chemicals are those reported to TRI from the level calculated for the previous year (reported two years after current year due to TRI data lag). EPA uses RSEI model to determine hazard. Releases/off-site transfers to air, water, and land. Supports LTG1.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
1998		(3%)	
1999		13%	
2000		13%	
2002	2%		
2003	3%		
2004	1%		

Measure: Cumulative number of chemicals with proposed, interim, and/or final values for Acute Exposure Guideline Levels (AEGL).

Additional Information: The numbers represented are cumulative. Supports AEGL Long-Term Goal.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2002		85	
2004	105		
2005	125		
2006	145		
2008	187		

Measure: Measure Under Development

Additional Information: A companion efficiency measure for RSEI is under development for possible inclusion in the FY 2005-2008 Strategic Plan based on the concept of increasing the efficiency of achieving RSEI risk reductions through improved targeting of program activities.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term (Efficiency Measure)
-------------	---------------	---------------	---

PART Performance Measurements

Program: Existing Chemicals
Agency: Environmental Protection Agency
Bureau:

Measure: Cost and time to establish AEGL value per chemical (under development).

Additional Information: Analyses currently being conducted into feasibility of demonstrating how program has found ways to make the process more efficient. Support AEGL Long-Term Goal.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual (Efficiency Measure)
-------------	---------------	---------------	--

Program Assessment Rating Tool (PART)

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	100%	17%	

- 1.1 Is the program purpose clear?** Answer: YES Question Weight: 20%
Explanation: The statute clearly defines the purpose of the program and establishes the use of the Leaking Underground Storage Tank (LUST) Trust Fund. Subtitle I requires EPA to regulate underground storage tanks (USTs) storing petroleum or certain hazardous substances. States use most of the federal funds to pay for staff to oversee the cleanups; the cleanups themselves are paid by responsible parties or state trust funds established to pay for cleanup of petroleum releases from USTs. EPA provides coordination, information and in some cases, as on tribal lands, direct cleanup of sites.
Evidence: Resource Conservation and Recovery Act (RCRA), Subtitle I, Section 9003h.
- 1.2 Does the program address a specific and existing problem, interest or need?** Answer: YES Question Weight: 20%
Explanation: The program provides assistance to clean up releases of petroleum products from federally regulated underground storage tanks (USTs).
Evidence: Semi-annual Activity Reports. As of FY2002, there were 423,000 confirmed releases from USTs of which 277,000 have been cleaned up to state-set risk-based health and/or environmental standards.
- 1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?** Answer: YES Question Weight: 20%
Explanation: The program does not duplicate other federal programs or other efforts (e.g., private parties, non-profits, etc.).
Evidence: RCRA, Subtitle I
- 1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?** Answer: YES Question Weight: 20%
Explanation: Congress established a regulatory program and authorized EPA to provide states funds from the LUST Trust Fund through the use of cooperative agreements. No more efficient mechanism is obvious. The program is extremely well leveraged; for every Federal dollar appropriated, states collect and spend approximately \$20 for cleanups.
Evidence: RCA, Subtitle I; 40 CFR Part 280 regulations
- 1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?** Answer: YES Question Weight: 20%
Explanation: States use most of the federal funds to pay for staff to oversee the cleanups; the cleanups themselves are paid by responsible parties or state trust funds established to pay for cleanup of petroleum releases from USTs. EPA provides coordination, information and in some cases, as on tribal lands, direct cleanup of sites.
Evidence: LUST Trust Fund Spending Report (available on the OUST website); Annual Survey of State Funds (conducted by the State of Vermont and available on the ASTSWMO website)

Program Assessment Rating Tool (PART)

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	100%	17%	

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: NO Question Weight: 12%

Explanation: Goal of the program is to clean up releases of petroleum from federally regulated USTs. EPA's annual goal is the number of cleanups completed that meet state-set risk-based health and/or environmental standards that are protective of human health and the environment. Presumably, cleanups have led to reduced human exposures, but the level of reduction has not yet been determined. No longterm outcome performance measures are in place.

Evidence: EPA's Congressional Budget and Justifications and Annual Reports.

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 12%

Explanation: EPA has no longterm outcome measures in place. An outcome based longterm measure on site cleanups initiated and completed has already been achieved.

Evidence: Annual Plans, Congressional Justifications, FY04 Annual Performance Goal documents.

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: EPA annual performance measure is 21,000 cleanups completed. This measure is the annual number of cleanups that have met state-set risk-based health and/or environmental standards that are protective of human health and the environment as an annual performance goal.

Evidence: Annual Plans, Congressional Justifications, FY04 Annual Performance Goal documents.

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: YES Question Weight: 12%

Explanation: EPA used the data on the annual number of cleanups completed over the life of the program and, to address more current conditions (e.g., higher number of cleanups involving groundwater and MTBE contamination), the annual number of cleanups completed over the past four years to establish national cleanup goals. The goals are expressed as a range; the baseline or low end is designed to maintain current progress in completing cleanups while the high end sets a challenging but achievable (based on states historical performance) goal for states to meet.

Evidence: Memo (September 2002) from Cliff Rothenstein, Director of OUST to EPA Regional Division Directors announcing the national goals for the LUST program; memo can be found on the OUST website.

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 12%

Explanation: States report to EPA, on a semi-annual basis, data on the number of confirmed releases, number of cleanups initiated, and the number of cleanups completed that meet state-set and risk-based health and/or environmental standards that are protective of human health and the environment.

Evidence: Office of Underground Storage Tanks (OUST) Semi-Annual Activities Report which can be found on the OUST website.

Program Assessment Rating Tool (PART)

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	100%	17%	

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: Although a few independent evaluations have been conducted by the EPA Inspector General, GAO, and Congressional oversight committees (focusing on specific aspects of the UST/LUST program), no process is in place to include the LUST program as part of any regular and independent evaluation.

Evidence: EPA regional offices conduct mid-year and end-of-year reviews of each state's program and performance. EPA HQ conducts an annual Regional Strategic Overview (RSO) with each regional office to evaluate regional performance as well as the performance of the states in that region to identify progress, problems, and possible solutions.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 12%

Explanation: Since most of the LUST appropriation is for administrative costs of the State Programs, increases or decreases to the program do not translate directly, one to one, with the goals. For instance, a state may have no more state cleanup money, even if it has additional Federal administrative money.

Evidence: EPA Goal 3 documents such as the Agency's Strategic Plan, Annual Plan, and the Annual Performance Report.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: OUST has started an initiative to better characterize its existing backlog of cleanups that have yet to be completed (i.e., those cleanups that have not met state-set risk-based health and/or environmental standards that are protective of human health and the environment). From this analysis, the program will attempt to address state cleanup completed performance, impacts on drinking water systems (and the number of people served by these systems), and impacts on different populations (infants, school-age children, environmental justice communities). Based on the results of these studies, OUST may propose different strategies and priorities for achieving completing these cleanups.

Evidence: Draft workplan for soliciting proposals under GSA schedule contracts to do these studies.

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 11%

Explanation: EPA collects state mid-year and end-of-year data on the number of confirmed releases, cleanups initiated, and cleanups completed that have met state-set risk-based human health and/or environmental standards that are protective of human health and the environment to identify trends, problems, and progress. Part of the LUST Trust Fund allocation formula is based on each state's performance.

Evidence: The program reports state data on its website. The LUST Trust Fund Allocation Formula.

Program Assessment Rating Tool (PART)

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	100%	17%	

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 11%

Explanation: LUST program data are included in EPA's OCFO Annual Accountability Report to help allocate resources. Measures are used to distribute funds to states.

Evidence: OCFO Annual Accountability Report.

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 11%

Explanation: Cooperative Agreements funds are awarded (obligated by EPA) within 60 days after Congress approves the Agency's Operating Plan. Statute established the uses of the LUST Trust Fund. Agency grant guidance and cooperative agreements clearly state authorized uses. EPA Regional offices review state's uses during mid-year and end-of-year reviews.

Evidence: EPA obligation reports for LUST account. EPA grant guidance, state cooperative agreements, regional mid-year and end-of-year reviews of state programs.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 11%

Explanation: Resources are distributed to states on the basis of need, ability to use, and past performance. States that are able to turn resources into completed cleanups are rewarded.

Evidence: LUST Trust Fund Allocation formula.

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 11%

Explanation: OUST participates fully in OSWER's One Cleanup Program. OUST regularly participates and collaborates with states through its Annual Conference and State Fund Administrators Conference. OUST also provides a great deal of assistance to states by giving grants to associations representing states such as ASTSWMO (Association of State and Territorial Solid Waste Management Officials) and meets on a regular basis with the Tanks Subcommittee of ASTSWMO.

Evidence: Agendas for the Annual Conference and the State Fund Administrators Conference. Workplans for grants to ASTSWMO supporting the Tank Subcommittee.

Program Assessment Rating Tool (PART)

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	100%	17%	

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 11%

Explanation: The program is included in EPA's Planning and Budgeting Architecture and is visible in all budget documents. LUST Trust Fund cooperative agreements are signed by both grantee and EPA and include specific dollar amounts and usage requirements of the recipient. EPA has encouraged and assisted states in the development and implementation of Risk Based Decision Making (RBDM) and the use of Performance Based Contracting to clean up releases. Both approaches result in the most effective and efficient use of cleanup dollars. All work assignments use Independent Government Estimates (IGEs) to obtain the best price for the work to be done. All invoices are carefully reviewed to ensure charges are appropriate.

Evidence: Agency planning, budgeting, and performance reporting documents. Not reported as a material weakness.

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 11%

Explanation: OUST has an annual review process, Regional Strategic Overviews, with the regional offices to identify progress, management and other issues, and potential solutions. Regional offices review state performance and management issues during mid-year and end-of-year reviews.

Evidence: Annual Regional Strategic Overview Process, Regional mid-year and end-of-year review of state programs.

3.BF1 Does the program have oversight practices that provide sufficient knowledge of grantee activities?

Answer: YES

Question Weight: 11%

Explanation: States provide EPA with their workplans on what they intend to do and accomplish under the cooperative agreements. Regions conduct mid-year and end-of-year review of state programs.

Evidence: End of Year LUST Trust Fund Spending Report.

3.BF2 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?

Answer: YES

Question Weight: 11%

Explanation: Performance data is reported by the states to EPA on a semi-annual basis. Spending data is reported by the states on an annual basis.

Evidence: State data is reported on the EPA website.

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?

Answer: NO

Question Weight: 25%

Explanation: Program is meeting its statutory requirement of cleaning up contamination from leaking underground storage tanks, but has no outcome longterm measures.

Evidence: EPA progress in achieving this outcome goal is highlighted in EPA's Congressional Budget Justifications and Annual Reports.

Program Assessment Rating Tool (PART)

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	100%	17%	

4.2 Does the program (including program partners) achieve its annual performance goals? Answer: LARGE EXTENT Question Weight: 25%

Explanation: EPA has exceeded its targeted number of cleanups completed every year but two over the last eight years. Overall, the Agency is ahead of its scheduled progress.

Evidence: Semi-annual Activity Reports which can be found on the OUST website..

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: NO Question Weight: 25%

Explanation: Measure being developed.

Evidence: Baseline will be developed using historical data from the Semi-Annual Activity Reports.

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: NA Question Weight: 0%

Explanation: Direct comparison with other programs is difficult since the LUST Trust Fund program is designed and implemented differently than other programs dealing with hazardous waste site cleanup programs like those run by EPA, DOE and DOD.

Evidence: No evidence provided.

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: NO Question Weight: 25%

Explanation: There has not been a comprehensive, independent, and quality evaluation of this program.

Evidence: No evidence provided.

PART Performance Measurements

Program: Leaking Underground Storage Tanks
Agency: Environmental Protection Agency
Bureau:

Measure: Measure Under Development
Additional Information: Health benefit of underground storage tank clean up.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
-------------	---------------	---------------	--------------------------------

Measure: Number of Cleanups Completed
Additional Information: This measure is the number of cleanups completed that have met state-set risk-based health and/or environmental standards that are protective of human health and the environment.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2001	21,000	19,074	
2002	21,000	15,769	
2003	21,000	21,000 (est.)	
2004	21,000		

Measure: Measure Under Development
Additional Information: Benefit per unit cost of clean up.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual (Efficiency Measure)
-------------	---------------	---------------	--

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

- 1.1 Is the program purpose clear?** Answer: YES Question Weight: 20%
- Explanation: The Toxic Substances Control Act (TSCA) authorizes EPA to control for new chemicals being introduced into commerce (manufacture or import) to prevent unreasonable risk to human health and environment, through Pre-Manufacture Notification (PMN) and rulemaking.
- Evidence: TSCA, Section 5 (Manufacturing and Processing Notices)
-
- 1.2 Does the program address a specific and existing problem, interest or need?** Answer: YES Question Weight: 20%
- Explanation: Prior to the program, no system existed to ensure that chemical substances introduced into commerce did not pose unreasonable risk to environment, workers, and consumers. The program addresses potential acute and long-term risks posed by applications for approximately 1,700 new chemicals annually. Provides for risk management mechanisms for safe chemical handling, use, and disposal. Fosters development of "green", or safer, chemical alternatives.
- Evidence: TSCA, Section 2 (Findings, Policy and Intent), Section 5; and House and Senate conferees view (1976)
-
- 1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?** Answer: YES Question Weight: 20%
- Explanation: This is the only government program that protects the public from unreasonable risk of chemicals before they are manufactured. EPA provides industry with the same tools that it uses to screen chemicals, so that industry can forecast risk-related issues prior to PMN submission.
- Evidence: To date approximately 20 percent of TSCA chemicals have been screened and deemed safe for the public. Approximately 10 percent of 1,700 PMNs require risk management mechanisms to be applied in their use, handling, and disposal. EPA expects this percentage to decrease as goals of other programs within New Chemicals (Green Chemistry, PBT Profiler, P2 Framework) are realized.
-
- 1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?** Answer: YES Question Weight: 20%
- Explanation: TSCA caps the amount that EPA can charge companies for PMN applications, not allowing Agency to cover full cost. However, EPA has shown creativity in managing the program with limited resources.
- Evidence: TSCA, Section 26 (Administration of the Act). Also, EPA created Sustainable Futures to assist industry in evaluating risks prior to PMN application, as early as R&D stage, which can result in expedited PMN processes.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately Effective
100%	88%	100%	53%	

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: The Sustainable Futures component subsidizes training of companies in the use of our new chemicals assessment tools, with the aim of accruing two social benefits from the program's investment: 1) Improved Efficiency: an increase in the submissions of chemicals that require less intensive reviews, forming the basis for the program's new efficiency measures; and, 2) Improved Effectiveness: program can focus resources and attention on chemicals that are not self-screened by companies. Training resources are effectively targeted, focusing on companies and sectors that have traditionally submitted the greatest number of PMNs. The program recognizes that while smaller and medium-sized companies may not provide the bulk of PMN submissions, these companies may be hindered from doing screening and research due to lack of resources. The program plans to review how it can be of assistance to these firms.

Evidence: Sustainable Futures Federal Register Notice: Sustainable Futures Voluntary Pilot Project under the TSCA New Chemicals Program, Notice; Federal Register Vol. 67, No. 238, 12/11/02: OPPT-2002-0011 <http://www.epa.gov/fedrgstr/EPA-TOX/2002/December/Day-11/t31243.pdf>

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: YES Question Weight: 12%

Explanation: The program is making strides towards outcome long-term measures (LTMs) that reflect the purpose of the program. A new measure is under development for risks avoided as a result of the program's PMN process. This measure will show the environmental releases and exposures (to worker and general population) that otherwise would have occurred had the program not been in place, which would have threatened human health and environmental quality. The program's Green Chemistry long-term goals (LTGs) are to reduce hazardous chemical releases and presence in wastes. Considered an outcome goal for this review, it is expected, however, that the program next year will provide some measure of the impact to the environment or public health (for example, hazard reduced or risk averted) from the substitution of "green" chemicals in commerce. The program is commended for developing a long-term efficiency measure of decreased costs per chemical reviewed from the Sustainable Futures program (training of companies in EPA's chemical risk screening tools), which it plans to include in EPA's revised Strategic Plan for 2005-2008. The program is considering development of an additional efficiency measure of cost savings to EPA and industry from exemptions to PMN requirements.

Evidence: EPA's LTGs are: 1. Risks avoided to workers and the general population from prevention of the entry of new chemicals into commerce through the PMN program, 2. Reduction of releases of industrial hazardous chemicals to the environment and in industrial wastes in millions of pounds, and 3. Conservation of millions BTUs of energy and gallons of water, and reduction of thousands of metric tons of CO2 emissions. EPA's efficiency measure is the reduction of EPA's per-chemical review costs from expedited reviews as a result of training provided to chemical developers (through the Sustainable Futures program). The program's progress to date in creating outcome performance measures include the publishing of the second Chemical and Pesticides Results Measures (CAPRM) report and investing in a deeper analysis of the feasibility of possible new measures and applicability. In addition, OPPTS and the Office of Water are exploring a new tool that could help with measuring human health impacts of EPA's actions, by addressing and aggregating economic costs of morbidity and mortality related to certain chemical exposures. Of note is EPA's selection of this program as one of its program measurement improvement projects, aimed at achieving more outcome measures.

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: YES Question Weight: 12%

Explanation: Program has developed ambitious targets and timeframes for its LTGs. Its timeframe for showing results for its new LTG for quantifying risk avoided is ambitious (by end of year).

Evidence: Targets and timeframes under development for LTG1.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: The program's annual performance goals (APGs) support the program's LTGs. Progress toward each of the improved long-term measures cited in Questions 2.1 and 2.2 will be measured through annual performance goals already in use or under development and to be published in the FY 2005 President's Budget.

Evidence: EPA's annual measures are: 1. Number of TSCA 8(e) notices received for PMN-reviewed chemicals, 2. Annual cumulative quantity of industrial hazardous chemical releases to the environment and hazardous chemicals in industrial wastes, in millions of pounds, and 3. Annual cumulative quantity of BTUs of energy (in millions) and gallons of water conserved as well as CO2 emissions reduced (in thousands of metric tons). Annual efficiency measures under development are: 1. Annual number of pre-screened new chemical alternatives generated through industry's Sustainable Futures participation during the earliest stages of research and development, and 2. Cost savings to the program and industry from exemptions from PMN requirements.

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: YES Question Weight: 12%

Explanation: Targets are ambitious, specific, and quantified for annual measures, or are currently under development, thus promoting continued improvement and achievable efficiencies. Baselines are either established or being established in time for inclusion in the FY 2005 GPRA plan. Efficiency annual measures are also ambitious, based on analysis of baseline trend data, but are achievable through continuous management attention on improving program performance.

Evidence: OPPT's Annual Performance Goal and Measure Portfolio and New Chemicals Performance Measurement Improvement proposal submitted under OCF/OPEI Program Evaluation and Performance Measurement Improvement Competition on May 9, 2003. See also TSCA 8(e) FR notice: March 16, 1978 (43 FR 11110); February 1, 1991 (56 FR 4128); June 20, 1991 (56 FR 28458); July 13, 1993 (58 FR 37735); March 20, 1995 (60 FR 14756)

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 12%

Explanation: While the PMN aspect of the New Chemicals program is performed by the Agency, other aspects, such as P2 Framework, PBT Profiler, and Green Chemistry, include contracts and grants. Most technical support for these programs is completed with contractor assistance. Commitment to the program's annual and long-term goals is ensured because EPA defines the scope of work of these extramural activities. Contractors are held to deliverables and time schedules. Contractors and grantees document risk reduction and pollution prevention benefits derived from P2 Framework and PBT Profiler by chemical producers and provide insight into how to improve the program's screening methodologies and how to apply technology transfer to Agency risk reduction efforts.

Evidence: Program office's Finance Central report on contract files; EPA grant on sustainable chemistry with OECD; 120 PBT Profiler evaluations and 25 P2 Framework case studies prepared by contractors and grantees to document the risk reduction and P2 benefits derived by users.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: There is only one independent evaluation has been completed, by GAO in 1994. Also in 1994, OECD and EPA published a joint study comparing the results from the European Community's (EC) new chemicals test method to EPA's new chemicals test method. Results showed that EPA's method could be improved, however, aside from public meetings, it is not clear that EPA implemented improvements to its method. Therefore, it is not clear how EPA has improved the new chemicals program. In addition, the question demands that the scope of an independent review be broad enough to apply to the entire New Chemicals Program, including the Green Chemistry program, and not just the PMN reviews (for which there is only one evaluation).

Evidence: GAO, TSCA: Legislative Changes Could Make the Act More Effective. RCED-94-103 September 26, 1994. OECD and EPA, US EPA/EC Joint Project on the Evaluation of (Quantitative) Structure Activity Relationships. OECD Monographs, No. 88 and EPA 743-R-94-001.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 12%

Explanation: The Agency estimates and budgets for the full annual costs of operating its programs, taking into consideration any changes in funding, policy and legislative changes. All spending categories and the resource levels and activities associated with them are included in the annual Congressional Justification. Performance data are considered at every step in EPA's planning and budgeting process (i.e. developing the OMB submission, Congressional Justification, and annual Operating Plan and reporting our results in the Annual Report). EPA managers use up-to-date financial, policy, and regulatory information to make decisions on program management and performance. The Agency's financial information is integrated with performance and other program data to support day-to day decision making of managers and executives.

Evidence: FY03 President's Budget includes language to lift the PMN fee caps in TSCA. Agency's annual Operating Plan and PMN tracking reports.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: Agency has cooperative agreement w/ Florida State University (FSU) to identify and develop improved environmental indicators and program performance measures. Program office has committed to working with OMB and stakeholders to develop improved long-term goals and APGs during its FY04 Strategic Planning process.

Evidence: Cooperative agreement w/ FSU on Chemicals and Pesticides Program Results Measures, which engages outside stakeholders in improving the program offices capacity for performance budgeting and management. The Green Chemistry program is recognized within EPA as a key element of EPA's overall pollution prevention program.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 14%

Explanation: The program regularly assesses the PMN program's performance in meeting statutory timeframes, via internal evaluations and customer surveys. The program has developed a number of policies to streamline the PMN review process while continuing to control potential unreasonable risks. EPA also completes case studies with customers of P2 Framework and PBT Profiler to determine uses and improvements.

Evidence: Evaluations of the PMN program have resulted in the creation of five exemptions, with estimated annual savings to industry of \$12 M (2000 data). The Agency also implemented new chemical exposure limits (NCEs) similar to those of OSHA's "permissible exposure limits", PBT chemicals policy; chemical categories; and a PMN status web page that provides weekly updates to companies on where their new chemical is in the PMN process, allowing companies to make commercial plans earlier than previously in the 90-day review process.

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 14%

Explanation: The program incorporates program performance into personnel performance evaluation criteria. Management is accountable for specific performance standards relating to program. The program also monitors progress against GPRA targets, including mid-year reviews with the Deputy Administrator. For contracts and grantees, statement of work, deliverables, costs, and schedules are written into award terms. The program tracks monthly deadlines, through monthly reports by contractors/grantees.

Evidence: The program includes performance standards for managers in relation to meeting GPRA goals, which are evaluated mid-year with the DA and at the end of year during preparation of Annual Performance Plans and Reports. Contract awards and renewals consider past performance. Evidence includes closeout reports for contracts and grantees.

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 14%

Explanation: In FY 2002, 94 percent of the new chemical and green chemistry programs budgets was obligated by the end of the fiscal year. Program funds are obligated consistently with overall program plan. The program office's finance management system combines manager oversight with goal achievements, resulting in exceptionally strong accountability and spending records. Prior to the beginning of the fiscal year, the program develops an operating plan (Op Plan) that reflects spending priorities consistent with the President's Budget. Resources are allocated by goal, objective, subobjective, program, and object class. Programs then adjust the operating plan to reflect appropriated levels. EPA's budget and annual Op Plan are aligned with EPA's Strategic Plan and approved by OMB and Congressional Appropriations Committees. Obligations and expenditures are tracked in EPA's Integrated Financial Management System (IFMS) against the Op Plan. Fund transfers between program objectives in excess of Congressionally established limits require Congressional notification and/or approval.

Evidence: Status reports from OPPT's financial management system, Finance Central. Annual apportionments. Contracts and grants status reports.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution?

Answer: YES

Question Weight: 14%

Explanation: The program supports competitive sourcing and is launching a detailed competitive sourcing review of selected functions. EPA believes that improved efficiencies and cost effectiveness are driven by declining programmatic budget and changes in information technology. The implementation of PMN exemptions have resulted in reduced average time and expense for full PMN notification. The program participates in Agency-wide re-engineering of docket system to include electronic docket. EPA is also developing electronic software for industry's use in submitting PMNs.

Evidence: The program has a technology replacement program and invests in analytical tools and the appropriate equipment to run them. EPA estimates cost savings of \$12 M annually to industry through PMN exemptions (2000 data).

3.5 Does the program collaborate and coordinate effectively with related programs?

Answer: YES

Question Weight: 14%

Explanation: 1. Collaborates w/ OSHA and NIOSH on workplace protection control actions on new chemicals. Agency control actions include negotiated consent orders that stipulate workplace exposure controls and hazard communication requirements. Under such orders, new chemical manufacturers may rely on OSHA's existing hazard communication program. 2. Collaborated w/ environmental advocacy group and chemical trade associations to create chemical risk screening tool. 3. Collaborates with other EPA program offices which share common purpose or goal. 4. Collaborating and coordinating in international efforts.

Evidence: 1. Monthly meetings w/ OMNE committee, comprised of OSHA, Mine Safety and Health Association, and NIOSH, which provides input to EPA on worker protection issues. 2. Collaborated w/ Environmental Defense, American Chemistry Council, Chlorine Chemistry Council, and Synthetic Organic Chemical Manufacturers Association to create PBT Profiler, to examine chemical structure and estimate potential hazard and risk. 3. Modified existing PMN review process to include input from EPA's Office of Air and Radiation Significant New Alternatives Policy (SNAP) program and consulted with program offices in the creation of a PBT category for new chemical testing. 4. Co-leading with Italy the OECD Sustainable Chemistry Initiative, which coordinates "green chemistry" globally.

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 14%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO's and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. Assistant Administrators conduct program reviews biannually to ensure strong financial management practices. EPA performs audits of the Agency's contracts and grants offices (or program offices) to ensure that proper financial procedures are followed in contracts/grants. The results of EPA's financial management are that the Agency received an unqualified audit opinion on its FY 2002 financial statements and had no material weaknesses associated with the audit. EPA is taking steps to meet the new accelerated due dates for financial statements.

Evidence: Monthly Status of Funds reviews; Finance Central status reports; and near-perfect finance totals at EOY closeouts.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 14%

Explanation: None identified for program in Agency- and program-level Material Weakness review process. The program reviews potential new deficiencies in annual review process to address FMFIA material weaknesses.

Evidence: FMFIA annual review process.

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?

Answer: LARGE
EXTENT

Question Weight: 20%

Explanation: EPA has a new outcome goal for the program, risks avoided to workers. The program compiled data from the previous three years to demonstrate that it has protected workers from potential health risks. EPA to some extent met its LTG, however, the program must include additional information to better demonstrate performance, including characterizing information on the general population risks avoided. For the Green Chemistry program, EPA is meeting its chemical reductions, which provides the program with necessary information to determine hazard or risk reduction. The program has also developed a new efficiency measure, and therefore does not yet have data. The program is, however, creating a baseline for costs per PMN. EPA must continue to make progress in better showing results for these LTGs to maintain Large Extent in the next PART evaluation of this program. This includes characterizing potential risks avoided to the general population.

Evidence: Data from 2nd quarter, 1993, show that the program prevented 3.8 million kgs/year of harmful chemicals released to the environment and 3.8 million kgs/year of exposure to the general population that would have been ingested from eating fish and through drinking water. PMN database; OPPT Green Chemistry Database; Work Assignment for second phase of PMN Program Evaluation

4.2 Does the program (including program partners) achieve its annual performance goals?

Answer: SMALL
EXTENT

Question Weight: 20%

Explanation: The program is expanding analysis of TSCA 8(e) submissions this summer to confirm that new chemicals screened for commerce are not chemicals are not presenting unreasonable risks (because this is a new long-term and annual measure, baseline data are still under development). In 2002, EPA received approximately 20 TSCA 8(e) notices identifying new hazards/risks linked to chemicals that were reviewed through the PMN process prior to 2002. This represents 10% of the 8(e) notices received by EPA in 2002. EPA is further assessing the PMN-related 8(e) notices as part of an expansion of the Phase II PMN program evaluation this summer to determine if any of these identify hazards or risks that were not identified or effectively managed through the PMN review. Commencing in 2004, all 8(e) submissions will be similarly assessed upon arrival so that this standard can be monitored routinely, and any exceptions can be immediately considered for possible improvements to the PMN review processes and tools. The Green Chemistry annual measures are also new, but tracking of previous long-term measures upon which the new annual measures are based indicate they are being achieved.

Evidence: OPPT's Annual Performance Goal and Measure Portfolio; 8(e) FR notice: March 16, 1978 (43 FR 11110); February 1, 1991 (56 FR 4128); June 20, 1991 (56 FR 28458); July 13, 1993 (58 FR 37735); March 20, 1995 (60 FR 14756); Work Assignment for second phase of PMN Program Evaluation; OPPT Green Chemistry data base.

Program Assessment Rating Tool (PART)

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Moderately
100%	88%	100%	53%	Effective

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?

Answer: LARGE
EXTENT

Question Weight: 20%

Explanation: While the program funding has been essentially level from year to year because TSCA restricts EPA from collecting fees to cover the full cost of the program, EPA has implemented programs to keep costs low to the Agency and industry. These include an A-76 competition currently underway for TSCA Risk Analysis function, scheduled for completion later this year and the development of baseline cost per PMN trends, scheduled for completion at end of FY 2003. Previous efforts have included establishing one new chemical category, revising another, and considering revision of two more. The establishment of a PBT category resulted in the identification and control of more new PBT chemicals than the previous year. EPA is currently training chemical developers in the use of EPA's risk screening tools to enable companies to pre-screen chemicals prior to PMN submission and qualify for a 50-percent reduction in PMN review times.

Evidence:

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?

Answer: YES

Question Weight: 20%

Explanation: The New Chemicals PMN Review program is a model and template for the U.S. Food and Drug Administration's Food Contact Substance premarket notification program. FDA's program, established in 1999 as a result of a 1997 amendment to the Food Drug and Cosmetic Act of 1958 (FDCA), has similar purpose and goals as EPA's New Chemicals program. Both programs act as gatekeepers to protect public health by bringing safe chemicals into commerce. Under TSCA, EPA has broad authority to identify and control substances that may pose a threat to human health or the environment. However, there are categories of new chemicals excluded from TSCA authority, such as foods, tobacco, drugs, cosmetics, etc., that fall under the jurisdiction of other Federal laws. FDA's Food Contact Substance Notification System regulates any substance intended for use as a component of materials used in manufacturing, packing, packaging, transporting, or holding food if such use is not intended to have a technical effect in such food (Section 409(h)(6) of the FDCA) (this includes coatings, plastics, paper, adhesives, and other basic components of food packaging).

Evidence: Letter from FDA's Center for Food Safety and Applied Nutrition, 20. June 2003.

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: NO

Question Weight: 20%

Explanation: The program has not yet had an independent evaluation of sufficient scope and quality.

Evidence: Program received "No" for 2.6.

PART Performance Measurements

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:

Measure: Cumulative reduction of releases of industrial hazardous chemicals to the environment and in industrial wastes in millions of pounds.
Additional Information: Baseline is 0 in 1996.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2001		150	
2002		190	
2004	450		
2005	590		
2008	960		

Measure: Cumulative conservation of millions of BTUs of energy and gallons of water.
Additional Information: Timeline is 2008. Goal is 30/650/160. Baseline is 0 in 1996. NA denotes that BTUs of energy cannot be targeted until 2007.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2002		NA/330	
2004	NA/440		
2005	NA/500		
2007	25/600		
2008	30/650		

Measure: Review costs per chemical (for EPA and industry) (under development).
Additional Information: Timeline is 2008. Baseline is 2002. Goal to be determined from Phase II of OPPT PMN Program Evaluation, completed in September 2003.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term (Efficiency Measure)
-------------	---------------	---------------	---

PART Performance Measurements

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:

Measure: Number of TSCA 8(e) notices received for PMN-reviewed chemicals.

Additional Information: These notices are submitted to EPA by industry identifying potential risks associated with PMN-reviewed chemicals (chemicals for which zero risk was previously determined). A proxy measure is to show zero risk.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2002		20	
2003	0		
2004	0		
2005	0		
2008	0		

Measure: Cumulative reduction of industrial hazardous chemical releases to the environment and hazardous chemicals in industrial wastes, in millions of pounds.

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2001		150	
2002		190	
2004	450		
2005	590		
2008	960		

Measure: Annual number of pre-screened new chemical alternatives generated through industry's participation during the earliest stages of research and development.

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual (Efficiency Measure)
2002	0	0	

PART Performance Measurements

Program: New Chemicals
Agency: Environmental Protection Agency
Bureau:

Measure: Annual number of pre-screened new chemical alternatives generated through industry's participation during the earliest stages of research and development.

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual (Efficiency Measure)
2004	40		
2005	40		
2007	40		
2008	40		

Measure: Annual cumulative quantity of water conserved (millions of gallons).

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2002		330	
2004	440		
2005	500		
2007	600		
2008	650		

Program Assessment Rating Tool (PART)

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	89%	27%	

- 1.1 Is the program purpose clear?** Answer: YES Question Weight: 20%
- Explanation: The Clean Water Act establishes a "national policy" to develop and implement nonpoint source (NPS) programs expeditiously to achieve the goals of the Act.
- Evidence: Section 319(h)(7) of the CWA Section 101(a)(7) of the CWA EPA's grants/PPG regulation in 40 C.F.R. Part 35
- 1.2 Does the program address a specific and existing problem, interest or need?** Answer: YES Question Weight: 20%
- Explanation: 319 addresses NPS pollution, which is the largest remaining cause of water quality impairments.
- Evidence: 1998 National Water Quality Inventory NAWQA
- 1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?** Answer: YES Question Weight: 20%
- Explanation: 319 is the only program to address all sources of NPS pollution. 319 can be used for monitoring and watershed planning, for which USDA funds cannot be used. The program focuses more on targeting resources for water quality results than USDA programs (e.g. EQIP) that are somewhat similar.
- Evidence: EPA 319 guidelines (various) State NPS Management Programs State Annual Reports Section 319(h)(7) of the CWA
- 1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?** Answer: YES Question Weight: 20%
- Explanation: 319 grants to States allow them to take the lead in identifying NPS problems and developing effective, locally-supported solutions. In recent years the program has increased attention to impaired waters, targeting resources where they are most needed.
- Evidence: EPA guidelines (1996-2002) "Modifications to Nonpoint Source Reporting Requirements for Section 319 Grants"
- 1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?** Answer: YES Question Weight: 20%
- Explanation: A significant portion of CWA Section 319h grants have been targeted, in the last several years, towards addressing impaired watersheds. In FY 2003, \$100 million out of an approximately \$238 million total appropriation is to address impaired watersheds.
- Evidence: EPA 319 guidelines (various)
- 2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program?** Answer: YES Question Weight: 12%
- Explanation: EPA has worked with a joint State-EPA workgroup to develop outcome and output-based goals that collectively reflect most of what the program addresses.
- Evidence: EPA memorandum, "Improving Performance and Accountability of the National Nonpoint Source Program" (Oct. 31, 2002)

Program Assessment Rating Tool (PART)

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	50%	89%	27%	Demonstrated

- 2.2 Does the program have ambitious targets and timeframes for its long-term measures?** Answer: YES Question Weight: 12%
- Explanation: Waterbodies takes a long time to improve due to programmatic efforts, given all the factors affecting water quality. However, given this limitation, the program has established ambitious targets for remediating or simply improving primarily NPS-impacted waters. In addition -- in the near future -- the program will phase in a goal focusing on the prevention aspect of the program; that is, keeping unimpaired waters from becoming impaired.
- Evidence: forthcoming memorandum from EPA
- 2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: NO Question Weight: 12%
- Explanation: The program has annual output measures that will demonstrate progress towards achieving the goal of remediating or simply improving primarily NPS-impacted waters. It lacks an efficiency measure.
- Evidence: forthcoming memorandum from EPA
- 2.4 Does the program have baselines and ambitious targets for its annual measures?** Answer: NO Question Weight: 12%
- Explanation: The program lacks targets and baselines for its annual measures.
- Evidence:
- 2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: YES Question Weight: 12%
- Explanation: All states will be required to report against the goals/measures articulated under 2.3 and 2.4. States must focus at least their incremental share of grant funds (just under half of their total allocations in FY 2003) on remediating impaired waters, and many states make such waters a priority for all of their 319h funding (and increasingly, for other sources of funding).
- Evidence: forthcoming memorandum from EPA
- 2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need?** Answer: NO Question Weight: 12%
- Explanation: Evaluations are conducted by EPA for both Regions and states. There have been a limited number of state auditor evaluations and Inspector General conducted audits, but there are no regularly conducted independent reviews of the program.
- Evidence:

Program Assessment Rating Tool (PART)

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	89%	27%	

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 12%

Explanation: It is expected that future budget requests will clearly tie funding to performance measures.

Evidence: EPA Strategic Plan

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: EPA has worked with a joint State-EPA workgroup to develop outcome and output-based goals that collectively reflect most of what the program addresses.

Evidence: EPA Strategic Plan forthcoming memorandum from EPA

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 11%

Explanation: EPA uses the upgraded GRTS and WATERS to review how States are progressing with respect to achieving load reductions for nutrients and sediment, protecting shorelines, restoring streambanks, and restoring water quality. States also submit annual NPS reports to EPA.

Evidence: EPA memorandum, "Improving Performance and Accountability of the National Nonpoint Source Program" (Oct. 31, 2002) GRTSWATERS

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 11%

Explanation: States are required to submit annual reports that not only articulate progress towards meeting state-specific goals, but in the future will also measure progress towards the national goals in 2.3. Failure to demonstrate adequate progress towards the program's goals may result in the withholding of the grant, as this is articulated as a grant condition in accordance with the Clean Water Act. EPA will be tracking progress towards meeting the national goals, and will re-evaluate how the program is being implemented if progress towards meeting targets is inadequate. Furthermore, states are required to submit semiannual Financial Status Reports to ensure fiscal responsibility with the use of grant funds. Finally, semiannual project reports are submitted to ensure that individual projects are showing adequate progress towards meeting project-specific goals.

Evidence: Section 319(h)(8) and 319(h)(11) of CWA;

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 11%

Explanation: EPA generally obligates money to States within the year of appropriation. EPA includes a standard condition in each grant that the State will obligate its funds to subgrantees within one year of the grant award. Audit reports have not raised deficiency issues.

Evidence: Section 319(h)(6) of the CWA C.F.R Section 31.41(b) Nonpoint Source Program and Grants Guidance for Fiscal Year 1997 and Future Years

Program Assessment Rating Tool (PART)

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	89%	27%	

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: NO Question Weight: 11%

Explanation: The program lacks meaningful efficiency measures.

Evidence:

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 11%

Explanation: The 319 program is designed and implemented to help build overall State capacity and to bring other Federal, State, and local programs into the mix to address NPS pollution in a holistic fashion. Each State agency administering 319 funds has committed in its recently upgraded NPS program to strengthening their working partnerships and linkages to appropriate State, interstate, Tribal, regional, and local entities (including conservation districts), private sector groups, citizens groups, and Federal agencies.

Evidence: Nonpoint Source Program And Grants Guidance For Fiscal Year 1997 And Future Years State survey of 319 agricultural projects

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 11%

Explanation: Financial status reports are submitted by States on a semiannual basis. Spending for particular projects is reported in GRTS. Regional grants project officers often review the reports and follow up as appropriate. No material internal control weaknesses have been reported by auditors.

Evidence: CFR Section 31.41(b) Nonpoint Source Program and Grants Guidance for Fiscal Year 1997 and Future Years FY 2001 EPA Integrity Act report

3.7 Has the program taken meaningful steps to address its management deficiencies? Answer: YES Question Weight: 11%

Explanation: EPA's Inspector General has conducted detailed, independent reviews of Regional and State 319 programs in Regions 7 and 8, and the Regions have made adjustments in response to those reviews. Few management deficiencies were identified by these reviews. Adjustments based on EPA Regional reviews of States are ongoing. EPA has also given feedback from on-site reviews of Regions, and Regions have adjusted to the feedback. Furthermore, EPA has made broad program policy improvements to improve the focus of the program and broad grants management changes to improve feedback capability and mechanisms.

Evidence: FY 2001 Section 319 expenditure survey Inspector General Reports on Regions 7 and 8 EPA HQ's review of Regions 1 and 7

3.BF1 Does the program have oversight practices that provide sufficient knowledge of grantee activities? Answer: YES Question Weight: 11%

Explanation: Under Section 319(h)(11), States submit to the Regions annual reports. These are required to articulate States progress towards implementing their overall State NPS management programs. Project reports are mandated semiannually. These are in addition to numerous onsite visits (most Regions visit their States one or more times per year to discuss grantee activities). GRTS also provides detailed project-level information.

Evidence: State NPS management programs Project reports Nonpoint Source Program and Grants Guidance for Fiscal Year 1997 and Future Year GRTS

Program Assessment Rating Tool (PART)

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	89%	27%	

- 3.BF2 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 11%
- Explanation: As of FY 2002, States report load reduction estimates (for nutrients and sediment) as well as additional outputs. EPA will be able to link Section 319 projects to actual water quality improvements by tagging Section 319 projects to WATERS. WATERS is already publicly accessible, and a replica of GRTS will be accessible to the public by 2003.
- Evidence: Modifications to Nonpoint Source Reporting Requirements for Section 319 GrantsWATERS
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: SMALL EXTENT Question Weight: 20%
- Explanation: The program's long-term goals are new. Prior to establishing these new goals, the program did meet its former subobjective in EPA's Strategic Plan (the plan done in accordance with GPRA): "By 2005, through the work of federal, state, tribal, and local agencies and the private sector, nonpoint source loadings (especially sediment and nutrient loads) will be reduced and/or prevented, including a 20% reduction from 1992 levels of erosion from cropland (i.e., reduction of 235 million tons of soil eroded)."
- Evidence: EPA annual reports
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: NO Question Weight: 20%
- Explanation: Received a "no" in 2.3.
- Evidence:
- 4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?** Answer: NO Question Weight: 20%
- Explanation: Received a "no" in 3.4.
- Evidence:
- 4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?** Answer: YES Question Weight: 20%
- Explanation: This program is similar to some USDA conservation programs, including the Environmental Quality Incentives Program (EQIP). EPA's program does a better job than USDA at several key management activities, including performance assessment and tracking, strategic planning, and targeting of resources.
- Evidence: EPA memorandum, "Improving Performance and Accountability of the National Nonpoint Source Program" (Oct. 31, 2002) GRTSWATERS

Program Assessment Rating Tool (PART)

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	50%	89%	27%	

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: NO

Question Weight: 20%

Explanation: There have been no reviews conducted with respect to the measures since these are new.

Evidence:

PART Performance Measurements

Program: Nonpoint Source Grants
Agency: Environmental Protection Agency
Bureau: Office of Water

Measure: Number of primarily nonpoint source impaired waters that will partially or fully attain designated uses

Additional Information: Will report progress every reporting cycle (currently every 2 years)

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2008	250		
2012	700		

Measure: Annual reduction in amount of sediment loadings (tons)

Additional Information: This measure tracks the amount (in pounds) of sediment loading reduced through CWA section 319 funded projects.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2003	22,000		

Measure: Annual reduction of total nitrogen loadings in thousands of pounds (targets under development)

Additional Information: This measure tracks the amount (in pounds) of nitrogen loading reduced through CWA section 319 funded projects.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2003	329		

Measure: Annual reduction of total phosphorus loadings in thousands of pounds (targets under development)

Additional Information: This measure tracks the amount (in pounds) of phosphorus loading reduced through CWA section 319 funded projects.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2003	110		

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	56%	82%	33%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The purpose of EPA's PM Research Program is to support the Agency's mandated responsibilities under the Clean Air Act to review and set national air quality standards and to issue to States and appropriate air pollution control agencies information on air pollution control techniques, including cost of installation and operation, energy requirements, emissions reductions benefits, and environmental impact of the emission control technology. The program is designed specifically to provide (1) advances in scientific understanding of the adverse health effects of, and patterns of exposure to, particulate matter (PM) needed to review and revise (if necessary) the National Ambient Air Quality Standards (NAAQS) for PM every five years; and (2) the tools and data to predict, measure, and reduce emissions and ambient air levels of PM, to achieve the NAAQS as a means to improve public and ecological health.

Evidence: Presidential memo (7/16/1997). Clean Air Act (<http://www.epa.gov/oar/caa/contents.html>). NRC report (2001, p. 1) (Note: the references to "NRC report" are to one of three National Research Council reports titled Research Priorities for Airborne Particulate Matter, published in 1998, 1999, and 2001. References to the three reports are distinguished by year of publication.) (http://books.nap.edu/catalog/6131.html?onpi_newsdoc033198) (http://www.nap.edu/catalog/10065.html?se_side). Program MultiYear Plan (pp. 1, 2). Section 108(a)-(b) of the Clean Air Act, as amended (42 USC 7408)

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: The program addresses the highest priority gaps in scientific knowledge that need to be investigated to prepare and complete the next mandated NAAQS assessment of PM health effects and exposure and provides improvements to tools and databases that will enable EPA's regulatory offices, states, and tribes to develop more efficient and effective plans to implement the existing daily and annual PM NAAQS.

Evidence: Presidential memo (7/16/1997). Clean Air Act Sect. 103, 108. NRC report (2001, p. 146). MultiYear Plan (p. 2).

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: No other Agency has the mandate, combination of in-house facilities and staff and focused extramural budget, or resources to support a research program that comprehensively addresses the questions of how PM causes adverse health effects, who is most susceptible to these effects, the level at which people are exposed to ambient PM, how PM levels in the ambient air can be predicted, or how to measure the important attributes of PM and precursor emissions to the extent needed to achieve the Agency's desired outcomes. EPA works with other Agencies and state, local, and private groups where possible to leverage resources and to increase capabilities. Periodic meetings of the Committee on Environment and Natural Resources (CENR) and other groups ensure communication across Agencies, and EPA's leadership role in NARSTO (a partnership with public and private organizations to address PM research) ensures that EPA's program is cognizant of, and focuses on, gaps in research not being addressed elsewhere.

Evidence: Presidential memo (7/16/1997). Research Strategy (p. 11). MultiYear Plan (p. 7). CENR Strategic Research Plan for Particulate Matter (pp. 18-25) (<http://www.al.noaa.gov/AQRS/reports/SRPPM.htm>). Clean Air Act Sect. 103, 108. The NRC's charge was to develop priorities for and review the progress of a "national PM research program". The three NRC reports acknowledge the work being conducted by others at the Federal, state, and local levels, and by private and foreign organizations, but address nearly all comments toward the EPA program, highlighting that the bulk of the effort is conducted or funded by EPA and that there is little duplication with other work.

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: YES Question Weight: 20%

Explanation: The program's design has been reviewed from both a technical and a managerial perspective by outside experts to help ensure that it addresses the most critical scientific questions and that it manages those efforts so that the most effective use is made of limited resources. Specific technical management structures have been developed to ensure the program maintains priority directions and communicates results to end users. The program seeks to be as efficient as possible by taking advantage of the different capabilities of internal and external researchers by use of external grants and interagency agreements that support work by the most capable organization's) in a particular area. Work in other Federal Agencies is used to leverage the program's resources where appropriate.

Evidence: Research Strategy (p. 16). MultiYear Plan (p. 1). NRC Report (2001, p. 2)

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: The program is designed to address problems identified as high priority by the scientific, regulated, and regulatory communities to maximize the program's effectiveness. These priorities target key science questions to provide information that is of most use to the Agency's efforts to establish national primary and secondary ambient air quality standards that reduce health risks associated with exposure to ambient PM.

Evidence: NRC Report (2001, p. 2). MultiYear Plan (pp. 3, 10). NAS review, The Measure of STAR, April, 2003 (<http://www4.nationalacademies.org/new.nsf/isbn/0309089387?opendocument>)

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	56%	82%	33%	

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: NO Question Weight: 11%

Explanation: All of the current goals and measures are "outputs" and thus do not meet the PART requirements. The five long term goals reflect the purpose of the PM research program to provide scientific understanding needed by OAR, the states, and tribes to set and implement PM standards that will improve public and environmental health. Annual performance goals are the measurable goals toward which the diverse range of research activities work, and are developed to achieve the program's long-range goals and the Agency's intermediate- and long-range outcomes, as illustrated in the logic diagram of the MultiYear Plan. As envisioned in 1997, EPA would reduce uncertainties enough by July 2002 to focus PM regulations on the particles that cause deleterious health effects. The NRC stated several concerns in its latest report: "the pattern of findings is still based on a small number of studies and replication of the results will be needed from current or recently completed studies in other cities before firm conclusions can be drawn [about outdoor measures versus actual human exposures]" (p. 4), "because the research needed to determine PM toxicants is still in progress, the committee expects that research activities related to priority 2 (exposures of susceptible subpopulations) will not begin for a few years." (p.5), and "[c]omprehensive source-oriented models for PM are still under development. However, before such models are ready for regulatory applications, they require more-certain emission inventories and improved knowledge of the chemical and physical processes that determine the size distributon and chemical composition of ambient particles."

Evidence: MultiYear Plan (p. 12, Figure 1) The purpose of the scientific review was to "update the pertinent scientific and technical information and to determine whether it is appropriate to revise the [PM] standards in order to protect the public health with an adequate margin of safety or to protect the public welfare." (POTUS memo 7/16/97) The purpose of the research was to reduce the uncertainties along the National Academy of Sciences research plan with 10 areas of concentration. According to the NAS, there are still significant knowledge gaps (e.g., actual human exposures, exposures of susceptible subpopulations, particle size and composition by source, valid source/receptor models, whether specific properties or all particulate matter creates a biological response, dosimetry modeling and validation, and copollutant and chronic exposures). (pages 4 - 13, Research Priorities for Airborne Particulate Matter III, Early Research Progress, 2001, National Research Council, National Academy Press.

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 11%

Explanation: The ultimate targets of the PM research program should unambiguously identify those particles having attributes leading to adverse health effects, the people most likely to be exposed to those particles and to suffer those effects, the sources of those particles, and the means to control them, as guided by the NRC's reports on PM research priorities. The timeframes for completing this work are tied partially to the Agency's regulatory deadlines. The programs long-term goals need to be revised. To have merit: the first is elimination of uncertainty (or ambiguity). The second measure would include the concept of "earned value." This output assessment compares cost and schedule to planned cost and schedule.

Evidence: The NRC's first report (1998) noted their portfolio was "designed for the difficult goal of reconciling research and regulatory timetables to emphasize both early and longer-term research results" in key areas. In addition, the NRC expanded its recommended research portfolio in its 1999 report as additional information became available (p. 39). They noted at that time the portfolio would be revised as research results were obtained. In their 2001 report, they expressed satisfaction that the program had "shown promise" (p. 146). They did not see a need to revise the portfolio further. However, the program should compare the original workplans to revised workplan schedules with annual milestones and highlight changes. There was no evidence provided to assess what outcomes/outputs/elements represent a minimally effective program versus a fully successful program. MultiYear Plan (p. 14, Figs. 4-7)

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	56%	82%	33%	

2.3 **Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: YES Question Weight: 11%

Explanation: The annual performance goals are designed to both demonstrate progress and to guide the program's directions, and are based upon the scientific directions determined in the PM Research Strategy. The critical path flow charts in the MYP clearly demonstrate the relationship between the APGs and the LTGs. The logic diagram in the MYP illustrates how the APGs and the LTGs are linked to the Agency's desired intermediate and long term outputs.

Evidence: MultiYear Plan (p. 17, Figs. 4-7)

2.4 **Does the program have baselines and ambitious targets for its annual measures?** Answer: NO Question Weight: 11%

Explanation: While EPA may have developed baselines represented by the state of science at the initiation of research in the individual areas of concern. And, EPA may have developed a series of annual measures that provide the ability to evaluate the progress toward meeting the program's annual and longer term goals, however there are no efficiency measures and the program does not have defined outcomes yet.

Evidence: NRC (1998, 1999, 2001). MultiYear Plan (Appendix 2, Figs. 1, 4-7).

2.5 **Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: YES Question Weight: 11%

Explanation: All work conducted by partners is developed in accordance with the program's annual and long term goals. Work conducted under contracts is specifically designed to meet well-defined program needs for achieving the appropriate goals. Solicitations for grant proposals are developed jointly by ORD and the program offices to ensure funded research supports long term Agency goals. Grants are selected for funding based on responsiveness to the solicitation, including commitment to address program priorities.

Evidence: Revision of PM Center directions (<http://es.epa.gov/ncer/centers/airpm/sab/report.html>). RFA development process to align external work with MYP (Appendix 2).

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: YES Question Weight: 11%

Explanation: In the first five years of the program, the National Research Council has published three reports on the program's design and progress. The program's management has also been reviewed by the Board of Scientific Counselors. In addition, the Clean Air Science Advisory Committee has reviewed the program's directions, directly through review of the PM Research Strategy and indirectly through its review of the PM AQCD. EPA has adjusted the program in response to recommendations from each of these bodies. Science in each of the Laboratories and Centers is also periodically reviewed by external expert panels. ORD is in the initial phase of exploring options for holding regular independent external reviews of its research programs to assess quality, relevance, and progress towards achieving long-term goals as identified in the MYPs. ORD will use feedback from these reviews to improve its program design, measurement and management. Under this proposal, programs will be assessed every three to four years on a rotating basis using criteria agreed upon by OMB, the Agency, and ORD. In addition, in the spring of 2003, ORD commissioned an independent external evaluation of its multi-year plans. This review focused on the extent to which the MYPs explain how ORD research helps achieve EPA goals, describe clear outcomes, and include clear and measurable performance indicators. The reviewers also provided suggestions for improving the quality and consistency of the MYPs.

Evidence: NRC Reports (1998, 1999, 2001, final review in July 2003) See for instance p. 2 (2001) - "EPA has given strong support to the recommendations presented in the committee's first two reports." BOSC Report (1998). MultiYear Plan (to be reviewed by CASAC in 03). PM Research Strategy (reviewed by CASAC in 2000).

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 11%

Explanation: The Agency estimates and budgets for the full annual costs of operating its programs, taking into consideration any changes in funding, policy and legislative changes. All spending categories and the resource levels and activities associated with them are included in the annual Congressional Justification. Performance data are considered at every step in EPA's planning and budgeting process (i.e. developing the OMB submission, Congressional Justification, and annual Operating Plan and reporting our results in the Annual Report). EPA managers use up-to-date financial, policy, and regulatory information to make decisions on program management and performance. It does not appear that the financial information is in such detail to be able to discern fully all resources going to this program (by the 2005 budget, hopefully there will be). For instance, how much is being spent on section 103 grants? How much of the section 103 grants are devoted to monitoring super stations (to be able to understand speciation and source-specific issues)?

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports [EPA was selected as a government-wide finalist for the 2002 President's Quality Award in the area of budget and performance integration]. Use of MYP in planning process alignment of budget with NRC priorities and Agency goals participation of OAR and Regions in planning process.

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 11%

Explanation: The program recently completed its third revision of its MultiYear Plan in as many years to ensure a strategic vision of the program's direction is current and outcome-oriented. The MYP is being used to guide funding decisions and evaluate near and long-term programmatic impacts. The program has also been very responsive to external expert guidance from the NRC. In their first report, the NRC recommended additional resources for Topics 1 and 5 (then 4% and 3% of the PM research budget).

Evidence: Alignment of research priorities with NRC, NARSTO (NRC 2001, pp. 2, 26, 32, 143); revision of MYP to incorporate Agency goal structure. As an example, in their first report (1998), the NRC recommended additional resources for Topics 1 and 5 (4% and 3% of the 1997 PM research budget, respectively). In 1999, these topics accounted for over 14% each of the total PM research investment in response to the NRC concerns. An Implementation Steering Committee was formed in response to NRC concerns (NRC 2001, pp. 146-7): see Oct 10, 2001 memo from Foley, Oppelt, Reiter, Seitz.

2.RD1 If applicable, does the program assess and compare the potential benefits of efforts within the program to other efforts that have similar goals? Answer: NA Question Weight: 0%

Explanation: There are no other programs having similar goals, in terms of total scope and mission, as EPA's PM research program. As noted above in Section I, EPA has the legislated responsibility for conducting this research and putting it into practice. Even so, part of that responsibility is to compare the potential benefits of programs in other agencies and organizations that address specific topics associated with PM health effects, exposure, atmospheric sciences or source characterization to ensure that work is not duplicated and to fill research gaps. Comparison of potential benefits is conducted from a scientific perspective in an effort to conduct work that maximizes the impact of the program. Similar comparisons are conducted at all programmatic levels.

Evidence: In their first report, the NRC (1998) developed "a conceptual framework for an integrated national program of particulate-matter research" and considered the capabilities of other programs, both public and private, to fulfill their recommended research priorities. Neither their first report nor their subsequent reports make any recommendations for shifting work to other public or private programs, outside of the extramural efforts supported by EPA. This is a recognition by the NRC that the mix of research efforts by the different organizations now involved represents an efficient approach to achieving the desired research goals. As recommended by the NRC (1998), EPA has provided funding through its grants programs to other organizations to ensure that the greatest expertise available is brought to bear on a particular problem, thereby increasing the program's effectiveness.

2.RD2 Does the program use a prioritization process to guide budget requests and funding decisions? Answer: YES Question Weight: 11%

Explanation: The PM program is priority driven, from the broad research priorities outlined by the NRC to the project level, where specific project areas are prioritized to determine what specific work should be conducted. Priorities are determined by evaluating the short term needs of clients (particularly OAR) and the longer term directions (such as those recommended by the NRC), described in the MYP. Decisions are based upon a judgement of what work will be most effective in meeting these needs, after comparing the expected impacts of funding or not funding competing projects. Extra consideration is given to research that addresses multiple questions, that addresses time-sensitive needs, or leverages resources from other agencies or organizations. The annual program planning activities focus on identifying and funding priority areas across the PM program, followed by a comparison to research needs in other programs.

Evidence: MYP (Focusing ORD's Research, p. 10)

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: NO Question Weight: 9%

Explanation: The establishment and review of annual performance goals and measures is an integral part of the PM program's annual planning and budgeting process. Progress towards achieving the APGs/APMs is reported quarterly within ORD. This information is used to inform the annual planning process as well as to update the MYP. Contractors and holders of cooperative agreements are monitored on a regular basis to ensure their progress is compatible with the overall aims of the MYP. STAR grantees are required to report annual progress and final results, including publications and significant accomplishments that are posted on a public web site. They are also required to participate in periodic program review workshops with other grantees and EPA staff to review progress and findings. Because EPA knows the TEN RESEARCH PRIORITIES, OMB suggests an "earned value management system" review of the PM research program. The reasons are manifold: the NRC laid out a schedule and developed cost estimates in 1998 for TEN SPECIFIC PRIORITIES. EPA revised and NRC reviewed the schedule and scope in 1999. Periodically, EPA changes cost and schedule, but OMB has not seen evidence that these are reviewed systematically. Cost and schedule variance analysis is extremely useful in determining how well the program is performing.

Evidence: EPA FY 2002 Annual Report (<http://www.epa.gov/ocfo/finstatement/2002ar/2002ar.htm>) STAR Web Site (<http://es.epa.gov/ncer/>)

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 9%

Explanation: The program incorporates program performance into personnel performance evaluation criteria. Management is accountable for specific performance standards relating to program goals. The program also monitors progress against GPRA targets, including mid-year reviews with the Deputy Administrator. For contracts and grantees, statement of work, deliverables, costs, and schedules are written into award terms. All ORD Project Officers (POs) are responsible for seeing that the agreement is awarded and managed according to government regulations in a way that gives value to the government and public.

Evidence: SES Performance standards. Project Officer Training (<http://epawww.epa.gov/oamintra/training/index.htm>).

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 9%

Explanation: Prior to the beginning of the fiscal year, the program develops an operating plan which reflects how it plans on spending its budget (as requested in the President's Budget). Resources are allocated by goal, objective, subobjective, program and object class. Programs then adjust the operating plan to reflect appropriated levels. EPA's budget and annual Operating Plan are aligned with the Agency's Strategic Plan and approved by OMB and Congressional Appropriations Committees. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. Fund transfers between program objectives in excess of Congressionally established limits require Congressional notification and/or approval. EPA prepares an Operating Plan that OMB and Appropriations Committees approve. Program offices track spending against this plan, which is aligned with the EPA strategic plan.

Evidence: EPA's annual Operating Plan and Congressional Justification, EPA's Strategic Plan, Budget Automation. System (BAS) data, EPA's Annual Report and Financial Statements. End of year obligation reports.

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: NO Question Weight: 9%

Explanation: ORD is undertaking efforts related to this issue. For example, ORD currently monitors the average length of time it takes to make grant awards. In a recent review of the Science to Achieve Results (STAR) program, the NAS examined this topic, and ORD is in the process of responding to the NAS recommendations. In addition, ORD is developing IT business cases that document how particular projects improve efficiency.

Evidence: National Academy of Sciences (NAS) Review of STAR grants program (page 103) (The Measure of STAR - <http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 9%

Explanation: The program works through CENR, NARSTO and other venues to ensure that it has identified and is taking advantage of opportunities for collaboration and coordination. Grant solicitations are developed in consultation with other Federal Agencies and joint research solicitations are developed where appropriate.

Evidence: CENR Strategy. NARSTO Assessment (<http://www.cgenv.com/Narsto/>). MultiYear Plan (page 8). PM Research Strategy. TVA IAG (IAG DW64959501). Sponsorship of workshops including other programs. Development of joint research solicitations

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 9%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. EPA is taking steps to meet the new accelerated due dates for financial statements. The PM program has no material weaknesses as reported by the IG and has procedures in place to minimize erroneous payments. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives.

Evidence: Annual Congressional Justification. Budget Automation System (BAS) reports. Unqualified audit opinion on EPA FY02 financial statements. Fiscal Year 2002 Advice of Allowance Letter. 2002 Integrity Act Report. Resource policies at: <http://intrasearch.epa.gov/ocfo/policies>. IG's list of material weaknesses.

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
100%	56%	82%	33%	

- 3.7 Has the program taken meaningful steps to address its management deficiencies?** Answer: YES Question Weight: 9%
- Explanation: EPA took a number of actions to address some deficiencies in the PM monitoring network to address concerns raised by the National Academy in March 1998. For example, EPA reduced the number of planned mass-only monitoring sites and increased the number of complex monitoring sites that identify the components of fine particulate matter. EPA's mass-only monitors encountered operating problems and failed to meet data quality requirements.
- Evidence: IG's list of material weaknesses. A General Accounting Office (GAO) study released August 30, 1999, cited a multitude of mechanical problems with EPA's particulate matter monitors. Some of the worst problems included monitors freezing, fans drawing in dust giving inaccurate readings, and nearly one-third of the monitors having problems resulting in lost data. GAO suggested that EPA rigorously test future monitors before they are allowed in the field. (GAO/RCED-99-215.)
- 3.CO1 Are grants awarded based on a clear competitive process that includes a qualified assessment of merit?** Answer: YES Question Weight: 9%
- Explanation: 100% of the PM research grants are awarded through ORD's competitive STAR grants program, using external scientific peer reviewers to rate applications based on scientific merit. Only applications rated as excellent or very good (usually 10-20% of proposals) are then considered for funding based on relevance to EPA programmatic priorities. To attract new investigators, research solicitations are announced in the Federal Register, posted on the NCER website for at least 90 days, emailed to institutions and individuals that have indicated an interest in receiving them, distributed at scientific conferences, and disseminated to researchers by other federal agencies.
- Evidence: EPA National Center for Environmental Research website: RFA announcements (<http://es.epa.gov/ncer/>) Over 85% of PM grant awards in 2000 and 2001 went to researchers who had not previously received individual STAR grants. NAS review, The Measure of STAR, April, 2003 (<http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)
- 3.CO2 Does the program have oversight practices that provide sufficient knowledge of grantee activities?** Answer: YES Question Weight: 9%
- Explanation: Grant project officers monitor grantee performance, including submission of annual progress reports and compliance with federal requirements. The five PM Research Centers hold annual reviews conducted by external scientific advisory committees; the project officer conducts a site visit in conjunction with this review. The EPA Science Advisory Board conducted a review of the PM Research Centers program at its midpoint.
- Evidence: EPA Order 5700.6 Policy on Compliance Review and Monitoring. Project officer site visits conducted on a minimum on 10% of active grantees. Project officers attempt to visit all research centers and institutions that receive large individual grants to check research progress (NAS review, The Measure of STAR, April, 2003). Grant specialists conduct site visits for administrative and financial evaluations on a minimum of 10% of active grants annually. Interim review of the PM research centers of the USEPA: An EPA Science Advisory Board Report A Review by the PM Research Centers Interim Review Panel of the Executive Committee of the US EPA Science Advisory Board (<http://www.epa.gov/science1/pdf/ec02008.pdf>).

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

3.CO3 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner? Answer: YES Question Weight: 9%

Explanation: An annual progress report is submitted by each grantee and posted on the EPA National Center for Environmental Research website. Reports from the PM centers and individual grantees are distributed to EPA staff to disseminate to interested parties. These reports include summaries of progress in relation to project objectives as well as publications of research results. Grantees also present results at the multitude of PM-related scientific conferences held annually. The PM Centers have organized several workshops on various PM topics that include participants from outside EPA and the Centers. Progress is further disseminated through members of the PM Centers external scientific advisory committees and external reviewers of NCER's PM programs. Summaries of PM research accomplishments are posted on the website. Several hundred publications resulting from PM grants are further evidence of grantee performance.

Evidence: EPA National Center for Environmental Research website: progress reports and publications lists (<http://es.epa.gov/ncer/>). NAS review, The Measure of STAR, April, 2003. Interim review of the PM research centers of the USEPA: An EPA Science Advisory Board Report A Review by the PM Research Centers Interim Review Panel of the Executive Committee of the US EPA Science Advisory Board.

3.RD1 For R&D programs other than competitive grants programs, does the program allocate funds and use management processes that maintain program quality? Answer: YES Question Weight: 9%

Explanation: Internal funding for research projects is allocated based on internal competition within each Laboratory, although the specific method varies across the Laboratories. Internal competition evaluates both potential for advancing scientific understanding as well as programmatic relevance, with such relevance tied to both NRC priorities and program office (client) information needs. Funds are allocated to high priority project areas as determined by these internal programmatic reviews. Data quality is maintained through a comprehensive quality assurance program. Periodic review of the program by NRC and others provides the external incentive to ensure program quality.

Evidence: Multiyear Plan (p. 8). NCER guidance (es.epa.gov/ncer/rfa/forms/standinstr.html). ORD FY 2005-2006 Contingency Plan Development Process (pp. 1, 7)

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals? Answer: NO Question Weight: 25%

Explanation: The PM research program has made significant progress toward achieving the long term goals of the program as measured by the increases in understanding of the sources, behavior, exposures, and effects of ambient PM in both the general and susceptible populations. Of the ten priority research areas identified by the NRC, the committee anticipated completion of only 3 (identification of biologically important constituents, mechanisms of toxicity, and the relationships of personal exposure levels to ambient concentrations) by 2002 (NRC 1998, p. 7). One of these (exposure) has been completed, the other two have proven more complex than originally anticipated by the NRC. In addition, EPA has conducted work in areas not initially evaluated by the NRC, and has made substantial progress in several of the other priority topics.

Evidence: The NRC noted in 2001 that there is as yet insufficient evidence for the committee to predict the program's ultimate effectiveness (p. 146). Even so, the program has demonstrated biological plausibility of PM effects; the ability of central monitors to be used as surrogates for personal PM_{2.5} mass exposure for both the general population and susceptible subpopulations; differences in particle deposition patterns in people with pulmonary diseases; mechanisms of damage from PM constituents including quinones and transition metals; verification of epidemiological results associated with chronic exposure; new methods for measuring ammonia from area sources; performance of dispersion models to predict PM levels; improvements in receptor modeling capabilities; and the need to focus on effects of specific sources rather than attributes as a means to link effects to specific particle types. The underlined results in particular have significantly reduced uncertainties in the science behind the current NAAQS. The italicized results represent findings that have the potential to change our understanding of the source-transformation-exposure-effects linkages and the regulatory approaches to improving public health.

4.2 Does the program (including program partners) achieve its annual performance goals? Answer: SMALL EXTENT Question Weight: 25%

Explanation: All annual performance goals have been completed by the projected date. The APGs are directly tied to the program MultiYear Plan and the Agency's desired short-, intermediate- and long-term outcomes through the plan's use of the logic model as the basis for its development. This ensures that the information provided under GPRA reflects the program's progress toward achieving its annual goals, its long-term goals, and ultimately, the desired Agency outcomes.

Evidence: EPA FY 2002 Annual Report (<http://www.epa.gov/ocfo/finstatement/2002ar/2002ar.htm>). MultiYear Plan (Appendix 2; Figs. 1, 4-7).

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year? Answer: NO Question Weight: 25%

Explanation: It is noteworthy that OMB's R&D Investment Criteria, to which the R&D PART is explicitly linked, do not address the need for these types of measures. However, ORD is undertaking efforts related to this issue. For example, ORD currently monitors the average length of time it takes to make grant awards. In a recent review of the Science to Achieve Results (STAR) program, the NAS examined this topic, and ORD is in the process of responding to the NAS recommendations. In addition, ORD is developing IT business cases that document how particular projects improve efficiency.

Evidence: National Academy of Sciences (NAS) Review of STAR grants program (page 103) (The Measure of STAR - <http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)

Program Assessment Rating Tool (PART)

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
100%	56%	82%	33%	Demonstrated

4.4 **Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?** Answer: NA Question Weight: 0%

Explanation: There are no other programs with similar purpose and goals. EPA's goal of this research program is to develop a regulation that will protect public health from harmful particulate matter. As such it is not comparable to other research efforts in the U.S., or with other agencies programs. Independent private efforts to perform similar research are undertaken to influence EPA's regulatory decisions. The only comparable research that could potentially apply would be in other countries (WHO or European Union).

Evidence: Nearly 2/3 of the post-1998 publications on dosimetry and toxicology (focus areas for EPA's research) in the 2001 External Review Draft of the Air Quality Criteria Document are from internal EPA research or EPA-funded external research. Overall, over a quarter of all the post-1998 references in the AQCD are from the EPA research program. The EPA portions are compared to results from overseas, industry, states, and all other Federal agencies. (<http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=29503>)

4.5 **Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?** Answer: YES Question Weight: 25%

Explanation: The program is evaluated by an NRC Committee on an on-going basis. Additional evaluations of the program's products are conducted by CASAC and BOSC. In each case, the committees have agreed that the program is fundamentally sound and is providing the necessary information to achieve strategic goals. ORD is in the initial phase of exploring options for holding regular independent external reviews of its research programs to assess quality, relevance, and progress towards achieving long-term goals as identified in the MYPs. ORD will use feedback from these reviews to improve its program design, measurement and management. Under this proposal, programs will be assessed every three to four years on a rotating basis using criteria agreed upon by OMB, the Agency, and ORD.

Evidence: NRC Report (2001). CASAC approval of AQCD (<http://www.epa.gov/science1/pdf/casac102003.pdf>). BOSC report.

PART Performance Measurements

Program: Particulate Matter Research
Agency: Environmental Protection Agency
Bureau:

Measure: Measure Under Development
Additional Information:

Year

Target

Actual

Measure Term: Long-term

Measure: Measure Under Development
Additional Information:

Year

Target

Actual

Measure Term: Annual

Measure: Measure Under Development
Additional Information:

Year

Target

Actual

Measure Term: Long-term (Efficiency Measure)

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: Statute authorizes the registration of pesticides to prevent unreasonable risks to human health and the environment, to consider pesticide efficacy where appropriate, to promote availability, and to expedite reduced risk pesticides. Thus, the program has a succinct, defensible purpose: To ensure safe and effective pest control options are available.

Evidence: The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Sections 3(a), 3(c)(5), 3(c)(10)(B).

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Pesticides and herbicides are essential tools for controlling insects, weeds, bacteria, and other pests in agriculture, hospitals, homes and gardens. Though essential, pesticides by nature are designed to be harmful to certain organisms. The registration of pesticides ensures they meet certain science-based safety and efficacy standards before they can be sold. The program also considers the current pesticide needs and the range of available pesticides that meet the needs where appropriate in addressing certain aspects of registration decisions. Pesticide registration is an ongoing need because develop resistance to existing pesticides and new pest problems arise over time. Also because manufacturers continuously develop new technologies and new methodologies to address these issues and to provide more effective or less costly pest control options.

Evidence: EPA typically receives 10-15 petitions for new pesticide active ingredients and an average of 250 new use requests each year. These represent only a subset of the total registration actions the program must complete. According to a USDA report, farmers receive \$1-3 return for every dollar spent on pesticides and without just one class of pesticides, carrot production would drop by 48%, tomatoes by 36%, strawberries by 30% and cotton by 27%. (USDA publication Production Practices for Major Crops in U.S. Agriculture, 1990-1997). Based on an EPA analysis, without a certain subset of Section 18 pesticides (emergency exemptions), the U.S. could have experienced approximately \$1.2 billion in crop losses. (Sect 18 using IR-4 data, 88-01)

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: This program is the sole nationwide pesticide registration authority and thus, it is the only program addressing this specific purpose and specific need. It is essential that registration occur on the national level because of the lack of resources at the State level and the need to ensure national consistency in worker and human health protection. Some States do have registration programs but they are not consistent and none supplant EPA's registration.

Evidence: FIFRA Section 3(a), 3(c)(5), 3(c)(10)(B).

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?

Answer: YES

Question Weight: 20%

Explanation: The program is free from major flaws that limit effectiveness or efficiency. The program targets reduced risk pesticides for quicker review action, creating incentives for industry to design safer pesticides. The program is able to request additional data when needed from industry. Food Quality Protection Act requirements provide a good balance of specific risk reviews and implementation flexibility to meet national and changing needs. Program is oriented to improving efficiency, witness section 18 process, other improvements. Without the program, significantly more toxic pesticides would be in use. No evidence is available which shows that a better mechanism exists. Though no major flaws have been identified, backlogs do exist in some areas.

Evidence: FIFRA data call-in authorities; FQPA science policies; reduced risk pesticides guidelines; homeland security decontamination needs implemented through this program.

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: The registration program uses a priority system to ensure that the program is effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the programs purpose directly. The registration priority system places high priority on registering pesticides that are safer than pesticides currently on the market, pesticides with public health benefits, and pesticides that are of particular economic importance to producers. The program has the authority to charge fees to cover part of the cost of the program but has be blocked from doing so by Congressional action through the appropriations process. Collection of these fees would put the responsibility for paying for part of this program on the registrants who receive the direct benefits of registering pesticides.

Evidence: Pesticide registration notices 97-2 and 98-7, available online at http://www.epa.gov/pr_notices/

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: YES Question Weight: 12%

Explanation: The program has included two long-term indicator goals that focus on outcomes related to the program activities. They are overarching goals measuring health and environmental conditions which are impacted by all OPP activities as well as activities that are beyond the control of the program or the agency. The exact level of contribution from specific program actions can not be determined but it is reasonable to assume that progress on OPP activities will contribute positively to these indicators. OPP has agreed to develop, over the course of the next year, long-term risk-based goals to quantify reduced exposure to toxic pesticides which will more specifically and directly and measure the human health and environmental benefits of the program actions. The program will also work on a long-term outcome efficiency measure commensurate with their risk-based goals OMB is accepting the wildlife mortality incidence long-term goal as a low-level outcome but expects the agency to work to make this goal more directly reflect risk.

Evidence: EPA's FY 2003 Strategic Plan, Goal 4, objective 1. OPP has established an internal effort to review and improve their existing goals and has agreed to developing risk-based goals through this work. To support OPP's efforts to improve goals, EPA initiated a project to identify and evaluate new outcome results measures. The CAPRM project (Chemical and Pesticides Results Measures) project with Florida State University is currently in its second phase. Preliminary results from this effort were cited in the FY03 President's Budget.

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: YES Question Weight: 12%

Explanation: OPP began monitoring progress on both of these long-term measures in FY 2003. Preliminary baselines and targets have been established for these long-term indicator goals but EPA indicated that revisions may be needed.

Evidence: EPA's FY 2003 Strategic Plan, Goal 4, objective 1. FY 2003 EPA Annual Report.

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: The Registration program has several annual measures that directly reflect program performance and are useful for program and resource management. These are output measures but are acceptable because it is a licensing program that results in "products" (registrations) - by completing registration actions, the program is directly addressing the needs established in Section I, Question 2: safety, effectiveness, availability. The program has also developed useful programmatic output efficiency measures that encourage increased productivity. OPP overall does need to work further on developing outcome efficiency measures that relate to the long-term measures of the program. And, risk-based annual goals may be needed commensurate with the long-term risk-based goals under development.

Evidence: FY 2003 EPA Annual Plan and Report (and prior years). Agency FY 2005 budget submission

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: NO Question Weight: 12%

Explanation: Outyear targets have not been provided for the registration program annual goals beyond 2005. EPA is working to further develop baselines and ambitious targets for its annual measures for the registration program. OPP is in the process of annualizing the draft baselines for submission of the Congressional Justification for FY 2005.

Evidence:

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 12%

Explanation: Performance measures are written into the Statement of Work established as part of every contract and grant. These measures are tied directly to annual performance goals of the program. Deliverables, costs, and schedules are written Task Orders that outline expectations on a monthly basis. Monthly Surveillance Reports are submitted to the EPA and are reviewed by the Work Assignment Mgr who documents whether the performance is satisfactory.

Evidence: Statement of Work for each contract/grant, Monthly Surveillance Reports, Work Assignment Mgr reports (internal review documents).

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: No "independent" reviews have been done on the program as a whole regularly or otherwise. There are no structured, comprehensive reviews of the program performance. The program participates on many committees that provide input and guidance on both performance and process, but committees generally consist of potentially biased parties and the input is not always structured or managed within the agency. The Science Advisory Panel provides routine external peer feedback on the science analysis for many program decisions. OPP has started Mutual Accountability Assessments (MAAs) with its regional and state pesticide program partners to focus attention on the strengths and weaknesses of both regional and headquarters pesticide programs. MAAs are done jointly with our Office of Enforcement and Compliance Assistance and Office of General Counsel partners.

Evidence: OPP has contracted to complete study to determine what market share each of the conventional reduced-risk pesticides has gained in their respective crops/sites. Reports for Mutual Accountability are produced per assessment, the latest of which is for Region 7, April 10, 2003. Contract Statement of work for Evaluation of Reduced Risk Pesticide Program. SAP website.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 12%

Explanation: EPA has had their budget structure aligned with their GPRA goals for some time. For the registration program, funding changes can be translated directly into a change in the number of pesticide registration applications reviewed. The program completes an annual planning process through which they determine how many reviews they intend to complete the following fiscal year. The process includes a prioritization system for the petitions to be reviewed and involves balancing resource constraints and the program takes into account the full cost of operations.

Evidence: Annual budget submission to OMB and Congressional Justification show links between goals, appropriations and key programs. Office of Pesticides Programs (OPP) maintains a very useful, clear, detailed budget model that breaks the budget down further by linking all activities to the existing GPRA goal structure. Funding for the Registration program is one of several programs/activities within this model. OPP internal annual planning process involves balancing program work requirements and resource constraints.

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: The Office of Prevention, Pesticides and Toxic Substances (OPPTS) and the Office of Pesticides Programs (OPP) (which is an office within OPPTS) participates in the agency-wide process for reviewing and updating the agency strategic plan and develops or adjusts its goals and measures as part of this process. Strategic planning is done at the office rather than program level because OPP/OPPTS programs are in competition for resources and because a many programs are not totally independent of one another. OPP has made a commitment to further improve its long-term measures and has made progress in developing output efficiency measures for the Registration Program. Though internally-measured outputs are tracked and reviewed by management, OPPTS/OPP lacks a comprehensive system for tracking and retrieving information on planning decisions and does not have a thorough, defined process that centralizes external feedback on emerging issues and performance.

Evidence: EPA's FY 2003 Agency Strategic Plan, Goal 4, Objective 1. CAPRM reports; CARAT website; SAP website. Agency-wide Strategic Plan update every 5 years - coordinated by Office of the CFO.

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: YES Question Weight: 14%

Explanation: The Program uses the new consolidated Office of Pesticides Programs Information Network (OPPIN) database system, which went on-line in 2003, to track information on the progress of registration activities and reports on the progress of activities are provided to Program management on a weekly and monthly basis. Division meetings to discuss work plan and performance and flag issues are held bi-weekly/monthly and quarterly. Resource reallocation (in terms of personnel effort) is done real-time. Branch level meetings occur weekly. Regular reviews of contractor performance are also performed. Additional information on process and performance is collected from stakeholders but this information is not reported on internally in a formal way. The program does not survey stakeholders to collect overall performance information from stakeholders. USDA, FDA and external commercial data are often used for performance measures and trend analysis.

Evidence: Office of Pesticide Programs Information Network (OPPIN) database used to track activity on products - stores history - easily retrievable. New Chemical and Use database for tracking actions on registration petitions over time. Examples of external sources of performance/process input: Pesticide Program Dialogue Committee (PPDC) and State FIFRA Issues Research and Evaluation Group (SFIREG). CAPRM report; USDA and FDA websites.

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: YES Question Weight: 14%

Explanation: All SES managers have program long-term and annual performance goals built into their personal performance plans and reviews. Contractors are held accountable for cost, schedule and performance through regular reviews.

Evidence: SES Performance Management System. Multiple options for ensuring contract accountability - delinquency notices, liquidated damages, warranties written into the contract.

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 14%

Explanation: All funds are obligated in a timely manner and are aligned with statutory authorities and GPRA goals. The Assistant Administrator responsible for the registration program conducts program reviews twice a year and reviews obligations monthly. Grants/contracts plans are prepared in line with the program GPRA structure and the program follows agency grant and contracting policies and are updated as funds are executed. At the agency level (Chief Financial Officer), obligations and expenditures are tracked in the agency's Integrated Financial Management System and compared to the approved annual operating plan.

Evidence: Spreadsheet provided showing carryover 1999-2001. Periodic spending reports, Financial Status Reports, Grants & Contracts Status reports, Budget Accounting System (BAS) data, financial management directives.

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution?

Answer: YES

Question Weight: 14%

Explanation: The program has now drafted several output efficiency measures that target reducing decision times for registration actions but the program must work to develop outcome measures that relate to the long-term outcome measures of the program. In 2003, OPP reached its Target Architecture for information systems by deploying the new Office of Pesticide Programs Information Network (OPPIN). This new system combines 19 independent data storage and tracking systems, reduces the time to locate documents and allows queries and analyses that were not possible before. It also helps improve quality control, and allows the risk manager to assemble information for review and/or develop regulatory documents more efficiently. OPP is participating in a competitive sourcing/cost comparison exercise under OMB's streamlined competitive sourcing guidelines.

Evidence: Draft Competitive sourcing document for Pesticide Programs. The program has already outsourced much of the base scientific review functions required for registration applications. IT initiatives are underway to streamline the registration label review process. Projections of cost savings associated with the use of OPPIN include hours of time saved from ability to analyze across data groups electronically and tracking data for registrations.

3.5 Does the program collaborate and coordinate effectively with related programs?

Answer: YES

Question Weight: 14%

Explanation: The Registration program, under the auspices of the Office of Pesticides Programs at EPA, collaborates and coordinates with multiple Federal agencies, States, foreign governments, and private sector entities on a variety of issue specific and more general topics. These include a work share program with Canada which focuses on reviewing data for pesticide registrations to improve efficiency, partnerships with the CDC on responding to the West Nile virus and with many agencies on homeland security-related tasks.

Evidence: Technical Assistance Document for Anthrax response for the National Response Team. National Food Security System Strategy document with FDA (President's Council on Food Safety). Pesticide Data Program at USDA.

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 14%

Explanation: The program follows EPA's guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. EPA is working to meet the new accelerated due dates for financial statements. Agency level contracts & grants office conducts audits to ensure proper procedures are followed. Office of Pesticide Programs (OPP) maintains central database to track grant and contract funding status and systems are tracking FTE and contract expenditures. OPP participated in pilot of Agency financial tracking/reporting system.

Evidence: FY 2001 Agency Annual Financial Statement. IG audits that report on material weaknesses. IG annual fee audit.

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 14%

Explanation: OPP has made progress in addressing management deficiencies, most notably through the implementation of improved IT systems. OPP does have a clear annual work plan development process focused on meeting annual goals (which do not currently include any sort of productivity/cost effectiveness/efficiency targets but will in the near future). In FY 2003, the program implemented programmatic efficiency measures and begun tracking results, but has no data yet to evaluate their usefulness. Though monthly and semi-annual review meetings are conducted at multiple levels and many management issues are identified and addressed through this process, there is no evidence of a defined system within the program that tracking the identification and correction of management deficiencies.

Evidence: New efficiency goals. Office of Pesticides Programs Information Network (OPPIN). Management review meeting results.

4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?

Answer: SMALL
EXTENT

Question Weight: 25%

Explanation: The current long-term outcome indicator goals were established in FY 2002 and tracking began in FY 2003 so it is not possible to make an assessment of historical progress at this point. Reviews of initial data indicate that positive progress is being made. In addition, the program has agreed to develop risk-based long term outcome goals that will better and more directly reflect the specific program activities.

Evidence: EPA FY 2003 Annual Report.

4.2 Does the program (including program partners) achieve its annual performance goals?

Answer: SMALL
EXTENT

Question Weight: 25%

Explanation: The program received a Yes for Question 2.3 and a No for question 2.4 so according to the PART guidance, the program can receive no higher than a Small Extent rating for this question. Annual output goals are essential for measuring performance of program. Program has met existing annual performance goals evaluated in Section 2, Q2 for FY99, FY00 and partially in FY01. Given the existence of backlogs and feedback from customers, work needs to be done to evaluate the appropriateness and level of challenge associated with existing annual goals. New/revised annual goals may be needed to support the risk-based long term goals under development.

Evidence: Additional data on 1988-2001 accomplishments was provided by the agency. No concrete comparison can be made for years prior to 1999 because targets were not established and/or published prior to the implementation of their GPRA goal-based budget. Estimating targets for the existing annual performance goals for the Registration Program is complicated by the variability in what registration petitions are submitted.

Program Assessment Rating Tool (PART)

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:
Type(s): Direct Federal

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	75%	100%	25%	

4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?

Answer: SMALL
EXTENT

Question Weight: 25%

Explanation: Historically the program has not used efficiency measures. In FY 2003, the program did develop output efficiency measures for certain aspects of the program. Data from these measures will be helpful for future assessments. Backlogs still exist for several types of registration actions and it is not clear that significant progress has been made year to year in reducing their size. The program has taken other steps to improve the efficiency of certain processes (see evidence).

Evidence: Most of the program's primary data review activities are done by contractors (more than 22 FTE for the registration program), resulting in a savings of FTE for work on higher level science review, analysis and risk assessment, more effectively and efficiently utilizing resources. Implemented an electronic labeling program under which registrants can submit labels electronically (via PDF file) and reviewers in the registration program, using Adobe Acrobat, can very quickly identify changes from the previously approved label(s). Established a formal process by which registrants can submit studies (including sensitive data) supporting registrations electronically. Electronic submissions help to expedite review of studies. Implementing internal procedural changes for section 18 activities to shorten the time it takes to grant an emergency exemption.

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?

Answer: NA

Question Weight: 0%

Explanation: There are no other programs that have a similar enough purpose and have the same or substantially similar goal structure to compare performance against. There are other programs that perform similar activities (though for different purposes). It could be beneficial to evaluate the operation of those programs to see if any of the successful aspects can be replicated in the Registration Program or more broadly in the Office of Pesticide Programs.

Evidence:

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

Answer: NO

Question Weight: 25%

Explanation: Program needs to have independent evaluation(s). Certain stakeholders have indicated concern about the level of efficiency of the program but have also expressed support the program's purpose.

Evidence: During the FY04 PART process, OMB informally collected feedback from some stakeholders (i.e. pesticide manufactures and other federal agencies) on Registration program performance and design.

PART Performance Measurements

Program: Pesticide Registration
Agency: Environmental Protection Agency
Bureau:

Measure: Percent reduction in terrestrial and aquatic wildlife mortality incidents involving pesticides

Additional Information: The baseline is 80 reported bird incidents involving 1150 mortalities and 65 reported fish incidents involving 632,000 mortalities averaged for the period 1994-1996. The data is available annually from Ecological Incident Information System (EIIS).

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2008	-30%		

Measure: Percentage of agricultural acres treated with reduced-risk pesticides

Additional Information: Indirectly measures the increase in registration of pesticides that are lower risk than conventional pesticides by measuring the use, availability, and effectiveness (demand) for them.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2002	1%	7.5%	
2003	8.1%		
2004	8.5%		
2005	8.7%		

Measure: Percent reduction in review time for registration of conventional pesticides.

Additional Information: Measures reduction in decision-making time for new active ingredient registration actions. From 2002 baseline.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term (Efficiency Measure)
2008	-10%		

OMB Program Assessment Rating Tool (PART)

Direct Federal Programs

Name of Program: **PESTICIDE REREGISTRATION**

Section I: Program Purpose & Design (Yes, No, N/A)

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1 <i>Is the program purpose clear?</i>	Yes	The program has a succinct, defensible purpose: To ensure that pesticides registered before 1984 are safe as defined by in the 1988 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Food Quality Protection Act of 1996 (FQPA).	<ul style="list-style-type: none"> • The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 4(a) • The Federal Food, Drug, and Cosmetic Act (FFDCA) Section 408(q) . • The Food Quality Protection Act (FQPA) - P.L. 104-170 	20%	0.2
2 <i>Does the program address a specific interest, problem or need?</i>	Yes	Pesticides and herbicides are essential tools for controlling insects, weeds, bacteria, and other pests in agriculture, hospitals, homes and gardens. Though essential, pesticides by nature are designed to be harmful to certain organisms. The Reregistration program addresses the need to ensure that all pesticides used in the US, not just newly registered ones, are safe for humans and the environment based on the most current science. This is an ongoing need because the program has not finished the 612 reregistration eligibility decisions (REDs) and 9,721 tolerance reassessments that it is required by statute to review.	<ul style="list-style-type: none"> • If a pesticide is approved for reregistration, it means the pesticide is safe based on current science standards, which include toxicity, exposure, and population considerations. • 612 reregistration eligibility decisions and 9,721 tolerances must be reviewed. By the end of 2001 the program had completed 3,664 (40% of total) tolerance reassessments, and 443 (72% of total) REDs. 	20%	0.2
3 <i>Is the program designed to have a significant impact in addressing the interest, problem or need?</i>	Yes	As the sole program with statutory authority in the U.S to review and reregister older pesticides, the Reregistration program does make a significant contribution to the need for safe, effective, available pest control options. An average cost per reregistration action could be calculated. 100% of the program funds go toward addressing the need outlined in Section I, question2. The program also leverages funds from the private sector through fees and statutory mandates that require pesticide registrants to provide the necessary information to support the safety claims associated with their products and uses.	<ul style="list-style-type: none"> • Since the enactment of the Food Quality Protection Act (FQPA), the program has completed an average of 12 REDs per year and 234 tolerance reassessments per year. (Note: all tolerance reassessments are contained within reregistration eligibility decisions but not all REDs have tolerances associated with them) • Through the Program's data call in authority (FIFRA 3(c)(2)(b)), the program leverages private sector resources to support the work it must do. An example of successful leveraging would be the industry Agricultural Reentry Task Force which resulted multiple efficiencies in the program. 	20%	0.2

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
4 <i>Is the program designed to make a unique contribution in addressing the interest, problem or need (i.e., not needlessly redundant of any other Federal, state, local or private efforts)?</i>	Yes	This program is the sole pesticide reregistration authority and thus, this is the only program addressing this specific purpose and specific need. It is essential that reregistration occur on the federal level to ensure national consistency in worker and human health protection and because States lack the resources and expertise to accomplish the task.	• FIFRA Section 4(a), and FQPA authorize only EPA to reregister pesticides.	20%	0.2
5 <i>Is the program optimally designed to address the interest, problem or need?</i>	Yes	There is no conclusive evidence that the design of this program is not optimal. Though feedback from stakeholders indicates the program is less than effective, no studies have been completed that identify a better program structure.	• Although general critiques have indicated less than stellar progress, there is not study or assessment that provides a credible alternative framework or design for optimization of this program.	20%	0.2
Total Section Score				100%	100%

Section II: Strategic Planning (Yes, No, N/A)

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1 <i>Does the program have a limited number of specific, ambitious long-term performance goals that focus on outcomes and meaningfully reflect the purpose of the program?</i>	No	The Office of Pesticides Programs (OPP) does have three GPRAs long-term objectives that are related to its mission. The actions of the Reregistration program contribute primarily to one of these goals: By 2008, use on food of current pesticides that do not meet the new statutory standard of "reasonable certainty of no harm" will be eliminated. This goal does have a clear time frame, but it is not outcome-oriented and it lacks a measurable, quantified target and baseline. Also, it is not clear how OPP long term goals challenge managers to improve program performance. For this assessment, EPA has proposed expanded versions of several annual performance goals with longer time horizons as long-term goals (see Section IV, Question 1) but we have not reached agreement on which long-term goals will be included in they FY04 GPRAs plan. Though the program does not have any efficiency goals in place currently, it did propose a time-based efficiency goal to be considered for this assessment (also see Section IV, Question 1).	• EPA Annual Performance Plan, EPA Strategic Plan, EPA Budget Submission and Congressional Justification - goal 3 objective 1. • GAO report on EPA's goals provides a hierarchy established by EPA for outcome measures. "Managing for Results - EPA Faces Challenges in Developing Results-Oriented Performance Goals and Measures" GAO/RCED-00-77, April 2000 • In an effort to improve OPP goals and make them more outcome-oriented, EPA has initiated a project to identify and evaluate new outcome results measures. The CAPRM project (Chemical and Pesticides Results Measures) project with Florida State University is currently in its second phase. Preliminary results from this effort were cited in the FY03 President's Budget.	14%	0.0

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
2 <i>Does the program have a limited number of annual performance goals that demonstrate progress toward achieving the long-term goals?</i>	Yes	The program does have existing annual performance measures that are discrete, quantifiable, and measurable. They are output measures which establish targets for annual performance of the Reregistration Program for the various types of reregistration actions completed. There are also other annual goals that are related to reregistration but do not directly relate to the completion of reregistration activities. In addition, the Program is working on establishing targets for efficiency metrics to be added to the annual goals.	<ul style="list-style-type: none"> • EPA Annual Performance Plan, EPA Strategic Plan, EPA Budget Submission and Congressional Justification. • As noted in Section I, question 2, if a pesticide is approved for reregistration, it means the pesticide is safe when used according to the approved label based on current science standards, which include toxicity, exposure, and population considerations. Thus, there is a link between safety and risk reduction for humans and the environment and the reregistration of pesticides. A connection then can be made with any new long-term goals established that are human environment safety-outcome oriented. 	14%	0.1
3 <i>Do all partners (grantees, sub-grantees, contractors, etc.) support program planning efforts by committing to the annual and/or long-term goals of the program?</i>	Yes	Performance measures are written into the Statement of Work established as part of every contract and grant. These measures are tied directly to annual performance goals of the program. Deliverables, costs, and schedules are written Task Orders that outline expectations on a monthly basis. Monthly Surveillance Reports are submitted to the EPA and are reviewed by the Work Assignment Mgr who documents whether the performance is satisfactory.	<ul style="list-style-type: none"> • Statement of Work for each contract/grant, Monthly Surveillance Reports, Work Assignment Mgr reports (internal review documents). 	14%	0.1
4 <i>Does the program collaborate and coordinate effectively with related programs that share similar goals and objectives?</i>	Yes	The Reregistration program, under the auspices of the Office of Pesticides Programs at EPA, collaborates and coordinates with multiple Federal agencies, States, foreign governments, and private sector entities on a variety of issue specific and more general topics. Examples include the Agricultural Reentry Task Force (ARTF), and FDA and USDA's Office of Pest Management Practices (OPMS) for information essential to reregistration actions.	<ul style="list-style-type: none"> • OPMS is critical in providing input from the grower community and on agricultural production practices for both the development of the risk assessment and for the risk mitigation decisions. • In completing Registration Eligibility Decisions (REDs), potentially impacted parties are included in discussions and are often mentioned in the RED narrative (chpt 4). Also, extensive comments on REDs are documented through the OPP docket. 	14%	0.1

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
5 <i>Are independent and quality evaluations of sufficient scope conducted on a regular basis or as needed to fill gaps in performance information to support program improvements and evaluate effectiveness?</i>	No	A No answer is given here because there are no "independent" (as defined in the guidance) reviews done on the program as a whole regularly or otherwise. There are no structured, comprehensive reviews of the program performance. The Office of Pesticides Programs (OPP) participates on many committees that provide input and guidance on both performance and process, but committees generally consist of biased parties and the input is not always structured or managed within the agency.	None	14%	0.0
6 <i>Is the program budget aligned with the program goals in such a way that the impact of funding, policy, and legislative changes on performance is readily known?</i>	Yes	EPA has had their budget structure aligned with their GPRA goals for some time. For the Reregistration program, funding changes can be translated directly into a change in the number of reregistration actions completed. The program completes an annual planning process through which they determine what reregistration actions they intend to complete the following fiscal year.	<ul style="list-style-type: none"> • OMB submission and Congressional Justification show links between goals, appropriations and key programs. • Office of Pesticides Programs (OPP) maintains detailed budget model that breaks the budget down further by linking all activities to the existing GPRA goal structure. (Note: the Reregistration Program is one of multiple programs/activities within OPP) 	14%	0.1
7 <i>Has the program taken meaningful steps to address its strategic planning deficiencies?</i>	Yes	There is an agency-wide process for reviewing and updating the agency strategic plan. OPP develops and adjusts its goals and measures as part of this process. The Registration Program contributes to this overall process. There also exists an internal Office of Prevention, Pesticides and Toxic Substances (OPPTS) strategic planning process that includes a senior management retreat. Planning at this level is essential because OPP programs are not totally independent of one another and they are in competition for resources with other programs within OPPTS. An example of addressing a deficiency would be OPP's decision to establish a separate division to address biopesticides because of the unique challenges they pose relative to other types of pesticides. External information available to OPPTS on current and emerging issues is taken into account in certain parts of the strategic planning process, but it is not clear how. There seems to be a lack of a thorough, defined process that centralizes external feedback on emerging issues and performance for use in strategic planning decision-making.	<ul style="list-style-type: none"> • The agency-wide Strategic Plan is updated every 3 years. This is coordinated by Chief Financial Officer. • Planning meetings that include regional and headquarters directors occur annually for the Office of Prevention, Pesticides and Toxic Substances (OPPTS) and the Office of Pesticides Programs (OPP) (which is an office within OPPTS). A priorities matrix is developed for each OPPTS program. Currently the process lacks a central tracking system for planning decisions which makes it difficult to retrieve information on what and why historical decisions were made. The OPPTS budget office has recently started to develop a database to store such data. 	14%	0.1

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
Total Section Score				100%	71%

Section III: Program Management (Yes, No, N/A)

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1 <i>Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?</i>	Yes	The Program uses multiple electronic methods to track information on the progress of reregistration actions and reports on the progress of activities are provided to program management weekly. Weekly output meetings are held to review performance and flag issues. Resource reallocation (in terms of personnel effort) is done real-time to achieve highest priorities. Regular reviews of contractor performance are also performed. Additional information on process and performance is collected from stakeholders but this information is not reported on internally in a formal way.	<ul style="list-style-type: none"> • Pesticide Regulation Action Tracking System (PRATS) database used to track activity - stores history - easily retrievable. • Tracking reports (WordPerfect documents) are published weekly showing status, deadlines, and milestones. • For contract/grant review info, see Q3 Section II • There is no internal tracking database for activity on reregistration actions while they are under review in the science divisions. 	14%	0.1
2 <i>Are Federal managers and program partners (grantees, subgrantees, contractors, etc.) held accountable for cost, schedule and performance results?</i>	Yes	All SES managers have program long-term and annual performance goals built into their personal performance plans and reviews. Contractors are held accountable for cost, schedule and performance through regular reviews.	<ul style="list-style-type: none"> • SES Performance Management System. • Multiple options for ensuring contract accountability - delinquency notices, liquidated damages, warranties written into the contract. 	14%	0.1
3 <i>Are all funds (Federal and partners') obligated in a timely manner and spent for the intended purpose?</i>	Yes	All funds are obligated in a timely manner and are aligned with statutory authorities and GPRA goals. The Assistant Administrator responsible for the registration program conducts program reviews twice a year and the Office of Pesticide Programs (within which the reregistration program resides) reviews obligations monthly. Grants/contracts plans are prepared in line with the program GPRA structure and is updated as funds are executed.	<ul style="list-style-type: none"> • Data provided to OMB on 1999-2001 carry-over shows minimal balances year-to-year. • Periodic spending reports, Financial Status Reports, Grants & Contracts Status reports, Budget Automation System (BAS) data. 	14%	0.1
4 <i>Does the program have incentives and procedures (e.g., competitive sourcing/cost comparisons, IT improvements) to measure and achieve efficiencies and cost effectiveness in program execution?</i>	No	A No answer is required here because the program's performance plans do not currently include efficiency measures and targets. Without such measures, it is difficult to identify opportunities for productivity and efficiency gains. Some projects and activities are being or have been implemented to gain potential efficiency improvements (see evidence).	<ul style="list-style-type: none"> • The program has outsourced much of the base scientific review functions required for reregistration applications. • IT initiatives are underway to centralize data collected about pesticides and RED documentation has underwent significant streamlining. 	14%	0.0

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
5 <i>Does the agency estimate and budget for the full annual costs of operating the program (including all administrative costs and allocated overhead) so that program performance changes are identified with changes in funding levels?</i>	Yes	Reregistration program budget includes full costs of operating the program (including all administrative/overhead costs). Only some pension and benefits costs are not included because current Federal policy requires these be tracked by another entity outside the scope of the agency budget.	<ul style="list-style-type: none"> Office of Pesticides Programs (OPP) maintains detailed budget model that breaks the budget down further by linking all activities (which includes registration) to the existing GPRA goal structure. Reregistration program manages within OPP budget structure. Budget Accounting System (BAS) reports - show rent, utilities, WCF, for key programs. 	14%	0.1
6 <i>Does the program use strong financial management practices?</i>	Yes	OIG audits show that program is free of material control weaknesses. Agency level contracts & grants office conducts audits to ensure proper procedures are followed. Office of Pesticide Programs (OPP) maintains central database to track grant and contract funding status and system for tracking FTE and contract expenditures. EPA OIG audits the OPP annually to ensure proper use of fee revenues.	<ul style="list-style-type: none"> OIG material weakness audits OIG annual fee audit to ensure that funds collected from the private sector are being used properly show no major deficiencies. 	14%	0.1
7 <i>Has the program taken meaningful steps to address its management deficiencies?</i>	Yes	OPP does have a clear annual work plan development process. The Registration program does reallocate resources and redirect priorities to address areas that are not achieving targets. Monthly and semi-annual review meetings are conducted at upper management levels within OPP to address performance. An example of addressing management deficiencies would be the development of a rejection rate analysis to evaluate and track the factors that contributed to the rejection of studies submitted by registrants in the mid-1990's. The rejection of studies is not only costly to registrants and EPA, it also can negatively impact EPA's ability to meet reregistration goals.	<ul style="list-style-type: none"> OPP annual workplan document that outlines the tasks to meet annual goals. Pesticide Reregistration Rejection Rate Analysis, 1995 Summary Report - EPA 738-S-95-001 The Program, through OPP-wide efforts, is addressing some information management deficiencies (i.e. OPPIN network, expansion of OPP internal budget model). Internal efficiency/consistency group was established several years ago to examine certain aspects of the risk assessment development process to ensure decisions and requirements were being applied uniformly. 	14%	0.1
Total Section Score				100%	86%

Section IV: Program Results (Yes, Large Extent, Small Extent, No)

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
-----------	------	-------------	---------------	-----------	----------------

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1 <i>Has the program demonstrated adequate progress in achieving its long-term outcome goal(s)?</i>	No	<p>The Program received a No for Section 2, Q3. The existing long-term goals do not always specify measurable targets and they need to be more outcome-oriented. They are directly related to mandated tolerance reassessment and reregistration completion requirements. Over time, the timeframe for completing reregistration activities has been pushed out. It was extended through legislation from 1997 to 2002 but EPA has published that the reregistration activities will not be complete until 2006. The program has made progress some in achieving the some existing non-outcome-oriented long-term goals by meeting all mandated tolerance reassessment output deadlines.</p> <p>Further work is needed to develop long-term goals that are adequately outcome-oriented and that are more clearly tied to annual performance. Long-term efficiency goals must also be developed and implemented.</p>	<ul style="list-style-type: none"> • Mandated tolerance reassessment completion deadlines are 33% by 3-Aug-1999, 3-Aug-2002, 3 Aug-2006 • 1988 amendments put deadline for completion of reregistration activities by the end of FY 1997. • FQPA extended reregistration deadline to the end of FY 2002. No legislative changes have been made to officially extend program beyond FY02 but according to EPA it is "generally accepted" that the program will be completed by 2006. • Annual Federal Register Notices on program performance or other annual reporting required. 	33%	0.0

<p>Long-Term Goal I: Target: Actual Progress achieved toward goal:</p>	<p>Measures Under Development</p>
--	-----------------------------------

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
2 <i>Does the program (including program partners) achieve its annual performance goals?</i>	Small Extent	<p>Due to the nature of this program, annual output goals are essential for measuring performance. The two annual goals listed below are examples of existing output goals used by the Reregistration program. The program has not consistently met existing the annual performance goals evaluated in Section 2, Question 2. The continued extension of the expected completion date for the reregistration program indicates that annual goals for completing Reregistration Eligibility Decisions have not always been met.</p> <p>Further work is needed to establish a stronger link between annual performance measures and long term goals. Also, annual efficiency goals must be developed and implemented.</p>	<ul style="list-style-type: none"> • Pre-GPRA planning structure set internal target of approximately 35-40 REDs per year. • Annual RED completions increased from 13 in 1991 to 40 in 1995, then to 3 in 2001. Difference largely due to additional FQPA requirements and increased scientific complexity. • Annual Federal Register Notices have been issued on Reregistration program performance. Annual reporting is required. • In FY99 and FY00 program did not meet tolerance reassessment goal. Met only part of FY01 tolerance reassessment goal. These annual setbacks did not prevent program from meeting the statutory goal of 66% by Aug 3, 2002 (goals met fo FY02). 	33%	0.1

Key Goal I:	Cumulative Percentage of Tolerances reassessed
Performance Target:	FY 2002 Target: 66 percent of total of 9,721
Actual Performance:	FY 2002 Actual: 66 percent of total of 9,721
Key Goal II:	Cumulative Percentage of Reregistration Eligibility Decisions (REDs) Completed
Performance Target:	FY 2002 Target: 72.4 percent of 612
Actual Performance:	FY 2002 Actual: 71.6 percent

3 <i>Does the program demonstrate improved efficiencies and cost effectiveness in achieving program goals each year?</i>	Small Extent	<p>The program received a No for Question 4, Section III. There are no efficiency or cost effectiveness measures or targets used currently to measure performance. Annual and long term efficiency and/or cost effectiveness measures must be developed and implemented. The program met most of its FY01 goal but did not meet it in FY99 or FY00. Years of increased productivity seem sporadic. There is no evidence that thorough analyses have been completed of how efficiencies were gained or of how improvements in one area impact other aspects of the program.</p>	<ul style="list-style-type: none"> • Agency annual performance reports • Spreadsheet provided by OPP that details annual output accomplishments • FQPA added significant requirements to the reregistration process including consideration of aggregate and cumulative risk, special sensitivities of sub-populations, period of transition requirements, and increased stakeholder involvement. All of these affect the length of time it takes to complete a RED. 	33%	0.1
--	--------------	--	---	-----	-----

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
4 <i>Does the performance of this program compare favorably to other programs with similar purpose and goals?</i>	N/A	There are no other programs that have a similar enough purpose and have the same or substantially similar goal structure to compare performance against (no common measures). There are other programs that perform similar activities (though for different purposes).		0%	
5 <i>Do independent and quality evaluations of this program indicate that the program is effective and achieving results?</i>	N/A	Since no evaluations of the program meet the definition of "independent" as specified in Section III, Question 1, the answer here must also be a no. Some external reviews have been done on the implementation of FQPA, which is the responsibility of EPA.	<ul style="list-style-type: none"> • OMB collected feedback from some stakeholders (i.e. pesticide manufactures and other federal agencies) on Reregistration program performance and design. • CRS report RS20043: "Pesticide Residue Regulation: Analysis of Food Quality Protection Act Implementation" • Continuing need for extensions to complete workload. 	0%	
Total Section Score				100%	22%

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	10%	73%	7%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The purpose of the pollution prevention and new technologies (P2NT) research program is to provide to state, local and federal governments, academia, industry (particularly small and medium-sized enterprises, known as SMEs), and citizen groups a suite of problem solving options (P2 Tools, CC&T, ETV, SBIR and SES) to more cost-effectively reduce high priority environmental risks. This program is administered by EPA's Office of Research and Development (ORD). (CC&T = clean chemistry and technology, ETV = environmental technology verification, SBIR = small business innovative research, SES = sustainable environmental systems).

Evidence: P2 Research Strategy (EPA/600/R-98/123, page 1; www.epa.gov/ORD/WebPubs/final/p2.pdf). P2NT Multi-Year Plan (MYP) page 2. Applicable authorizing legislation: 42 U.S.C.A. 13103 [PPA section 6604], 42 U.S.C.A. 7403 [CAA section 103]; 42 U.S.C.A. 1255 [FWPCA section 105]; 42 U.S.C.A. 300j-1 [PHSA section 1442]; 42 U.S.C.A. 6981 [SWDA section 8001], Small Business Reauthorization Act of 2000 (Pub. L. No. 106-554).

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Many P2 opportunities exist for industry, as noted in a Government Accounting Office (GAO) evaluation of EPA's P2 programs. The need for technology development is especially apparent for small and medium-sized firms.

Evidence: P2NT MYP (page 3). GAO. Environmental Protection: EPA Should Strengthen Its Efforts to Measure and Encourage Pollution Prevention. (GAO/GAO-01-283, February 2001, pgs 18-19, 21 & 23; www.gao.gov/new.items/d01283.pdf). Science Advisory Board (SAB). Toward Integrated Environmental Decision-Making. (EPA-SAB-EC-00-011, August 2000, pgs 10 & 13; www.epa.gov/sab/pdf/ecirp011.pdf). Toxics Release Inventory (www.epa.gov/tri/tridata/).

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: NO

Question Weight: 20%

Explanation: While EPA is the only Agency within the federal government with broad authority to protect all environmental media and regulate cross-media transfers, some aspects of its P2 research program are duplicative of the private sector. For example, the Science Advisory Board's (SAB's) Environmental Engineering Committee (EEC) noted that "some of the research projects and products walk a thin line between providing a useful product or service (one that would not otherwise be available) and infringing on the domain of commercially viable products and services. This is especially true in the area of software development." EEC further encouraged written disclosure identifying the nature and types of technology products that ORD should or should not pursue. SAB's Research Strategies Advisory Committee (RSAC) stressed that EPA must convey how its program adds value to on-going efforts in other agencies and the private sector, including addressing factors or providing information on why EPA believes it should pursue projects instead of other parties capable of conducting the projects. In addition, there may be a possible overlap or duplication with another program within EPA: the Office of Pollution Prevention and Toxic Substances (OPPT's) P2 program, which also aids industry by providing P2 tools to realize P2 opportunities. It is not clear if there are reductions in chemical use or emissions resulting from ORD's program, nor is it apparent that this program results in more reductions than EPA's OPPT's P2 program.

Evidence: P2 Research Strategy (EPA/600/R-98/123, pages 5-15), Small Business Reauthorization Act of 2000 (Pub. L.No.106-554). SAB (RSAC). Water Quality and Pollution Prevention Multiyear Plans: An SAB Review, EPA-SAB-RSAC-02-003, December 2001.SAB (EEC). An SAB Report: Review of ORD's Pollution Prevention Research Strategy, EPA-SAB-EEC-98-008 (www.epa.gov/science1/pdf/eec9808.pdf), July 1998.

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	10%	73%	7%	

1.4 **Is the program design free of major flaws that would limit the program's effectiveness or efficiency?** Answer: NO Question Weight: 20%

Explanation: The ETV program has design flaws that limit the effectiveness of the program. The program has difficulty sustaining the involvement of smaller vendors due to long verification times and costs to vendors. In addition, in one instance a vendor claimed the verification as a certification in its advertisements, which the program had to legally remedy.

Evidence: Meeting with OMB on ETV, 2002, with Dr. Paul Gilman, EPA Assistant Administrator (AA) for the Office of Research and Development (ORD) and Science Advisor, and Mr. Tim Oppelt, then-Director of the ETV program.

1.5 **Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?** Answer: YES Question Weight: 20%

Explanation: Among the primary barriers hindering the wider use of pollution prevention are the technical challenges associated with new and sometimes unproven techniques, such as technical uncertainties and considerable risk. Small firms face even more significant technical challenges in pursuing P2 options. P2 measures tend to require a great deal of technical sophistication and resources. Such firms, as well as medium-sized firms, typically do not have the time and resources to research and evaluate their options and therefore need assistance to help them identify and implement various options. SBIR and CC&T are aimed at small and medium-sized businesses.

Evidence: GAO suggested that such assistance be in the form of mentors, such as experts, from larger firms. GAO, Environmental Protection: EPA Should Strengthen Its Efforts to Measure and Encourage Pollution Prevention.(GAO/GAO-01-283, February 2001; www.goa.gov/new.items/d01283.pdf)

2.1 **Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program?** Answer: NO Question Weight: 10%

Explanation: The program has not established any outcome long-term goals (LTGs), nor adequate outputs that might be combined to provide a picture of what the program aims to achieve. The LTGs that were presented as "outcomes" are outputs or process activities. It is important for EPA to determine some sort of measurement that compares status before and after the pollution prevention actions were put in place (i.e., the amount of chemical reduced or not used as a result of the tools and assistance the program provides industry.) EPA should attempt to solicit from industry whether actual process changes or reductions in chemical use occurred due to the program's tools and assistance. While Cooperative Research and Development Agreements (CRADAs) are a good output indicator of the interest of / relevance to industry, it alone is not sufficient. A better indicator would include the level of cost-sharing by industry. In addition, the program has not listed an efficiency measure, although it states one in 3.4 and 4.3 (average time to fund competitive grants). The program should consider including this efficiency measure in the Measures tab of Section 2 until it develops a better one.

Evidence: The P2NT MYP.

2.2 **Does the program have ambitious targets and timeframes for its long-term measures?** Answer: NO Question Weight: 10%

Explanation: Received "No" for 2.1

Evidence:

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	10%	73%	7%	Demonstrated

2.3 **Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?** Answer: NO Question Weight: 10%

Explanation: While the program does not have LTGs, it has presented annual performance goals (APGs) that attempt to support the purpose of the program, which is to provide information to industry to assist in realizing pollution reduction opportunities. These are too numerous, and more problematic, are the most basic of outputs, which are unlikely to result in outcomes when transferred to customers. The program really must strive to show beyond anecdotal evidence that these tools will indeed be used by industry and contribute to outcomes (e.g., reductions in chemicals use and/or emissions, impacts to environmental quality or public health). Program must also develop an efficiency measure.

Evidence: The Measures Tab contains a subset of all the APGs presented by the program. These are the most preferred for the program from its initial list.

2.4 **Does the program have baselines and ambitious targets for its annual measures?** Answer: NO Question Weight: 10%

Explanation: Received "No" for 2.3.

Evidence:

2.5 **Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?** Answer: NO Question Weight: 10%

Explanation: Received "No" for 2.1 and 2.3.

Evidence:

2.6 **Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need?** Answer: NO Question Weight: 10%

Explanation: In the last five years, the program has not had any evaluations that examine how well the program is accomplishing its mission and meeting its long-term goals. Ideally, such evaluations would include recommendations on how to improve the program's performance. Almost all the studies cited by ORD were focussed on the program's planning process and did not evaluate performance; one review, which did not look at performance information, did note that the program must address strategic planning deficiencies regarding the lack of development of long-term outcome goals and linkages from annual performance measures to LTGs. The joint ORD/Inspector General (IG) study, while not considered independent, observed that the program focuses primarily on outputs, and that it should focus on outcomes. The most recent review of the ETV program has been on the incorporation of quality management, not on performance. While ORD has plans for future reviews of its P2 Research Strategy and its MYPs, these, again, are process reviews.

Evidence: Reviews include: joint ORD/OIG Program Evaluation Report. Design for Objective 8.4 Could Be Improved by Reorienting Focus on Outcomes, No. 2002-P-000002, November 2001.SAB (RSAC). Water Quality and Pollution Prevention Multiyear Plans: An SAB Review, EPA-SAB-RSAC-02-003, December 2001.SAB (EEC). An SAB Report: Review of ORD's Pollution Prevention Research Strategy, EPA-SAB-EEC-98-008 (www.epa.gov/science1/pdf/eec9808.pdf), July 1998. SAB (EEC). Reviw of EPA's Environmental Technology Verification Program, EPA-SAB-EEC-00-012 (www.epa.gov/sab/pdf/eec0012.pdf), August 2000.

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not Demonstrated
60%	10%	73%	7%	

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: YES Question Weight: 10%

Explanation: The Agency estimates and budgets for the full annual costs of operating its programs, taking into consideration any changes in funding, policy, and legislation. All spending categories and the resource levels and activities associated with them are included in the annual Congressional Justification. Performance data are considered at every step in EPA's planning and budgeting process (i.e. developing the OMB submission, Congressional Justification, and annual Operating Plan and reporting our results in the Annual Report). EPA managers use up-to-date financial, policy, and regulatory information to make decisions on program management and performance. The Agency's financial information is integrated with performance and other program data to support day-to day decision making of managers and executives.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports. [EPA was selected as a government-wide finalist for the 2002 President's Quality Award in the area of budget and performance integration.]

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: NO Question Weight: 10%

Explanation: The 2001 RSAC review specifically noted that it was not apparent that EPA "had engaged in the kind of strategic thinking required for this effort" to come up with outcome definitions. RSAC specifically noted that long-term goals were open-ended, and the Committee remained concerned that annual goals could not logically lead to meeting LTGs. RSAC also found that there was an apparent missing connection between the inventory of annual targets and LTGs. The Committee stated that it was difficult to understand how the collection of outputs in the MYP would eventually combine and contribute to achieving outcomes that further APGs or LTGs. RSAC advised the program that once outcomes are formulated, the strategic thinking process "moves backward" to the present in order to formulate the series of necessary steps to achieve the forward-looking outcomes. The joint ORD/OIG evaluation also noted that the program needed to focus on outcomes and that it should "improve program design to include performance measures related to short-term outcomes." The absence of adequate LTGs indicates that the program has not corrected its strategic planning deficiencies.

Evidence: SAB (RSAC). Water Quality and Pollution Prevention Multiyear Plans: An SAB Review, EPA-SAB-RSAC-02-003, December 2001, joint ORD/OIG Program Evaluation Report. Design for Objective 8.4 Could Be Improved by Reorienting Focus on Outcomes, No. 2002-P-000002, November 2001.

2.RD1 If applicable, does the program assess and compare the potential benefits of efforts within the program to other efforts that have similar goals? Answer: NO Question Weight: 10%

Explanation: The program has not assessed or compared what its potential benefits might be in relation to other efforts that have similar goals either within the Agency, such as OPPT's P2 program within EPA, or in other agencies and the private sector.

Evidence:

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	10%	73%	7%	Demonstrated

- 2.RD2** **Does the program use a prioritization process to guide budget requests and funding decisions?** Answer: NO Question Weight: 10%
- Explanation: The program cites annual reviews through ORD's research planning process to determine its relevance in addressing the needs of its respective customers. SAB reviews, however, found the prioritization criteria were not distinct enough (1998) or not addressed in the program's MYP (2001). The program finalized its MYP without remedying these findings, therefore, it is not clear how the program incorporates prioritization into its budget requests and funding decisions.
- Evidence: SAB (RSAC). Water Quality and Pollution Prevention Multiyear Plans: An SAB Review, EPA-SAB-RSAC-02-003, December 2001.SAB (EEC). An SAB Report: Review of ORD's Pollution Prevention Research Strategy, EPA-SAB-EEC-98-008 (www.epa.gov/science1/pdf/eec9808.pdf), July 1998.
- 3.1** **Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?** Answer: NO Question Weight: 9%
- Explanation: The program has not collected information that would lead it to establish meaningful long-term goals or determine whether the program meets its purpose. For example, the program has not reviewed industry cost-sharing, which can serve as a proxy measure for R&D programs. Alternatively, the program has not attempted to obtain information on the use its tools within industry. This lack of information limits the ability of the program to evaluate itself. The exception to this is the competitive grants aspect of the program, Science to Achieve Results (STAR) grants; grantees are required to report annual progress and final results, including publications and significant accomplishments that are posted on a public web site. They are also required to participate in periodic program review workshops with other grantees and EPA staff to review progress and findings. Contractors and holders of cooperative agreements are also monitored on a regular basis to ensure their progress is compatible with the overall aims of the MYP, but the MYP has shortcomings.
- Evidence: STAR Web Site (<http://es.epa.gov/ncer/>).
- 3.2** **Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results?** Answer: YES Question Weight: 9%
- Explanation: The program incorporates program performance into personnel performance evaluation criteria. Management is accountable for specific performance standards relating to program goals. The program also monitors progress against GPRA targets through quarterly reporting and mid-year reviews with the Deputy Administrator. For contracts and grantees, statement of work, deliverables, costs, and schedules are written into award terms. All ORD Project Officers (POs) are responsible for seeing that the agreement is awarded and managed according to government regulations in a way that gives value to the government and public.
- Evidence: SES Performance standardsProject Officer Training (<http://epawww.epa.gov/oamintra/training/index.htm>)

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	10%	73%	7%	Demonstrated

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 9%

Explanation: Prior to the beginning of the fiscal year, the program develops an operating plan which reflects how it plans on spending its budget (as requested in the President's Budget). Resources are allocated by goal, objective, subobjective, program and object class. Programs then adjust the operating plan to reflect appropriated levels. EPA's budget and annual Operating Plan are aligned with the Agency's Strategic Plan and approved by OMB and Congressional Appropriations Committees. Obligations and expenditures are tracked in the Agency's Integrated Financial Management System (IFMS) against the Operating Plan. Fund transfers between program objectives in excess of Congressionally established limits require Congressional notification and/or approval. EPA works with grantees to ensure that their work plans reflect the Agency's Strategic Plan and Operating Plan and that recipient spending is consistent with the approved workplan. Each program office and grants management office conducts post-award monitoring of assistance agreements, including monitoring the draw-down of funds against grantee progress on workplan tasks and deliverables. This monitoring ensures that recipients are spending the funds designated to each program area for the intended purpose. All grantees are required to submit annual or more frequent financial status reports.

Evidence: End of year obligation reports. EPA's annual Operating Plan and Congressional Justification, EPA's Strategic Plan, Budget Automation System (BAS) data, EPA's Annual Report and Financial Statements. EPA's Policy on Compliance, Review, and Monitoring (EPA 5700.6, Advanced post-award monitoring (i.e. on and off-site grantee review) reports, documentation of post-award monitoring in assistance agreement files, grantee financial status reports.

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: NO Question Weight: 9%

Explanation: While ORD is undertaking efforts related to this issue (the average length of time it takes to make grant awards, IT business cases that discuss efficiency improvements), nothing is currently available to measure efficiency of the program.

Evidence: National Academy of Sciences (NAS) Review of STAR grants program (page 103) (The Measure of STAR - <http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 9%

Explanation: P2 research involves extensive collaboration with EPA program offices (OAR, OPPTS, OW), other agencies (DOE, DOD, NIST, USDA, NASA), and other non-Federal organizations (Electric Power Research Institute, Council for Chemical Research, NATO, P2 Roundtable, UN Environmental Program, American Chemical Society, and American Institute of Chemical Engineers). EPA professionals and their verification partners work with over 800 stakeholders in 21 separate stakeholder groups to facilitate performance evaluation of innovative environmental technologies. Several agencies have entered into cooperative agreements with ETV.

Evidence: P2 Research Strategy (EPA/600/R-98/123, pages 7-9). P2NT MYP (pages 5-6, 12-19). TSE Grants and SBIR: <http://es.epa.gov/ncer>. ETV Program MOUs with: DOD: www.epa.gov/etv/sitedocs/memo_agreement_estcp.html, Coast Guard: www.epa.gov/etv/sitedocs/memo_agreement_uscg.html State of Massachusetts: www.epa.gov/etv/sitedocs/memo_agreement_ma.html

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	10%	73%	7%	Demonstrated

3.6 Does the program use strong financial management practices?

Answer: YES

Question Weight: 9%

Explanation: The program follows EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. Agency officials have a system of controls and accountability, based on GAO and other principles, to ensure that improper payments are not made. At each step in the process, the propriety of the payment is reviewed. EPA trains individuals to ensure that they understand their roles and responsibilities for invoice review and for carrying out the financial aspects of program objectives. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. EPA is taking steps to meet the new accelerated due dates for financial statements. The P2NT program has no material weaknesses as reported by the Office of the Inspector General (OIG) and has procedures in place to minimize erroneous payments.

Evidence: Annual Congressional Justification, Budget Automation System (BAS) reports, unqualified audit opinion on EPA FY02 financial statements, Fiscal Year 2002 Advice of Allowance Letter, 2002 Integrity Act Report, resource policies at: <http://intrasearch.epa.gov/ocfo/policies>.

3.7 Has the program taken meaningful steps to address its management deficiencies?

Answer: YES

Question Weight: 9%

Explanation: In September 2000, GAO released a report recommending a number of program management improvements for the STAR grants program. Subsequently, EPA identified the STAR grants program as one of its Major Management Challenges in Fiscal Year 2001 for its lack of performance measures. It was recommended that that program assess its outcomes and evaluate whether the grants contribute value to EPA in meeting its priorities. The program addressed the GAO findings and pursued opportunities to remedy itself as a Major Management Challenge. This included EPA charging NAS to conduct a review and make recommendations. EPA is currently reviewing NAS's recommendations.

Evidence: EPA. Fiscal Year 2001 Annual Report, p. III-7.NAS. The Measure of STAR: Review of the US Environmental Protection Agency's Science to Achieve Results (STAR) Research Grants Program (www.nap.edu/openbook/0309089387/html/R9.html), 2003.GAO. Environmental Research: STAR Grants Focus on Agency Priorities, but Management Enhancements Are Possible, RCED-00-170, September 2000.

3.CO1 Are grants awarded based on a clear competitive process that includes a qualified assessment of merit?

Answer: YES

Question Weight: 9%

Explanation: All P2 research grants are awarded through ORD's competitive STAR grants program, using external scientific peer reviewers to rate applications based on scientific merit. Only applications rated as excellent or very good (usually 10-20% of proposals) are considered for funding based on relevance to EPA programmatic priorities. To attract new investigators, research solicitations are announced in the Federal Register, posted on EPA's National Center for Environmental Research (NCER) website for at least 90 days, emailed to institutions and individuals that have indicated an interest in receiving them, distributed at scientific conferences, and disseminated to researchers by other federal agencies.

Evidence: STAR Website (RFA announcements: <http://es.epa.gov/ncer>). NRC review, The Measure of STAR, April, 2003 (www.nap.edu/books/0309089387/html/)

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	10%	73%	7%	Demonstrated

- 3.CO3 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 9%
- Explanation: An annual progress report is submitted by each grantee and posted on the EPA National Center for Environmental Research website. Reports grantees are distributed to EPA staff to disseminate to interested parties. These reports include summaries of progress in relation to project objectives as well as publications of research results. Grantees also present results at numerous scientific conferences held annually. Summaries of P2 research accomplishments are posted on EPA's website.
- Evidence: STAR Website: (Progress reports and publications lists: <http://es.epa.gov/ncer>).NRC review, The Measure of STAR, April, 2003 (www.nap.edu/books/0309089387/html/).
- 3.RD1 For R&D programs other than competitive grants programs, does the program allocate funds and use management processes that maintain program quality?** Answer: NO Question Weight: 9%
- Explanation: The program allocates funding to outside sources (not competitive grants) through Cooperative Research and Development Agreements (CRADAs), in which industry commits to providing resources or in-kind assistance. It is not clear what management process are in place to maintain program quality, particularly because the program lacks adequate collection of data to set acceptable goals.
- Evidence: P2NT MYP (page 8). ORD Planning Guidance. Overview of the EPA Quality System for Environmental Data and Technology, (EPA/240/R-02/003; www.epa.gov/quality/qs-docs/overview-final.pdf).
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: NO Question Weight: 20%
- Explanation: Received "No" for 2.1 .
- Evidence:
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: NO Question Weight: 20%
- Explanation: Received "No" for 2.3.
- Evidence:
- 4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?** Answer: NO Question Weight: 20%
- Explanation: ORD is undertaking efforts related to this issue, but cannot demonstrate results at this time. Efforts include currently monitoring the average length of time for EPA to make grant awards. In a recent review of the Science to Achieve Results (STAR) program, the National Academy of Sciences (NAS) examined the program, and ORD is in the process of responding to the NAS recommendations. In addition, ORD is developing IT business cases that document how particular projects improve efficiency.
- Evidence: NAS. Review of STAR grants program (page 103) (The Measure of STAR - <http://www4.nationalacademies.org/news.nsf/isbn/0309089387?OpenDocument>)

Program Assessment Rating Tool (PART)

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)
Type(s): Research and Development Competitive Grant

Section Scores				Overall Rating
1	2	3	4	Results Not
60%	10%	73%	7%	Demonstrated

4.4 **Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?** Answer: SMALL EXTENT Question Weight: 20%

Explanation: The program claims that P2 tools development is the most comprehensive among all known programs in public and private sectors (DOE, NIST, NSF, private companies selling proprietary software, and academia), however, no evaluation or documentation exist of these comparisons. The private sector has developed tools to help industry realize P2 opportunities, similar to EPA's tools. SAB's EEC review noted "that some of the research projects and products walk a thin line between providing useful product or service . . . and infringing on the domain of commercially viable products and service. This is especially true in the area of software development." The other aspects of the program, such as SES, SBIR, and CC&T, address areas that are not adequately addressed by other entities, resulting in the program receiving "Small Extent".

Evidence: CRADAs reflect the request for collaboration and cooperative research and development for small companies and academic partners. CRADAs #0157-98 (PARIS II); #0239-02 (ET&E Data Base). WAR Algorithm: www.epa.gov/ORD/NRMRL/std/sab/sim_war.htm. LCA Website: www.epa.gov/ORD/NRMRL/std/sab/LCA.htm. TRACI Website: www.epa.gov/ORD/NRMRL/std/sab/iam_traci.htm.

4.5 **Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?** Answer: NO Question Weight: 20%

Explanation: Program received "No" in 2.6. A common finding from reviews is that the program does not focus on outcomes. The program has failed to develop any outcome goals to address these findings. The IG review (2001) observed that ORD focuses primarily on outputs, and that it should focus on outcomes. The report noted that "program managers agreed" to this observation. The RSAC review (2001) noted that the program must address strategic planning deficiencies regarding a lack of development of long-term outcome goals and linkages from annual performance measures to LTGs and demonstrate in its MYP how it has addressed three of its five priority setting criteria. While RSAC considers the MYPs to be an essential part of EPA's research and budget planning and strongly recommended that ORD continue its improvement efforts, it seems as if the program finalized and implemented its P2 MYP without addressing the RSAC's recommendations and/or findings. SAB's EEC (1998) noted that "some of the research projects and products walk a thin line between providing a useful product or service (one that otherwise would not be available) and infringing on the domain of commercially viable products and service. This is especially true in the area of software development."

Evidence: "Water Quality and Pollution Prevention Multi-Year Plans: An SAB Review" (EPA-SAB-RSAC-02-003 December 2001; www.epa.gov/sab/pdf/sabrsac02003.pdf).

PART Performance Measurements

Program: Pollution Prevention and New Technologies
Agency: Environmental Protection Agency
Bureau: Office of Research and Development (ORD)

Measure: Measure Under Development
Additional Information:

Year

Target

Actual

Measure Term: Long-term

Measure: Measure Under Development
Additional Information:

Year

Target

Actual

Measure Term: Annual

Measure: Measure Under Development
Additional Information:

Year

Target

Actual

Measure Term: Long-term (Efficiency Measure)

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

1.1 Is the program purpose clear?

Answer: YES

Question Weight: 20%

Explanation: The purpose of the RCRA Corrective Action (CA) Program is to require and ensure that owners or operators of Treatment, Storage, and Disposal (TSD) facilities subject to the Corrective Action provisions in Subtitle C of the Resource Conservation and Recovery Act (RCRA) investigate and cleanup releases as necessary to protect human health and the environment, regardless of when the releases occurred.

Evidence: RCRA Sections 1002(b), 1003(a), 3004(u & v), 3005(c)(3), 3008(h), 7003.

1.2 Does the program address a specific and existing problem, interest or need?

Answer: YES

Question Weight: 20%

Explanation: Releases of hazardous wastes at TSD facilities pose a threat to human health and the environment and discourage beneficial reuse of property. Remediation poses unique challenges because of ongoing activities and materials handled at the facilities. No other Federal program addresses the risks from this type of facility. Over 5,000 facilities subject to RCRA Corrective Action; 1,714 "high priority" sites make up RCRA cleanup baseline. Facilities are ranked based on the National Corrective Action Prioritization System - takes into account factors including contamination and potential exposures.

Evidence: RCRA Sections 1002(b), 1003(a). EPA report "Study of the Implementation of the RCRA Corrective Action Program" 2002. "Hazardous Waste - EPA Has Removed Some Barriers to Cleanups" (GAO/RCED-00-224). "Hazardous Waste - Corrective Action Cleanups Will Take Years to Complete" (GAO/RCED-99-48). "Hazardous Waste - Much Work Remains to Accelerate Facility Cleanups" (GAO/RCED-93-15). "Hazardous Waste - Progress Under the Corrective Action Program is Limited, but New Initiatives May Accelerate Cleanups" (GAO/RCED-98-3).

1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?

Answer: YES

Question Weight: 20%

Explanation: Structures are in place to prevent overlap and minimize redundancy between clean-up programs. Statutory design requires that EPA strongly encourage states to become authorized to implement the Corrective Action (CA) requirements in lieu of EPA. 38 states and one territory are currently authorized. Design makes state officials the primary decision-makers to eliminate redundancy. Statutory definitions minimize overlap with Superfund: CA program limited to operating facilities that were either seeking or received permits to treated, store, or dispose of hazardous wastes.

Evidence: State authorization agreements. RCRA/CERCLA deferral and coordination policies (e.g., 54 FR 41004, and "Coordination between RCRA Corrective Action and Closure and CERCLA Site Activities." Agency "One Cleanup Program Initiative" designed to improve coordination between and among cleanup programs. (Initiative not intended to restructure the RCRA CA program or create a single federal cleanup program) (<http://www.epa.gov/swerrims/onecleanupprogram/index.htm>).

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency? Answer: YES Question Weight: 20%

Explanation: There is no strong evidence that a different approach or mechanism would be more efficient or effective for implementing the RCRA CA requirements. The Program's current site stabilization strategy has been supported by external reviewers and industry. EPA established the "One Cleanup Program Initiative" to improve cleanup programs efficiency through improved coordination (within EPA and between EPA and states) and to encourage uniform adoption of better technologies, information, and measures of success. Owners/operators pay for cleanup in the CA program which reduces future cleanup liabilities of agencies and leverages substantial private sector resources to maximize efficiency.

Evidence: Program stabilization strategy is consistent with the recommendations from the 1990 RCRA Implementation Study and was previously recognized by the GAO in their 1993 report (GAO/RCRED-93-15) titled, "Hazardous Waste - Much Work Remains to Accelerate Facility Cleanups." More recent emphasis on final cleanups is consistent with recommendations in a more recent Inspector General report (2000-P-0028) titled, "RCRA Corrective Action Focus on Interim Priorities - Better Integration with Final Goals Needed."

1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly? Answer: YES Question Weight: 20%

Explanation: Program is designed to put decision-making responsibility as close to actual clean-up activity as possible while ensuring protection of human health and the environment occurs. Wherever possible, states have largest role, with EPA regional offices next, and headquarters at the top to provide uniform guidance and ensure uniform implementation. This design encourages overall effective targeting of resources. In terms of funding, program budget planning and execution are discussed throughout the year with the regional offices, at the biannual Senior Policy Advisors (SPA) meetings and during monthly calls to ensure funds are being used for their intended purpose in support of the program mission.

Evidence: RCRA 1003(a), 3006. 40 CFR 271. Budget Automation System (BAS), obligation reports, internal project database.

2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program? Answer: YES Question Weight: 11%

Explanation: Two measures are addressed in this PART: 1) The human exposure goal measures the percentage of sites at which stabilization and/or final cleanup efforts have been sufficient to ensure that people are not being exposed to unacceptable levels of contamination under current land and water use conditions. 2) The groundwater goal measures the percentage of sites at which stabilization and/or final cleanup efforts have been sufficient to ensure plumes of contaminated groundwater are not expanding above levels of concern or adversely affecting surface water bodies.

Evidence: EPA current Strategic Plan and draft 2004-2008 Strategic Plan, EPA annual plans (1998-2004). Regional Beginning of Year plans (FY1998 - FY2003) and Mutual Performance Agreements (FY 2004, FY 2005). These goals address initial protection concerns under given conditions more so than final site cleanup. EPA is in the process of developing new measures that correspond to the "final" remedies intended to ensure protection associated with both current as well as reasonably anticipated future exposure scenarios. To date, EPA and OMB have not reached agreement on targets or on additional new goals that satisfactorily meet PART requirements.

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

2.2 Does the program have ambitious targets and timeframes for its long-term measures? Answer: NO Question Weight: 11%

Explanation: These two measures were originally established in 1998 with 2005 as the long-term target date for meeting the goal. The program expects to meet the 2005 targets. The program intends to continue using these goals through 2008 by adding/removing some sites in the baseline but not revising targets. The goals then become focused on maintaining a certain level and do not sufficiently challenge the program over the long term to further protect human health and the environment, even though further action can be taken within statutory authority.

Evidence:

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 11%

Explanation: The Corrective Action Program uses the same human exposure and groundwater migration goals as both long-term goals and annual performance measures. Annual targets are set to ensure the long-term goal is met.

Evidence: EPA current Strategic Plan and draft 2004-2008 Strategic Plan, EPA annual plans (1998-2004). Regional Beginning of Year plans (FY1998 - FY2003) and Mutual Performance Agreements (FY 2004, FY 2005). These goals address initial protection concerns under given conditions more so than final site cleanup. EPA is in the process of developing new measures that correspond to the "final" remedies intended to ensure protection associated with both current as well as reasonably anticipated future exposure scenarios. To date, EPA and OMB have not reached agreement on new goals and targets that satisfactorily meet PART requirements.

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: NO Question Weight: 11%

Explanation: Targets set for FY 2004 and FY 2005 are ambitious. The program is proposing to leave annual targets at the 2005 level each year through 2008. Although small baseline changes may be made, indications are that they will not be sufficient enough to make this approach useful in challenging the program to improve. To date, EPA and OMB have not reached agreement on targets that satisfactorily meet PART requirements.

Evidence:

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: YES Question Weight: 11%

Explanation: A small amount of grant money (<\$10M for 38 states and 1 territory) is available specifically for CA program implementation. Grants are issued via formula and are used to required authorized programs to adopt Federal goals. Program also negotiates the development of regional Mutual Performance Agreements which outline how states will contribute to the federal annual and long-term performance goals. Facility permits and corrective action orders are also used to require facilities to perform the work needed to achieve the goals on a specified schedule with penalties for non-compliance.

Evidence: Mutual Performance Agreements (FY04 and beyond. Prior to FY 2004 MPA's were called Beginning of Year Plans). Grant work plans: NOTE - grants are not managed by the CA program. They are part of the larger RCRA State Grants which are managed by the base RCRA program and will be covered in a later PART.

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: YES Question Weight: 11%

Explanation: The program does not schedule independent reviews but is frequently assessed by independent parties. Reviews do not always look specifically at progress toward GPRA goals but do focus on mission-related performance and include recommendations that the program acts upon. Examples are shown in evidence column.

Evidence: 1992 GAO (GAO/RCED-93-15) - EPA needs to capture data to identify when facilities become stabilized. EPA Mgt Response - Developed two environmental indicators to measure site-wide stabilization. 1998 GAO (GAO/RCED-98-4) - ensure that regulators have a more consistent understanding of how to apply policy and regulatory alternatives for managing remediation waste. EPA Mgt Response - Issued comprehensive guidance and training on remediation waste management (EPA-530-F-98-026). 2000 EPA IG (Report No. 2000-P-0028) - Facilitate achievement of the Office of Solid Waste and Emergency Response's (the office in which the RCRA program falls) ultimate GPRA goal by providing a clear definition of restoration in the context of Site Cleanup, or clarify the strategic goal as it applies to RCRA Corrective Action." EPA Management Response - Incorporating new measures associated with final cleanup into the Agency's FY04-08 strategic plan.

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 11%

Explanation: The agency budget is developed and presented in a manner that links funding levels to performance goals and so the budget for the program, at a high level of aggregation, is also presented this way. But there is no evidence that of a quantifiable direct correlation between measured changes in performance and changes in program funding. It is not clear what benefits (in terms of program outcomes) would be gained or lost from changes in funding for the program.

Evidence:

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 11%

Explanation: The development of the agency strategic plan and the regional annual Mutual Performance Agreements (MPAs) are two methods the program uses to review strategic planning. The negotiated processes for both documents allow for the identification and correction strategic planning deficiencies. During the development of these documents, the level of success of prior year's strategic decisions are evaluated and information about existing and upcoming challenges are considered.

Evidence: FY 2003-2008 draft strategic Plan. Mutual Performance Agreements (FY04 and beyond. Prior to FY 2004 MPA's were called Beginning of Year Plans). A specific example of how the program has taken steps to address its strategic planning deficiencies is the shift toward proposing measures that focus on final cleanup of corrective action sites rather. This shift in strategic planning was made in response to input the program received from stakeholders and external reviewers (GAO) that greater emphasis should be placed on completing corrective action and making land ready for re-use, rather than just stabilizing environmental problems.

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

- 2.RG1 Are all regulations issued by the program/agency necessary to meet the stated goals of the program, and do all regulations clearly indicate how the rules contribute to achievement of the goals?** Answer: YES Question Weight: 11%
- Explanation:** The program has issued a limited number of regulations compared to many other programs, mainly because of the design of the program. Proposed regulations subsequently deemed unnecessary have been withdrawn (though the timeliness of the withdrawal has been questioned). The promulgation a comprehensive set of RCRA corrective action regulations would likely be duplicative with, and possibly disruptive of state and territorial programs already authorized to carry out the Corrective Action Program in lieu of EPA. Existing regulations supporting the program (e.g., HWIR-Media and CAMU) provide tools that are needed to help the program achieve its goals faster and more efficiently.
- Evidence:** 40 CFR Parts 264.101; Corrective Action Management Unit Regulations (67 FR 2961); Hazardous Remediation Waste Management Requirements (63 FR 65873); Land Disposal Restrictions (LDR) Phase IV Rule (63 FR 28556); Subpart S Withdrawal Notice (64 FR 54604); Subpart S Withdrawal Notice (64 FR 54604); Corrective Action Advance Notice of Proposed Rulemaking (61 FR 19432) (see additional references to corrective action related rules in response to PART questions 3.RG1,2, and 4)
- 3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?** Answer: YES Question Weight: 9%
- Explanation:** The program does collect real-time performance data relative to the program's human exposure and groundwater migration outcome goals, as well as some other indicators of performance, through the RCRAInfo database. Senior HQ management reviews this information regularly and does use it to affect program priorities and drive certain management actions. It is not evident that the RCRAInfo data is used to make resource allocation decisions within HQ or especially at the regional level.
- Evidence:** Information on RCRA Info database: <http://www.epa.gov/enviro/html/rcris/>, "State of RCRA Chart": <http://www.epa.gov/epaoswer/hazwaste/ca/facility/stofrcra/seisall.pdf>. Information on corrective action data in RCRAInfo: <http://www.epa.gov/epaoswer/hazwaste/ca/facility/ca-diction.pdf>. Based on review of RCRAInfo data, senior management conducts program visits to regions with lower than adequate performance - visits focus on identifying solutions to obstacles. HQ Program has established "Regional Liaisons" to more closely track regional performance.
- 3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results?** Answer: NO Question Weight: 9%
- Explanation:** According to individual performance plans, managers at headquarters held accountable for regional performance on program goals, not for accomplishment of the goals themselves. EPA regional offices are the critical component of and hold largest amount of responsibility for accomplishing program goals but no evidence was available that individual managers at the regional (or state/territory for those with authorized programs) are identified and held accountable for program goals or cost and schedule targets.
- Evidence:**

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: NO Question Weight: 9%

Explanation: Sufficient evidence was not provided to show that program funding is obligated in a timely manner that is consistent with the intended programmatic activities (at both the total program level and at an adequate level of detail to reflect programmatic activities). Matching spending with budgeted program activities is particularly important at the regional level given that 90% of the program's \$40M budget is for activities in the regions.

Evidence:

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: NO Question Weight: 9%

Explanation: The program's performance plans do not include efficiency measures and targets. The program is working to develop such measures but does not intend to propose any to OMB for inclusion in the FY05 annual plan. Also, there is a lack of concrete evidence of recent efforts to improve efficiency of the program in other ways.

Evidence:

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 9%

Explanation: Input is solicited from stakeholders regularly by requesting comments on documents/rules, through joint multi-stakeholder meetings or other direct interaction with stakeholders. Outreach activities identified the program to be too process oriented, slow and inefficient. Multiple actions were taken by the program to address this feedback, including: two rounds of RCRA Cleanup reforms, extensive regional training, improved Corrective Action Web site, initiated RCRA Brownfields/Revitalization Program, issued guidance on groundwater policies and completing corrective action, etc. In 2000, EPA expanded coordination efforts by including both state and tribal representatives in the Senior Cleanup Council (SCC). SCC successes include addressing institutional control needs and publishing of guidance documents.

Evidence: Senior Cleanup Council designed to address cross-cleanup-program issues. SCC Charter and the One Cleanup Program web site: <http://www.epa.gov/swerrims/onecleanupprogram/index.htm>. List of cross-program efforts including recent vapor guidance: <http://www.epa.gov/swerrims/onecleanupprogram/ocp-policies.htm>. Info on reforms, guidance documents, program progress, etc.: www.epa.gov/correctiveaction

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 9%

Explanation: HQ and regional offices follow EPA's financial management guidelines for committing, obligating, reprogramming, and reconciling appropriated funds. EPA received an unqualified audit opinion on its FY02 financial statements and had no material weaknesses associated with the audit. There are no material weaknesses, as reported by EPA's IG, with respect to corrective action financial resource issues.

Evidence: Budget Automation System (BAS) reports. Unqualified audit opinion on EPA FY02 financial statements. Agency-wide documented resource management procedures.

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

- 3.7 Has the program taken meaningful steps to address its management deficiencies?** Answer: NO Question Weight: 9%
- Explanation: The program uses a variety of mechanisms to identify deficiencies related to performance goals and general program output (cleanups) but no evidence was provided to support the existence of internal (HQ and regional) processes to review and address deficiencies related to traditional management issues, such as human capital, information technology, and the efficiency of activities.
- Evidence: At HQ, Division Directors and Associate Division Directors do meet with their individual branches and review work at the lowest level (individual projects) with the information captured in a project database.
- 3.RG1 Did the program seek and take into account the views of all affected parties (e.g., consumers; large and small businesses; State, local and tribal governments; beneficiaries; and the general public) when developing significant regulations?** Answer: YES Question Weight: 9%
- Explanation: RCRA CA program regulations have been developed in compliance with the Administrative Procedures Act, which requires opportunities to provide input on draft regulations. Because states are authorized to implement program, EPA provides opportunities for states to participate on rulemaking workgroups. Program routinely seeks public input on significant guidance documents (e.g., Groundwater Handbook, Corrective Action Completion, and Vapor Guidance).
- Evidence: See preamble discussions in Corrective Action Management Unit Regulations (67 FR 2961) and the Hazardous Remediation Waste Management Requirements (63 FR 65873) as evidence of the Agency seeking and responding to comments received on draft regulations. Additionally, see www.epa.gov/correctiveaction for posting of significant recent guidance documents.
- 3.RG2 Did the program prepare adequate regulatory impact analyses if required by Executive Order 12866, regulatory flexibility analyses if required by the Regulatory Flexibility Act and SBREFA, and cost-benefit analyses if required under the Unfunded Mandates R** Answer: NO Question Weight: 9%
- Explanation: Though Regulatory Impact Analyses (RIAs) are conducted, where appropriate, for program regulations, past RIAs have not always been sufficient.
- Evidence:
- 3.RG3 Does the program systematically review its current regulations to ensure consistency among all regulations in accomplishing program goals?** Answer: YES Question Weight: 9%
- Explanation: The bulk of program conditions are issued as guidance, not as rules. The program is participating in the RCRA Burden Reduction Initiative which weighs the use of all the RCRA reporting and recordkeeping requirements (including RCRA Corrective Action) versus the burden they impose. Input for this evaluation was obtained from program offices at HQ, regional offices, states, the regulated community, and public interest groups. Based on the most recent assessment, no burden reductions were identified for the RCRA (HSWA) Corrective Action Program.
- Evidence: RCRA Burden Reduction Initiative (<http://www.epa.gov/epaoswer/hazwaste/data/#burden>)

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

- 3.RG4 Are the regulations designed to achieve program goals, to the extent practicable, by maximizing the net benefits of its regulatory activity?** Answer: YES Question Weight: 9%
- Explanation:** The decision not to finalize the detailed corrective action regulations provided more flexibility to EPA regions and individual states implementing the program. This flexibility allows EPA and states more latitude in selecting remedies that maximize benefits. Additionally, regulations for Corrective Action Management Units and Hazardous Remediation Waste Management Requirements provided significant flexibility with respect maximizing environmental benefit through cost-effective cleanup options.
- Evidence:** Subpart S Withdrawal Notice (64 FR 54604); Corrective Action Management Unit Regulations (67 FR 2961); Hazardous Remediation Waste Management Requirements (63 FR 65873)
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: SMALL EXTENT Question Weight: 16%
- Explanation:** Considering annual progress cumulatively, the program is making progress toward achieving both the human exposure and groundwater migration long-term goals. Data extracted from RCRAinfo system indicates that EPA and States are collectively on track to achieve long-term targets.
- Evidence:** Program cumulative targets and accomplishments table for human exposure and groundwater migration annual goals, 1997-2002. RCRA Info data; State of RCRA report available at <http://www.epa.gov/epaoswer/hazwaste/ca/facility/stofrcra/seisall.pdf>
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: SMALL EXTENT Question Weight: 16%
- Explanation:** Between 1998 and 2002 the program met its annual targets for the human exposure and groundwater migration goals two of the five years. Targets were not met only by a fairly slim margin in several of the off years. The program has made consistent progress by increasing the number of determinations made year to year. Data extracted from RCRAinfo system indicates that EPA and States have collectively been on track with achieving 2003 annual targets.
- Evidence:** Program targets and accomplishments table for human exposure and groundwater migration annual goals, 1997-2002. RCRA Info data; State of RCRA report available at <http://www.epa.gov/epaoswer/hazwaste/ca/facility/stofrcra/seisall.pdf>
- 4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?** Answer: NO Question Weight: 16%
- Explanation:** This program received a No for question 3.4 and thus must receive a No for this question. The program has started a process to develop efficiency measures but it will not be finished in time to submit measures to OMB for consideration for the FY05 budget/annual plan.
- Evidence:** The Program saw a significant increase in accomplishments from 99 to 00, even though the annual budget declined over that period. The Program attributes these increases to the 1999 and 2000 administrative reforms that focused greater attention to the goals in general, as well as faster cleanups through creative and more efficient solutions.

Program Assessment Rating Tool (PART)

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:
Type(s): Regulatory Based

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	67%	55%	33%	

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: SMALL EXTENT Question Weight: 16%

Explanation: The performance of this program seems to compare favorably with EPA's Superfund Cleanup program but a quantitative comparison is difficult because the programs historically have not had the same long-term and annual goals. No evidence was provided of a quantitative analysis comparing the effectiveness of the two programs. The Superfund program has agreed to adopt the same human exposure and groundwater migration goals and use the same (or substantially similar) implementation guidance thus more in-depth evaluation will be possible in the future.

Evidence: Relative program progress as reported in RCRA Info and Superfund Record of Decision Database. EPA IG report No. 2002-P-3 titled "Evaluation of Superfund Environmental Indicators". 2000 Senate VA/HUD Appropriations Committee Report - included statement that the Committee expected EPA to include Superfund program Goals "as in the RCRA corrective action program" in the FY 01 budget - interpreted by EPA to mean Superfund should adopt the same or similar goals.

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: LARGE EXTENT Question Weight: 16%

Explanation: Historical reports from the early to mid-1990's indicate that the program struggled to achieve adequate site cleanup performance. Recent reviews conducted by both the GAO and EPA's Inspectors General have expressed support of the current human exposure and groundwater migration goals as an adequate interim strategy and have acknowledged success and results, but they stress that the program needs to refocus goals on final cleanup.

Evidence: GAO report (GAO/RCRED-93-15): Hazardous Waste - Much Work Remains to Accelerate Facility Cleanups. EPA IG report (2000-P-0028): RCRA Corrective Action Focus on Interim Priorities - Better Integration with Final Goals Needed. EPA IG report (2002-P-3): Evaluation of Superfund Environmental Indicators.

4.RG1 Were programmatic goals (and benefits) achieved at the least incremental societal cost and did the program maximize net benefits? Answer: SMALL EXTENT Question Weight: 16%

Explanation: The program believes that the ability of a facility owner or operator to achieve human health and environmental protection in the short term from stabilization efforts allows for the greatest benefit given the least possible cost. For example, if a groundwater drinking supply was contaminated and was the only source of human exposures, the facility could achieve the short-term goal by providing an alternative water supply rather than cleaning up the contaminated groundwater which would be significantly more costly. An analysis that provided empirical evidence (regulation implementation, not just in conception such as RIAs) that deals specifically with a representative sample of corrective action activities is needed.

Evidence: Regulatory Impact Analyses conducted for the Proposed Subpart S regulations, CAMU regulations and HWIR-media regulations, Subpart S Withdrawal Notice (64 FR 54604), Corrective Action Completion Guidance (68 FR 8757)

PART Performance Measurements

Program: RCRA Corrective Action
Agency: Environmental Protection Agency
Bureau:

Measure: Current human exposures under control (baseline and target under development)

Additional Information: Goal measures the percentage of sites at which stabilization and/or final cleanup efforts have been sufficient to ensure that people are not being exposed to unacceptable levels of contamination that could be reasonably expected under current conditions.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
-------------	---------------	---------------	--------------------------------

Measure: Current human exposures under control (baseline and targets under development)

Additional Information: New 2006-2008 targets are needed to support revised baseline for associated long-term measure.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
-------------	---------------	---------------	-----------------------------

Measure: Measure Under Development

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term (Efficiency Measure)
-------------	---------------	---------------	---

Measure: Migration of contaminated groundwater under control (baseline and targets under development)

Additional Information: Goal measures the percentage of sites at which stabilization and/or final cleanup efforts have been sufficient to ensure plumes of contaminated groundwater are not expanding above levels of concern or are not adversely affecting surface water bodies.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
-------------	---------------	---------------	--------------------------------

Measure: Migration of contaminated groundwater under control (baseline and targets under development)

Additional Information: New 2006-2008 targets are needed to support revised baseline for associated long-term measure.

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
-------------	---------------	---------------	-----------------------------

OMB Program Assessment Rating Tool (PART)

Direct Federal Programs

Name of Program: Superfund Removal

Section I: Program Purpose & Design (Yes, No, N/A)

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1	<i>Is the program purpose clear?</i>	Yes	The statute defines the purpose of the program and grants authority to EPA to remove, or arrange for removal of released hazardous substances, pollutants or contaminants, consistent with the National Contingency Plan to protect public health and welfare and the environment. Federal Response Plan names EPA as the primary federal agency for hazardous materials response following a major disaster or emergency.	Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Subchapter I, Section 9604(a)(1), and Federal Response Plan (Emergency Support Function #10).	20%	0.2
2	<i>Does the program address a specific interest, problem or need?</i>	Yes	The program addresses releases of hazardous substance into the environment that may present an imminent and substantial danger to the public health or welfare.	The National Response Center receives over 25,000 notifications annually, and about 14,000 are referred to EPA. Of these, EPA directly addresses 300 of the most serious and EPA also provides technical support and oversight for many other responses.	20%	0.2
3	<i>Is the program designed to have a significant impact in addressing the interest, problem or need?</i>	Yes	The program acts as a safety net for removals beyond the abilities of other government entities or private parties.	According to Resources for the Future (Superfund's Future, What Will It Cost), EPA receives approximately 5,000 notifications each year. EPA responds to about 300 that can not be handled by others. While EPA handles less than 10% of notifications, these are typically deemed more ones beyond the abilities of other parties.	20%	0.2

4	<i>Is the program designed to make a unique contribution in addressing the interest, problem or need (i.e., not needlessly redundant of any other Federal, state, local or private efforts)?</i>	Yes	The program acts as a "safety net" for the states and territories for responding to removal actions. Removal capacities vary between states and even states with advanced programs do not have the capacity to address all removal actions. EPA's removal program is also used to mitigate effects of terrorist events, such as the cleanup of anthrax from the Senate Hart Building.	No other Federal agency is acting in a safety net capacity for States. Other Federal agencies have cleanup programs such as DOE and DOD, which cleanup their own contaminated areas. Coast Guard has limited removal functions typically confined to coastal areas. The Office of Homeland Securities National Strategy for Homeland Security identifies EPA as "responsible for decontamination of affected buildings and neighborhoods and providing advice and assistance to public health authorities" -- activities largely borne by the removal program.	20%	0.2
5	<i>Is the program optimally designed to address the interest, problem or need?</i>	Yes	No conclusive evidence that another mechanism would be more efficient/effective to achieve the intended purpose.	None.	20%	0.2

Total Section Score	100%	100%
----------------------------	-------------	-------------

Section II: Strategic Planning (Yes,No, N/A)

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
-----------	------	-------------	---------------	-----------	----------------

1	<i>Does the program have a limited number of specific, ambitious long-term performance goals that focus on outcomes and meaningfully reflect the purpose of the program?</i>	No	The removal program has the goal of reducing imminent and substantial risks posed to people and the environment from releases of hazardous materials. The 300 annual removal actions have clear benefit, but there is no benchmark nor is there a baseline. There is no efficiency goal nor any goal that challenges managers to continuously improve performance. While it is difficult to quantify the benefits of removals,(i.e. How much is the risk reduced by cleaning up anthrax from the Hart building?), more mundane measures may focus on such things as "acres returned to use". EPA believes the largest obstacle to an efficiency measure is that the size and complexity of sites vary so much from year to year that it is difficult to compare between years. Another obstacle to developing an efficiency measure stems from incomplete and inconsistent data in EPA's primary Superfund database - CERCLIS.	None.	14%	0.0
2	<i>Does the program have a limited number of annual performance goals that demonstrate progress toward achieving the long-term goals?</i>	Yes	EPA's output based performance measure of 300 removals each year does demonstrate site cleanup output achievements. An intuitive linkisk reduction to people and the environment is presumed. Please refer to Section 4, question 2 for a discussion of goals and progress.	Annual Plans, Congressional Justifications, FY04 Annual Performance Goal (APG) draft documents	14%	0.1
3	<i>Do all partners (grantees, sub-grantees, contractors, etc.) support program planning efforts by committing to the annual and/or long-term goals of the program?</i>	Yes	EPA Regions, and others that get direct EPA funding, commit to performance goals and information collection. Removal data is collected for central use through the CERCLIS database. EPA contractors take only site-specific actions under EPA direction; their performance is evaluated through Performance Evaluation Boards and award fees. Their accomplishments toward the annual performance is reported by Regions.	National Response Team documents, Contract Performance Evaluations, and CERCLIS	14%	0.1

4	<i>Does the program collaborate and coordinate effectively with related programs that share similar goals and objectives?</i>	Yes	Program is administered through the multi-agency/multi-level National Response System (NRS). EPA co-chairs with the US Coast Guard the Regional and National Response Teams, comprised of 16 Federal Agencies and state and local representatives. However, given the number of members of the National Response Teams, it is unclear if the overall Federal response is a streamlined or efficient as it might be.	A very active MOU with US Coast Guard IAGs for funding transfers between agencies, Mission Assignments for work with FEMA, close coordination at Headquarters through National Response Team and in Regions through Regional Response Teams and Area Committees.	14%	0.1
5	<i>Are independent and quality evaluations of sufficient scope conducted on a regular basis or as needed to fill gaps in performance information to support program improvements and evaluate effectiveness?</i>	No	Although a few independent evaluations have been conducted, most notably a 2001 RFF report (that focused more on expected future cost of the of the entire Superfund program rather than performance), no process is in place to include the Removal Program as part of any regular, independent evaluation.	None. One large impediment to performance reviews is the lack of quality data. Reliance on current databases and information may lead to incorrect conclusions about the program.	14%	0.0
6	<i>Is the program budget aligned with the program goals in such a way that the impact of funding, policy, and legislative changes on performance is readily known?</i>	Yes	EPA has had success in integrating its budget requests with outputs. EPA has shown flexibility in shifting funds between parts of the Superfund program to optimize outputs.	Budget Submission and Congressional Justifications show alignment of program, Annual Plans, FY04 APG draft documents, Two supplemental appropriations in FY02	14%	0.1

7	<i>Has the program taken meaningful steps to address its strategic planning deficiencies?</i>	No	EPA does not have a systematic process of review and correction of strategic deficiencies. While management has been responsive to addressing emerging issues, long-term problems with strategic management remain. The CERCLIS database remains ineffective though the agency has begun to correct this. An example of EPA management being responsive to emerging issues has been the development of its Core Emergency response metric to measure its ability to respond to emergencies. Unfortunately, while this is a wise management tool, it does not measure the outcomes of the removal program -- there is still no evidence of the number of lives saved, injuries avoided, or ecosystem health protected by the metric.	FY01 pilot and FY02 baseline for Core Emergency Response evaluations.	14%	0.0
---	---	----	---	---	-----	-----

Total Section Score	100%	57%
----------------------------	-------------	------------

Section III: Program Management (Yes,No, N/A)

	Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
1	<i>Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?</i>	No	The agency targets 300 removals per year and collects data on progress toward that goal. However, there is no clear evidence that performance data are used to improve performance. EPA points out that removal projects are often competitive and the agency often selects contractors known to be effective and efficient. It is not clear whether there are regional difference that could highlight potential efficiency gains across the program.	None.	14%	0.0

2	<i>Are Federal managers and program partners (grantees, subgrantees, contractors, etc.) held accountable for cost, schedule and performance results?</i>	Yes	On-Scene Coordinators evaluate daily cost reports from contractors. Regional contracting and project officers review invoices. EPA removal costs are regularly scrutinized by responsible parties being forced to pay and can be challenged in the courts. Removal actions are part of annual reports of EPA's Office of the Chief Financial Officer (OCFO). Managers in Regions and Headquarters have removal program management in performance agreements.	Removal Cost Management System, Annual reports, Performance agreements.	14%	0.1
3	<i>Are all funds (Federal and partners') obligated in a timely manner and spent for the intended purpose?</i>	Yes	Removal advice of allowance (AOA) funds are distributed to EPA Regions quarterly and fully obligated each year for taking removal actions and maintaining EPA's response readiness. Expenditures are tracked in EPA's Integrated Financial Management System (IFMS) database.	Reprogramming records	14%	0.1
4	<i>Does the program have incentives and procedures (e.g., competitive sourcing/cost comparisons, IT improvements) to measure and achieve efficiencies and cost effectiveness in program execution?</i>	No	While the majority of activities are conducted through competitive contracts, and other efforts to achieve efficiencies, the program lacks overall efficiency measures. It is unclear if the unit cost per removal is rising or falling.	Contract records, Performance Evaluation Reports	14%	0.0
5	<i>Does the agency estimate and budget for the full annual costs of operating the program (including all administrative costs and allocated overhead) so that program performance changes are identified with changes in funding levels?</i>	Yes	The Agency does split out costs by agency goals and objectives that reflect their appropriated levels. The agency also has the ability to fairly estimate other full cost accounting targets such as retirement, which will be reflected as a memo entry in the FY 2004 budget.	EPA breaks down the cost of each activity and links them to the existing GPRA goal structure. Budget Automation System (BAS) reports - show rent, utilities, WCF, for key programs, including the Removal program.	14%	0.1

6	<i>Does the program use strong financial management practices?</i>	Yes	Program is included in the Agency's Planning and Budgeting Architecture and is visible in all budget documents. Auditors have not identified any material weaknesses in financial management practices and regions track all response expenditures for cost recovery purposes.	2001 Integrity Act Report; Planning, budget, and performance reporting documents.	14%	0.1
7	<i>Has the program taken meaningful steps to address its management deficiencies?</i>	Yes	The program has developed a work plan for FY 03 and beyond to implement recommendations of lessons learned reports and strategic plans.	OERR Workplan, Homeland Security Strategic Plan. World Trade Center and Anthrax Lessons Learned Reports	14%	0.1

Total Section Score					100%	71%
----------------------------	--	--	--	--	-------------	------------

Section IV: Program Results (Yes, Large Extent, Small Extent, No)

Questions	Ans.	Explanation	Evidence/Data	Weighting	Weighted Score
-----------	------	-------------	---------------	-----------	----------------

1	<i>Has the program demonstrated adequate progress in achieving its long-term outcome goal(s)?</i>	No	PART guidance criteria requires long-term outcome goals that are set relative to an established baseline, have clear time frames and targets, challenge program managers to continuously improve performance, and have at least one efficiency goal. For this year's assessment, if the program has addressed these criteria and has at least one long-term goal that ranks a '3' or higher on the Hierarchy of Indicators presented in GAO report "Managing for Results," then it would get a "yes." For future PART assessments of the program, if there is agreement between OMB and the agency that by a date certain, such as 2005, at least one long-term goal will be in place that ranks a '6' on this same hierarchy scale, and the other criteria are met, then a "yes" would be appropriate. The Removal program's goals would rank a '2' by the standards of the GAO report. Work is needed to develop a long-term efficiency goal and an agreement on the inclusion of an appropriate level outcome goal needs to be reached in the near future.	GAO: Managing for Results, EPA Faces Challenges in Developing Results-Oriented Performance Goals and Measures. Output measures are highlighted in EPA's Congressional Budget Justifications and Annual Reports.	33%	0.0
---	---	----	---	---	-----	-----

Long-Term Goal 1:	Measure under development.
Target:	
Actual Progress achieved toward goal:	

2	<i>Does the program (including program partners) achieve its annual performance goals?</i>	Yes	EPA's removal program has had good success in achieving its targeted removal output goals each year.	Annual Plans, Congressional Justifications, FY04 Annual Performance Goal (APG) draft documents	33%	0.3
---	--	-----	--	--	-----	-----

Key Goal I:	Removal response actions
Performance Target:	FY00 target 195; FY01 target 300; fy02 target 275, FY 03 target 350

Actual Performance:	FY00 actual 375: FY01 actual 302: FY 02 actual 426
Key Goal II:	Emergency response and homeland security readiness
Performance Target:	FY02 or FY03 baseline established, subsequent year will show 10% improvement
Actual Performance:	Unknown

3	<i>Does the program demonstrate improved efficiencies and cost effectiveness in achieving program goals each year?</i>	Small Extent	Difficult to measure the actual change in efficiencies and cost effectiveness as no data is available to do a year-to-year comparison. Regional Performance Evaluation Boards meet annually to ensure "optimal contractor performance," but the Agency does not use a 'cost/unit' metric. The Agency points out that its competitive contracting process leads to efficiencies, though those efficiencies may be difficult to measure.	Performance Evaluation Reports, EPA's performance based contracts	33%	0.1
4	<i>Does the performance of this program compare favorably to other programs with similar purpose and goals?</i>	N/A	EPA's oil spill removal program and the US Coast Guard's CERCLA and Oil Pollution Act programs both have similar functions and goals and are integrated with EPA's removal program. Although DOD and DOE have similar environmental programs, direct comparisons are difficult as their programs focus more on remediation of long-term Superfund projects than emergency removals. All have similar output oriented performance measures and accomplishments, but removal actions are typically grouped together with other remedial activity.	Agency Annual plans, Annual Reports to Congress on CERCLA implementation	0%	0.0
5	<i>Do independent and quality evaluations of this program indicate that the program is effective and achieving results?</i>	N/A	The number of independent and quality evaluations of the Emergency Response Program number one – RFF's 2001 Report, "Superfund's Future: What will it cost?" The review of the program in this report is positive although it does identify some difficulties in tracking overall performance and ROI because of a lack of data.	Resources for the Future's 2001 Report, "Superfund's Future: What will it cost?"	0%	0.0

Total Section Score	100%	44%
----------------------------	-------------	------------

Program Assessment Rating Tool (PART)

Program: Tribal General Assistance
Agency: Environmental Protection Agency
Bureau: American Indian Environmental Office - Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	78%	25%	

- 1.1 Is the program purpose clear?** Answer: YES Question Weight: 20%
 Explanation: The program's purpose is to build tribal capacity to administer environmental regulatory programs.
 Evidence: The Indian Environmental General Assistance Program Act of 1992, 42 U.S.C.4368b.
- 1.2 Does the program address a specific and existing problem, interest or need?** Answer: YES Question Weight: 20%
 Explanation: Tribes are far behind states in their ability to administer environmental regulatory programs delegated by EPA.
 Evidence: 88% of states have delegated authority for water, compared to only 3.5 % of tribes.
- 1.3 Is the program designed so that it is not redundant or duplicative of any other Federal, state, local or private effort?** Answer: YES Question Weight: 20%
 Explanation: No other significant resources are available to tribes for purposes similar to GAP.
 Evidence: While there are some BIA programs, such as the Tribal Priority Allocation program, that tribes could use for environmental program development, there is no other program specifically for this purpose.
- 1.4 Is the program design free of major flaws that would limit the program's effectiveness or efficiency?** Answer: YES Question Weight: 20%
 Explanation: EPA has provided grants for environmental program development to states for over two decades, and GAP follows this successful model.
 Evidence: The Indian Environmental General Assistance Program Act of 1992, 42 U.S.C.4368b, GAP program guidance
- 1.5 Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?** Answer: YES Question Weight: 20%
 Explanation: The program only targets tribal governments and intertribal consortia.
 Evidence: The Indian Environmental General Assistance Program Act of 1992, 42 U.S.C.4368b.
- 2.1 Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program?** Answer: YES Question Weight: 12%
 Explanation: EPA and OMB reached agreement on new long-term performance measures that more accurately reflect the program's focus and demonstrate progress toward outcomes.
 Evidence: See Measures Tab
- 2.2 Does the program have ambitious targets and timeframes for its long-term measures?** Answer: YES Question Weight: 12%
 Explanation: The program developed targets based on EPA and Indian Health Service data.
 Evidence: See Measures Tab

Program Assessment Rating Tool (PART)

Program: Tribal General Assistance
Agency: Environmental Protection Agency
Bureau: American Indian Environmental Office - Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	78%	25%	

2.3 Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals? Answer: YES Question Weight: 12%

Explanation: Last year EPA and OMB reached agreement on revised annual performance measures that more accurately reflect the program's focus and demonstrate progress toward outcomes. This year the program also added an efficiency measure.

Evidence: See Measures Tab

2.4 Does the program have baselines and ambitious targets for its annual measures? Answer: NO Question Weight: 12%

Explanation: While the program has baselines for its annual measures, it lacks ambitious targets.

Evidence:

2.5 Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program? Answer: NO Question Weight: 12%

Explanation: The program does not require grantees to link their activities to meaningful program goals.

Evidence: GAP application requirements

2.6 Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need? Answer: NO Question Weight: 12%

Explanation: No evaluations by independent parties are conducted on a regular basis. The American Indian Environmental Office, which is responsible for managing GAP, conducts periodic reviews of the program, but these are more process-based. AIEO has applied for funding assistance within EPA to contract for a program evaluations to be conducted by third party sources.

Evidence:

2.7 Are Budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget? Answer: NO Question Weight: 12%

Explanation: Budget requests do not demonstrate the impact funding levels have on the program.

Evidence:

2.8 Has the program taken meaningful steps to correct its strategic planning deficiencies? Answer: YES Question Weight: 12%

Explanation: The program has developed long term performance goals. The program continues to improve its planning process by implementing the GAP grants tracking system, the tribal assessment tracking system, and the baseline assessment project.

Evidence: GAP grants tracking system and tribal baseline project

Program Assessment Rating Tool (PART)

Program: Tribal General Assistance
Agency: Environmental Protection Agency
Bureau: American Indian Environmental Office - Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	78%	25%	

3.1 Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance? Answer: NO Question Weight: 11%

Explanation: While the program collects quarterly reports, the reports do not include meaningful performance information and are not linked to program goals.

Evidence: GAP quarterly reports

3.2 Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results? Answer: NO Question Weight: 11%

Explanation: Neither program managers nor grantees are held to performance standards. GAP does not incorporate program performance into personnel evaluations, and grantees do not have to meet meaningful requirements.

Evidence:

3.3 Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose? Answer: YES Question Weight: 11%

Explanation: Grantees obligate over 90 percent of their GAP funds within two years, and grantee audit issues are promptly addressed.

Evidence: GAP summary of obligations and expendituresGAP workplansGAP audit reports

3.4 Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution? Answer: YES Question Weight: 11%

Explanation: GAP developed an efficiency measure that will help it achieve efficiencies and cost-effectiveness in the future.

Evidence:

3.5 Does the program collaborate and coordinate effectively with related programs? Answer: YES Question Weight: 11%

Explanation: The program office responsible for GAP administration tracks all other EPA grants on tribal lands to ensure there is no redundancy.

Evidence: GAP grants tracking system and tribal baseline project

3.6 Does the program use strong financial management practices? Answer: YES Question Weight: 11%

Explanation: GAP has not been targeted for erroneous payments and is free of material or agency weaknesses.

Evidence: EPA FY 2001 Integrity Act report

Program Assessment Rating Tool (PART)

Program: Tribal General Assistance
Agency: Environmental Protection Agency
Bureau: American Indian Environmental Office - Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	78%	25%	

- 3.7 Has the program taken meaningful steps to address its management deficiencies?** Answer: YES Question Weight: 11%
- Explanation: EPA has implemented a tribal database which provides tribe-specific information on topics such as environmental conditions and total EPA funds provided. This information will be used to improve performance reporting, grants management, and program administration.
- Evidence: GAP tribal baseline project
- 3.BF1 Does the program have oversight practices that provide sufficient knowledge of grantee activities?** Answer: YES Question Weight: 11%
- Explanation: EPA tracks GAP grantee activities through quarterly reporting requirements , site visits, and its new electronic, web-based GAP grants tracking system.
- Evidence: GAP quarterly reports; GAP annual report; GAP grants tracking system.
- 3.BF2 Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?** Answer: YES Question Weight: 11%
- Explanation: Each grantee provides regular reports to EPA on its activities, which EPA manages through its GAP grants tracking system. This system allows for public review of grant results at tribal, regional, and national levels.
- Evidence: GAP grants tracking system
- 4.1 Has the program demonstrated adequate progress in achieving its long-term performance goals?** Answer: SMALL EXTENT Question Weight: 25%
- Explanation: The program's long-term performance goals are new, and at this time, EPA can only show limited progress in meeting those goals.
- Evidence: See Measures Tab
- 4.2 Does the program (including program partners) achieve its annual performance goals?** Answer: SMALL EXTENT Question Weight: 25%
- Explanation: Received a "no" for 2.4.
- Evidence:
- 4.3 Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?** Answer: SMALL EXTENT Question Weight: 25%
- Explanation: GAP has recently developed a new efficiency measure which will help the program continue to improve.
- Evidence: See Measures Tab

Program Assessment Rating Tool (PART)

Program: Tribal General Assistance
Agency: Environmental Protection Agency
Bureau: American Indian Environmental Office - Office of Water
Type(s): Block/Formula Grant

Section Scores				Overall Rating
1	2	3	4	Adequate
100%	50%	78%	25%	

4.4 Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals? Answer: NA Question Weight: 0%

Explanation: There are no other similar programs in the Federal Government directed at multimedia capacity development, and we are not aware of similar private sector efforts of the same scope and size.

Evidence:

4.5 Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results? Answer: NO Question Weight: 25%

Explanation: No evaluations by independent parties are conducted on a regular basis. The American Indian Environmental Office, which is responsible for managing GAP, conducts periodic reviews of the program, but these are more process-based.

Evidence:

PART Performance Measurements

Program: Tribal General Assistance
Agency: Environmental Protection Agency
Bureau: American Indian Environmental Office - Office of Water

Measure: % of tribes with delegated and non-delegated programs. (new targets under development)
Additional Information: Number of tribe-as-state (TAS) approvals for program authorization delegation or approval, implementation or direct implementation tribal cooperative agreements (DITCAs).

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2003	50	55	

Measure: % of tribes with EPA-approved multimedia workplans.
Additional Information: Number of Tribes with MOUs, EAs, PPGs, DITCAs or grant eligible TAS approvals

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Annual
2003	5	32	

Measure: % decrease in the number of households in Indian Country with inadequate wastewater sanitation systems.
Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2015	50		

Measure: % decrease in the number of households on tribal lands lacking access to safe drinking water.
Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2015	50		

Measure: Show at least a 10 percent improvement for each of four parameters--total nitrogen, total phosphorus, dissolved oxygen, and fecal coliforms--at not fewer than 90 monitoring stations in tribal waters for which baseline data are available.

Additional Information:

<u>Year</u>	<u>Target</u>	<u>Actual</u>	Measure Term: Long-term
2008	>10%		