

## Table of Contents – Environmental Program and Management

Resource Summary Table .....	1
Program Projects in EPM.....	2
Acquisition Management (EPM).....	5
FY 2006 Activities and Performance Highlights.....	5
Administrative Law (EPM).....	7
Alternative Dispute Resolution (EPM) .....	9
Beach / Fish Programs (EPM) .....	10
FY 2006 Change from FY 2005 President’s Budget (Dollars in Thousands).....	12
Brownfields (EPM) .....	13
Central Planning, Budgeting, and Finance (EPM).....	15
Children and Other Sensitive Populations: Agency Coordination (EPM).....	17
Civil Enforcement (EPM) .....	19
Civil Rights / Title VI Compliance (EPM).....	22
Clean Air Allowance Trading Programs (EPM) .....	25
Clean School Bus Initiative (EPM).....	28
Climate Protection Program (EPM) .....	29
Commission for Environmental Cooperation (EPM).....	33
Compliance Assistance and Centers (EPM).....	35
Compliance Incentives (EPM) .....	37
Compliance Monitoring (EPM).....	39
Congressional, Intergovernmental, External Relations (EPM).....	41
Criminal Enforcement (EPM) .....	45
Drinking Water Programs (EPM).....	47
FY 2006 Activities and Performance Highlights.....	47
Endocrine Disruptors (EPM).....	51
Enforcement Training (EPM).....	53
Environment and Trade (EPM) .....	55
Environmental Justice (EPM) .....	57
Exchange Network (EPM) .....	59
Facilities Infrastructure and Operations (EPM) .....	61
Federal Stationary Source Regulations (EPM).....	63
Federal Support for Air Quality Management (EPM).....	66
Federal Support for Air Toxics Program (EPM) .....	69
Financial Assistance Grants / IAG Management (EPM) .....	71
Geographic Program: Chesapeake Bay (EPM) .....	73
Geographic Program: Great Lakes (EPM) .....	75
Geographic Program: Gulf of Mexico (EPM).....	79
Geographic Program: Lake Champlain (EPM) .....	81
Geographic Program: Long Island Sound (EPM).....	83
Geographic Program: Other (EPM) .....	85
Great Lakes Legacy Act (EPM) .....	88
Homeland Security: Communication and Information (EPM).....	90
Homeland Security: Critical Infrastructure Protection (EPM).....	92
Homeland Security: Preparedness, Response, and Recovery (EPM).....	94

<b>FY 2006 Change from FY 2005 President’s Budget (Thousands of Dollars)</b> .....	<b>95</b>
<b>Homeland Security: Protection of EPA Personnel and Infrastructure (EPM)</b> .....	<b>96</b>
<b>Statutory Authority</b> .....	<b>97</b>
<b>Human Resources Management (EPM)</b> .....	<b>98</b>
<b>Indoor Air: Radon Program (EPM)</b> .....	<b>100</b>
<b>Information Security (EPM)</b> .....	<b>102</b>
<b>International Capacity Building (EPM)</b> .....	<b>104</b>
<b>IT / Data Management (EPM)</b> .....	<b>108</b>
<b>Legal Advice: Environmental Program (EPM)</b> .....	<b>112</b>
<b>Legal Advice: Support Program (EPM)</b> .....	<b>113</b>
<b>LUST / UST (EPM)</b> .....	<b>114</b>
<b>Marine Pollution (EPM)</b> .....	<b>116</b>
<b>National Estuary Program / Coastal Waterways (EPM)</b> .....	<b>120</b>
<b>NEPA Implementation (EPM)</b> .....	<b>122</b>
<b>Pesticides: Field Programs (EPM)</b> .....	<b>124</b>
<b>Pesticides: Registration of New Pesticides (EPM)</b> .....	<b>127</b>
<b>Pesticides: Review / Reregistration of Existing Pesticides (EPM)</b> .....	<b>129</b>
<b>Pollution Prevention Program (EPM)</b> .....	<b>132</b>
<b>POPs Implementation (EPM)</b> .....	<b>135</b>
<b>Radiation: Protection (EPM)</b> .....	<b>137</b>
<b>Radiation: Response Preparedness (EPM)</b> .....	<b>139</b>
<b>RCRA: Corrective Action (EPM)</b> .....	<b>141</b>
<b>RCRA: Waste Management (EPM)</b> .....	<b>143</b>
<b>RCRA: Waste Minimization &amp; Recycling (EPM)</b> .....	<b>146</b>
<b>Reduce Risks from Indoor Air (EPM)</b> .....	<b>149</b>
<b>Regional Geographic Initiatives (EPM)</b> .....	<b>151</b>
<b>Regional Science and Technology (EPM)</b> .....	<b>153</b>
<b>Regulatory Innovation (EPM)</b> .....	<b>155</b>
<b>Regulatory/Economic-Management and Analysis (EPM)</b> .....	<b>158</b>
<b>Science Advisory Board (EPM)</b> .....	<b>160</b>
<b>Science Policy and Biotechnology (EPM)</b> .....	<b>162</b>
<b>Small Business Ombudsman (EPM)</b> .....	<b>164</b>
<b>Small Minority Business Assistance (EPM)</b> .....	<b>166</b>
<b>State and Local Prevention and Preparedness (EPM)</b> .....	<b>169</b>
<b>Stratospheric Ozone: Domestic Programs (EPM)</b> .....	<b>171</b>
<b>Stratospheric Ozone: Multilateral Fund (EPM)</b> .....	<b>173</b>
<b>Surface Water Protection (EPM)</b> .....	<b>175</b>
<b>Toxic Substances: Chemical Risk Management (EPM)</b> .....	<b>179</b>
<b>Toxic Substances: Chemical Risk Review and Reduction (EPM)</b> .....	<b>182</b>
<b>Toxic Substances: Lead Risk Reduction Program (EPM)</b> .....	<b>185</b>
<b>TRI / Right to Know (EPM)</b> .....	<b>187</b>
<b>Tribal - Capacity Building (EPM)</b> .....	<b>189</b>
<b>US Mexico Border (EPM)</b> .....	<b>191</b>
<b>Wetlands (EPM)</b> .....	<b>193</b>

**Environmental Protection Agency**

**FY 2006 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Environmental Program & Management  
Resource Summary Table**

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b>Environmental Program &amp; Management</b>				
Budget Authority / Obligations	\$2,223,528.1	\$2,316,958.0	\$2,403,764.0	\$86,806.0
Total Workyears	10,985.2	11,271.0	11,048.1	-222.9

**BILL LANGUAGE: ENVIRONMENTAL PROGRAMS AND MANAGEMENT**

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project; and not to exceed \$9,000 for official reception and representation expenses, [\$2,313,409,000] \$2,353,764,000, which shall remain available until September 30, [2006] 2007 including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002. (*Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2005.*)

( The language below, when coupled with subsequent legislation that will propose changes to toxics and pesticides fees, would provide the additional \$50,000,000 to bring the EPM total to \$2,403,764,000.)

ENVIRONMENTAL PROGRAMS AND MANAGEMENT  
(LEGISLATIVE PROPOSAL NOT SUBJECT TO PAYGO)

*Such sums as may be deposited to the Pesticide Registration account may be transferred to and merged with this account, to remain available until expended, for purposes of pesticide registration. In addition, such sums as may be deposited to Pre-Manufacture Notice account may be transferred to and merged with this account, to remain available until expended for the purpose of pre-manufacture notice activities. In addition, such sums as may be deposited to the Pesticide Tolerance account may be transferred to and merged with this account, to remain available until expended, for purposes of establishing and reassessing pesticide tolerances.*

**Program Projects in EPM  
(Dollars in Thousands)**

<b>Program Project</b>	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
Acquisition Management	\$23,081.3	\$24,264.3	\$23,054.6	(\$1,209.7)
Administrative Law	\$4,484.0	\$4,929.3	\$5,109.1	\$179.8
Alternative Dispute Resolution	\$793.2	\$1,014.9	\$1,051.0	\$36.1
Beach / Fish Programs	\$3,321.8	\$3,237.6	\$3,263.8	\$26.2
Brownfields	\$21,948.6	\$28,002.3	\$29,637.5	\$1,635.2
Central Planning, Budgeting, and Finance	\$62,360.2	\$64,486.8	\$72,790.2	\$8,303.4
Children and Other Sensitive Populations: Agency Coordination	\$4,804.6	\$6,801.1	\$6,889.6	\$88.5
Civil Enforcement	\$106,875.9	\$113,406.6	\$117,462.2	\$4,055.6
Civil Rights / Title VI Compliance	\$9,413.3	\$12,414.2	\$12,529.6	\$115.4
Clean Air Allowance Trading Programs	\$17,471.3	\$17,495.8	\$18,234.2	\$738.4
Clean School Bus Initiative	\$4,990.4	\$0.0	\$0.0	\$0.0
Climate Protection Program	\$88,524.8	\$91,961.3	\$95,529.9	\$3,568.6
Commission for Environmental Cooperation	\$4,918.1	\$3,948.8	\$4,209.9	\$261.1
Compliance Assistance and Centers	\$27,177.2	\$28,574.5	\$29,097.1	\$522.6
Compliance Incentives	\$10,131.3	\$9,420.7	\$9,622.2	\$201.5
Compliance Monitoring	\$64,141.7	\$84,297.3	\$93,412.1	\$9,114.8
Congressional, Intergovernmental, External Relations	\$53,015.2	\$48,166.0	\$49,753.3	\$1,587.3
Congressionally Mandated Projects*	\$92,862.2	\$0.0	\$0.0	\$0.0
Criminal Enforcement	\$31,107.0	\$33,260.2	\$37,326.3	\$4,066.1
Drinking Water Programs	\$90,553.9	\$97,947.9	\$101,089.9	\$3,142.0
Endocrine Disruptors	\$7,917.5	\$9,037.3	\$9,096.8	\$59.5
Enforcement Training	\$4,094.0	\$3,302.4	\$2,498.7	(\$803.7)
Environment and Trade	\$1,810.9	\$1,723.1	\$1,787.0	\$63.9
Environmental Education*	\$7,105.2	\$0.0	\$0.0	\$0.0
Environmental Justice	\$6,274.1	\$4,230.5	\$3,979.7	(\$250.8)
Exchange Network	\$18,816.9	\$25,419.7	\$22,739.4	(\$2,680.3)
Facilities Infrastructure and Operations	\$299,417.3	\$326,793.8	\$358,045.6	\$31,251.8
Federal Stationary Source Regulations	\$22,039.2	\$24,302.0	\$23,509.2	(\$792.8)
Federal Support for Air Quality Management	\$86,964.0	\$93,283.6	\$110,891.2	\$17,607.6
Federal Support for Air Toxics Program	\$25,983.9	\$25,181.2	\$25,431.4	\$250.2
Federal Vehicle and Fuels Standards and Certification	\$347.7	\$0.0	\$0.0	\$0.0
Financial Assistance Grants / IAG Management	\$18,854.2	\$20,328.9	\$19,915.9	(\$413.0)
Geographic Program: Chesapeake Bay	\$23,185.6	\$20,816.6	\$20,746.4	(\$70.2)

<b>Program Project</b>	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
Geographic Program: Great Lakes	\$17,098.6	\$21,194.8	\$21,519.1	\$324.3
Geographic Program: Gulf of Mexico	\$4,055.7	\$4,477.8	\$4,467.5	(\$10.3)
Geographic Program: Lake Champlain	\$2,181.5	\$954.8	\$954.8	\$0.0
Geographic Program: Long Island Sound	\$2,640.1	\$477.4	\$477.4	\$0.0
Geographic Program: Other	\$2,824.6	\$6,789.7	\$13,186.1	\$6,396.4
Great Lakes Legacy Act	\$4,598.0	\$45,000.0	\$50,000.0	\$5,000.0
Homeland Security: Communication and Information	\$4,226.2	\$4,320.3	\$6,680.3	\$2,360.0
Homeland Security: Critical Infrastructure Protection	\$5,960.5	\$6,840.8	\$6,946.9	\$106.1
Homeland Security: Preparedness, Response, and Recovery	\$766.7	\$1,839.8	\$3,348.2	\$1,508.4
Homeland Security: Protection of EPA Personnel and Infrastructure	\$5,431.3	\$6,344.3	\$6,403.0	\$58.7
Human Resources Management	\$41,725.0	\$44,139.5	\$38,871.6	(\$5,267.9)
IT / Data Management	\$101,091.2	\$108,359.4	\$105,999.0	(\$2,360.4)
Indoor Air: Radon Program	\$5,125.3	\$5,667.1	\$5,918.3	\$251.2
Information Security	\$7,067.5	\$4,188.3	\$3,888.3	(\$300.0)
International Capacity Building	\$11,370.6	\$7,174.2	\$6,449.5	(\$724.7)
LUST / UST	\$6,833.7	\$7,094.5	\$7,719.4	\$624.9
Legal Advice: Environmental Program	\$33,516.3	\$34,678.8	\$36,314.3	\$1,635.5
Legal Advice: Support Program	\$12,554.2	\$12,521.7	\$13,087.7	\$566.0
Marine Pollution	\$10,049.1	\$12,296.0	\$12,279.2	(\$16.8)
NEPA Implementation	\$12,452.4	\$12,654.2	\$12,440.3	(\$213.9)
National Estuary Program / Coastal Waterways	\$21,527.0	\$19,229.3	\$19,445.5	\$216.2
POPs Implementation	\$2,174.0	\$2,235.4	\$2,806.4	\$571.0
Pesticides: Field Programs	\$23,679.0	\$27,185.9	\$24,682.6	(\$2,503.3)
Pesticides: Registration of New Pesticides	\$40,936.3	\$42,907.0	\$41,471.7	(\$1,435.3)
Pesticides: Review / Reregistration of Existing Pesticides	\$54,163.5	\$58,053.9	\$57,991.2	(\$62.7)
Pollution Prevention Program	\$16,039.4	\$22,496.2	\$19,989.8	(\$2,506.4)
RCRA: Corrective Action	\$38,419.8	\$40,975.6	\$42,710.2	\$1,734.6
RCRA: Waste Management	\$60,460.2	\$67,422.3	\$68,727.9	\$1,305.6
RCRA: Waste Minimization & Recycling	\$11,043.4	\$14,301.7	\$14,376.1	\$74.4
Radiation: Protection	\$11,608.6	\$11,811.7	\$11,765.1	(\$46.6)
Radiation: Response Preparedness	\$3,308.1	\$2,610.9	\$2,636.0	\$25.1
Reduce Risks from Indoor Air	\$22,200.8	\$25,244.5	\$23,496.4	(\$1,748.1)
Regional Geographic Initiatives	\$9,902.0	\$8,799.5	\$8,862.0	\$62.5
Regional Science and Technology	\$2,612.2	\$3,626.2	\$3,642.8	\$16.6
Regulatory Innovation	\$19,738.3	\$24,392.2	\$25,021.2	\$629.0

<b>Program Project</b>	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
Regulatory/Economic-Management and Analysis	\$15,534.1	\$16,151.8	\$16,713.3	\$561.5
Science Advisory Board	\$4,820.3	\$4,757.1	\$4,881.0	\$123.9
Science Policy and Biotechnology	\$1,668.5	\$1,707.2	\$1,751.1	\$43.9
Small Business Ombudsman	\$1,657.1	\$3,838.7	\$3,910.6	\$71.9
Small Minority Business Assistance	\$2,977.8	\$2,282.0	\$2,347.8	\$65.8
State and Local Prevention and Preparedness	\$11,690.0	\$12,134.8	\$12,327.9	\$193.1
Stratospheric Ozone: Domestic Programs	\$5,884.2	\$5,839.6	\$3,969.0	(\$1,870.6)
Stratospheric Ozone: Multilateral Fund	\$10,863.6	\$13,500.0	\$13,500.0	\$0.0
Surface Water Protection	\$177,600.2	\$191,796.6	\$194,801.5	\$3,004.9
TRI / Right to Know	\$14,144.7	\$15,940.9	\$14,753.7	(\$1,187.2)
Toxic Substances: Chemical Risk Management	\$10,897.9	\$9,514.2	\$9,057.7	(\$456.5)
Toxic Substances: Chemical Risk Review and Reduction	\$46,031.2	\$45,878.8	\$44,523.1	(\$1,355.7)
Toxic Substances: Lead Risk Reduction Program	\$11,831.1	\$11,082.6	\$10,548.9	(\$533.7)
Tribal - Capacity Building	\$10,188.0	\$10,641.7	\$11,049.0	\$407.3
US Mexico Border	\$4,680.1	\$5,784.8	\$5,975.3	\$190.5
Wetlands	\$18,282.0	\$19,752.8	\$20,374.5	\$621.7

\* There is no factsheet for this program because there are no resources being requested.

**Acquisition Management**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$23,054.6 (Dollars in Thousands)

**Acquisition Management (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$23,081.3</b>	<b>\$24,264.3</b>	<b>\$23,054.6</b>	<b>(\$1,209.7)</b>
Leaking Underground Storage Tanks	\$347.9	\$366.7	\$346.5	(\$20.2)
Hazardous Substance Superfund	\$17,465.1	\$19,028.5	\$20,367.4	\$1,338.9
Total Budget Authority / Obligations	\$40,894.3	\$43,659.5	\$43,768.5	\$109.0
Total Workyears*	359.6	365.3	364.8	-0.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Resources in this program support EPM contract and acquisition management at Headquarters, Regions, Research Triangle Park and Cincinnati. EPA focuses on maintaining a high level of integrity in the management of its procurement activities and fostering relationships with state and local governments to support the implementation of environmental programs.

**FY 2006 Activities and Performance Highlights**

The Agency will improve electronic government capabilities and enhance the education of its contract workforce. EPA will utilize the central contractor registry, which is the single government-wide database for vendor data and part of the Integrated Acquisition Environment (IAE)<sup>1</sup>. Contract actions will be sent to the Federal Procurement Data System – Next Generation (FPDS-NG)<sup>2</sup> as required by the Federal Acquisition Regulation. The Agency will work to eliminate paper-processing in the acquisition process and manage acquisition records electronically.

<sup>1</sup> Integrated Acquisition Environment available at <http://www.whitehouse.gov/omb/egov/internal/acquisition.htm>

<sup>2</sup> More information on the FPDS-NG is available at <http://www.fpds-ng.com/questions.html>

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

EPA's environmental statutes; annual Appropriations Act; Federal Acquisitions Regulation (FAR); contract law



**Administrative Law**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$5,109.1 (Dollars in Thousands)

**Administrative Law (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,484.0</i></b>	<b><i>\$4,929.3</i></b>	<b><i>\$5,109.1</i></b>	<b><i>\$179.8</i></b>
Total Budget Authority / Obligations	\$4,484.0	\$4,929.3	\$5,109.1	\$179.8
Total Workyears*	35.0	39.5	35.2	-4.3

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Administrative Law Judges preside in hearings and issue decisions in cases initiated by EPA's enforcement program concerning those accused of environmental violations. The Environmental Appeals Board (EAB) issues final decisions in environmental adjudications that are on appeal to the Board. Judges issue decisions under the authority delegated by the Administrator. The Judges' decisions establish the Agency's legal interpretation on the issues presented. The EAB and ALJ, as appropriate, make policy determinations in the course of resolving matters before it. In addition, the Judges serve as the final approving body for proposed settlements of enforcement actions initiated by the Agency's headquarters offices.

**FY 2006 Activities and Performance Highlights**

The Environmental Appeals Board (EAB) will issue final Agency decisions in environmental adjudications on appeal to the EAB. These decisions are the end point in the Agency's administrative enforcement and permitting programs. The right of affected persons to appeal these decisions within the Agency is conferred by various statutes, regulations and constitutional due process rights. The Administrative Law Judges (ALJs) will preside in hearings and issue initial decisions in cases brought by EPA's enforcement program against those accused of environmental violations under various environmental statutes. The Agency has sought efficiencies in the process. The ALJs have increased their use of alternative dispute resolution techniques to facilitate the settlement of cases and, thereby, avoided more costly litigation. The EAB and ALJs use videoconferencing technology to reduce expenses for parties involved in the

administrative litigation process. By adjudicating disputed matters, the ALJs and EAB further the EPA's long-term strategic goals of protecting public health and the environment.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

CERCLA; FIFRA; CWA; TSCA; RCRA; SDWA; EPCRA; as provided in Appropriations Act funding

**Alternative Dispute Resolution**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$1,051.0 (Dollars in Thousands)

**Alternative Dispute Resolution (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$793.2</b>	<b>\$1,014.9</b>	<b>\$1,051.0</b>	<b>\$36.1</b>
Hazardous Substance Superfund	\$0.0	\$874.7	\$984.8	\$110.1
Total Budget Authority / Obligations	\$793.2	\$1,889.6	\$2,035.8	\$146.2
Total Workyears*	6.4	8.0	7.9	-0.1

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA's General Counsel and the Offices of Regional Counsel will provide environmental Alternative Dispute Resolution services.

**FY 2006 Activities and Performance Highlights**

In FY 2006, the Agency will provide conflict prevention and alternative dispute resolution (ADR) services to EPA Headquarters and Regional Offices and external stakeholders on environmental matters. The national ADR program assists in developing effective ways to anticipate, prevent and resolve disputes and makes neutral third parties – such as facilitators and mediators – more readily available for those purposes. Under EPA's ADR Policy, the Agency encourages the use of ADR techniques to prevent and resolve disputes with external parties in many contexts, including adjudications, rulemaking, policy development, administrative and civil judicial enforcement actions, permit issuance, protests of contract awards, administration of contracts and grants, stakeholder involvement, negotiations and litigation.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

Administrative Dispute Resolution Act (ADRA) of 1996; Regulatory Negotiation Act of 1996

**Beach / Fish Programs**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean and Safe Water  
 Objective(s): Protect Human Health

Total Request for Appropriation EPM: \$3,263.8 (Dollars in Thousands)

**Beach / Fish Programs (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$3,321.8</b>	<b>\$3,237.6</b>	<b>\$3,263.8</b>	<b>\$26.2</b>
Total Budget Authority / Obligations	\$3,321.8	\$3,237.6	\$3,263.8	\$26.2
Total Workyears*	8.4	7.7	7.7	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program supports the Agency's efforts to protect people from contaminated fish and shellfish and from contaminated recreational waters.

Fish & Shellfish Programs

The Fish and Shellfish Programs provide sound science, guidance, technical assistance, and nationwide information to State, tribal, and Federal agencies on the human health risks associated with eating locally caught fish/shellfish or wildlife with excessive levels of contaminants. The Agency pursues the following activities to support this program: (1) publish criteria guidance that States and Tribes can use to adopt health-based water quality standards, assess their waters, and establish permit limits; (2) develop and disseminate sound scientific risk assessment methodologies and guidance that States and Tribes can use to sample, analyze, and assess fish tissue in support of waterbody-specific or regional consumption advisories, or a determination that no consumption advice is necessary; (3) develop and disseminate guidance that States and Tribes can use to communicate the risks of consuming chemically contaminated fish; and (4) gather, analyze, and disseminate information to the public and to health professionals that enable informed decisions on when and where to fish, and how to prepare fish caught for recreation and subsistence.

Beaches Program

The Beaches Program protects human health by reducing exposure to contaminated recreation waters. Agency activities include: (1) issuance of guidance to improve beach monitoring and public notification programs, including effective strategies to communicate public health risks to

the public; (2) development and dissemination of sound scientific risk assessment methods and criteria for use in evaluating recreational water quality, prioritizing beach waters for monitoring, and warning beach users of health risks or closure of beaches; (3) promulgation of Federal water quality standards where a State or Tribe fails to adopt appropriate standards to protect coastal and Great Lakes recreation waters; and (4) providing publicly accessible Internet-based information about local beach conditions and closures.

(See <http://www.epa.gov/waterscience/> for more information.)

## **FY 2006 Activities and Performance Highlights**

### Fish and Shellfish Programs

Recreational waters, especially beaches in coastal areas and the Great Lakes, provide recreational opportunities for millions of Americans. Swimming in some recreational waters, or eating locally caught fish or shellfish, can pose a risk of illness as a result of exposure to microbial pathogens or other pollutants. For FY 2006, EPA's national strategy for improving the safety of recreational waters will:

#### Fish Program - In FY 2006, EPA will:

- Complete the statistical analyses of the analyzed samples from the fish tissue lake study, publish the findings of the survey, and make them available on the Agency's website;
- Continue to work with the Food and Drug Administration (FDA) and public health agencies to develop and distribute outreach materials related to the joint guidance issued by the EPA and the FDA for mercury and assess the public's understanding of the guidance.
- Continue to work with the FDA to investigate the extent and risk of contaminants in fish, including the potential need for advisories for other pollutants, and to distribute outreach materials;
- Continue to strengthen its support to States in their monitoring of mercury in fish.
- Release its summary of information on locally issued fish advisories and safe-eating guidelines. This information is provided to EPA annually by States and Tribes;
- Begin to implement the recommendations from the FY 2005 national shellfish program review; and,
- Perform site selection for study to develop improved monitoring techniques for shellfish waters. The study will be conducted in concert with FDA, NOAA, and ISSC with the goal of developing unified methodologies across agencies.

#### Beaches Program - In FY 2006, EPA will:

- Publish new pathogen criteria for freshwaters in early 2006;
- Continue to work with coastal and Great Lakes States and territories to adopt water quality standards that are as protective of human health as EPA's most current water quality criteria for pathogens.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

Clean Water Act; Beaches Environmental Assessment and Coastal Health Act of 2000.

**Brownfields**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
Objective(s): Communities

Total Request for Appropriation EPM: \$29,637.5 (Dollars in Thousands)

**Brownfields (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$21,948.6</b>	<b>\$28,002.3</b>	<b>\$29,637.5</b>	<b>\$1,635.2</b>
Hazardous Substance Superfund	\$20.9	\$0.0	\$0.0	\$0.0
Total Budget Authority / Obligations	\$21,969.5	\$28,002.3	\$29,637.5	\$1,635.2
Total Workyears*	121.0	146.2	121.7	-24.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

Note: The FY 2005 President Budget total reflects Agency budget restructuring whereby three management offices no longer directly charge resources to this program.

**Program Project Description**

The Brownfields program is designed to empower states, Tribes, local communities and other stakeholders in economic redevelopment to work together to assess, safely cleanup, and reuse Brownfields. EPA's Brownfields program funds pilot programs, research efforts, clarifies liability issues, enters into Federal, state, and local partnerships, conducts outreach activities, and creates related job training and workforce development programs. EPA's work is focused on removing barriers and creating incentives for brownfield redevelopment. The program provides financial assistance for:

- Training with regard to hazardous substances for organizations representing the interests of states and tribal co-implementors of the Brownfields law;
- Tribal technical outreach support to address environmental justice issues and support Brownfields research; and
- Administrative, legal and programmatic support to the Agency to implement the Brownfields program, including logistical support for grant competition and for measurement of program outcomes.

**FY 2006 Activities and Performance Highlights**

In addition to supporting the operations and management of the Brownfields program, funds requested will provide financial assistance for training on hazardous waste to organizations

representing the interests of state and tribal co-implementers of the Brownfields law (Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA)), and outreach support for environmental justice issues involving tribal and native Alaskan villages or communities that have been disadvantaged due to perceived or real hazardous substance contamination. EPA will also provide technical assistance to communities which were awarded funding to combine smart growth policies with Brownfields redevelopment or national groups which use the funding to address general issues of vacant properties and infrastructure decisions. EPA will also conduct further research on incentives for brownfields redevelopment, pilot additional techniques to accomplish redevelopment within communities, identify new policy and research needs and create examples and best practices that can be copied in other communities.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- + (\$1,635.2) this change reflects Agency budget restructuring. The total resources requested in FY 2006 for the entire Brownfields program are the same.

**Statutory Authority**

Comprehensive Environmental Response, Compensation, and Liabilities Act (CERCLA) as amended by the Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107-118); Resource Conservation and Recovery Act (RCRA) Section 8001; Government Management Reform Act (1990); Solid Waste Disposal Act; Federal Grant and Cooperative Act.



**Central Planning, Budgeting, and Finance**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$72,790.2 (Dollars in Thousands)

**Central Planning, Budgeting, and Finance (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$62,360.2</b>	<b>\$64,486.8</b>	<b>\$72,790.2</b>	<b>\$8,303.4</b>
Leaking Underground Storage Tanks	\$723.6	\$950.4	\$935.9	(\$14.5)
Hazardous Substance Superfund	\$19,945.2	\$20,945.5	\$22,445.0	\$1,499.5
Total Budget Authority / Obligations	\$83,029.0	\$86,382.7	\$96,171.1	\$9,788.4
Total Workyears*	525.4	562.4	548.1	-14.3

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Activities under the Central Planning, Budgeting and Finance program/project support the management of integrated planning, budgeting, financial management, performance and accountability processes and systems to ensure effective stewardship of resources. Also included is EPA's Environmental Finance Program that provides grants to a network of university-based Environmental Finance Centers which deliver financial outreach service such as technical assistance, training, expert advice, finance education and full cost pricing analysis to states, local communities and small businesses. (See <http://www.epa.gov/ocfo/functions.htm> for additional information).

**FY 2006 Activities and Performance Highlights**

EPA will continue efforts to modernize the Agency's financial systems and business processes. The modernization effort will reduce cost, comply with Congressional direction, and new Federal financial systems requirements. This work is framed by the Agency's Enterprise Architecture and will make maximum use of enabling technologies for e-Gov initiatives including e-Procurement, e-Payroll, and e-Travel. In FY 2006, the Agency will become a customer of the Defense Finance and Accounting Service (DFAS) for e-payroll and convert its electronic Travel System to e-Travel.

EPA plans further improvements to its budgeting and planning system, financial data warehouse, business intelligence tools and reporting capabilities. These improvements will support EPA's "green" score in financial performance on the President's Management Agenda scorecard by providing more accessible data to support accountability, cost accounting, budget and performance integration, and management decision-making. Also during FY 2006, EPA will continue reorganizing its financial services to achieve greater efficiency.

In FY 2006, EPA will continue to support program efforts to develop more outcome-based annual performance goals and efficiency measures, develop new sources of performance data, improve the quality and usability of existing data sources and develop tools to set strategic priorities and track performance. EPA will work with state partners in targeted efforts to improve performance goals and measures that strengthen results-based management. EPA will complete its revised Strategic Plan by September 30, 2006.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$5,200) For modernization of major Agency financial systems. The total increase for this investment is \$6,500, of which \$1,300 is requested in the Superfund appropriation.
- (+\$1,600) For migration of the Agency's Payroll functions to the Defense Finance and Accounting Service (DFAS) in support of the administration's e-Payroll initiative. The total increase for this investment is \$2,000, of which \$400 is requested in the Superfund appropriation.
- (-7.0 FTE) General and directed FTE reduction.
- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Annual Appropriations Act; Clinger-Cohen Act; Comprehensive Environmental Response, Compensation and Liability Act; Computer Security Act; E-Government Act of 2002; Electronic Freedom of Information Act; EPA's Environmental Statutes, and the Federal Grant and Cooperative Agreement Act; Federal Activities Inventory Reform Act; Federal Acquisition Regulations, contract law and EPA's Assistance Regulations (40CFR Parts 30, 31, 35, 40,45,46, 47); Federal Manager's Financial Integrity Act (1982); Freedom of Information Act; Government Management Reform Act (1994); Improper Payments Information Act; Inspector General Act of 1978 and Amendments of 1988; Paperwork Reduction Act; Privacy Act; The Chief Financial Officers Act (1990); The Government Performance and Results Act (1993); The Prompt Payment Act (1982); Title 5 United States Code.

**Children and Other Sensitive Populations: Agency Coordination**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Communities

Total Request for Appropriation EPM: \$6,889.6 (Dollars in Thousands)

**Children and Other Sensitive Populations: Agency Coordination (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4804.6</i></b>	<b><i>\$6,801.1</i></b>	<b><i>\$6,889.6</i></b>	<b><i>\$88.5</i></b>
Total Budget Authority / Obligations	\$4804.6	\$6,801.1	\$6,889.6	\$88.5
Total Workyears*	18.3	16.0	15.9	-0.1

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\*In FY 2004, the Children and Other Sensitive Populations program was restructured to more accurately reflect the Agency's activities that are funded by these resources.

**Program Project Description**

The Office of Children's Health Protection (OCHP) advocates for and facilitates the consideration of children's environmental health risks across activities identified in the Agency's "National Agenda to Protect Children's Health from Environmental Threats," and Executive Order 13045, "Protection of Children's Health from Environmental Health Risks and Safety Risks." EPA also recognizes that older adults are more susceptible to environmental health risks than the general population. EPA's Aging Initiative is another emphasis within this program. This cross-cutting, non-regulatory program works with other EPA offices, other federal agencies, States, Tribes, the public, healthcare providers, industry, and non-governmental organizations to achieve its mission. Core activities focus on building capacity, providing tools and information to inform decisions, and engaging in outreach activities.

**FY 2006 Activities and Performance Highlights**

Examples of outcomes that this program contributes to are decreasing the frequency and severity of asthma attacks in children through reduction and avoidance of key asthma triggers and reducing children's exposure to lead, particularly in low income minority neighborhoods where children living in older housing are much more likely to be exposed to lead. For more information, visit <http://www.epa.gov/lead/fedstrategy2000.pdf>.

Another program emphasis is to ensure that EPA has the tools and information to enable decision makers to consider approaches that protect children and older adults from heightened public health risks. Coordination efforts will include:

- Work with other Agency offices to develop guidance designed to assist the agency in considering health risks to children in rule making and evaluating the application of such guidance throughout EPA.
- Work within EPA to generate and apply new scientific research, tools and assessments and promote easy access to information regarding children's environmental health. For example, collaboration with Region 5 assisted with an expansion of the Toxicity and Exposure Assessment for Children's Health (TEACH) online database which complements existing children's health information resources by providing a listing and summary of scientific literature applicable to children's health risks due to chemical exposure. The Agency also promotes advancing the state of scientific understanding regarding how children and adults differ when it comes to assessing respiratory risks. For more information, visit <http://www.epa.gov/teach/>.
- Provide tools, information, and support to build capacity in States, Tribes and local governments so that they can take effective action to protect children from environmental health risks, e.g., launching the Healthy Schools Environmental Health Assessment Tool (pilot tested in FY 2005) and marketing it to schools nationwide.
- Continue to support partners outside of the Agency to ensure that individuals, health care providers, environmental professionals and other civic entities have access to tools and information. The program will launch the Children's Environmental Health Awards program in 2006 with outreach campaigns targeted toward specific organizations and corporations to celebrate and encourage behavioral change necessary to protect children from environmental health risks.
- Provide information and tools needed to understand and address issues related to aging and the environment. Publish educational outreach materials related to common chronic conditions caused or exacerbated by environmental toxicants and other hazards targeted at older adults and their caregivers, public health professionals, and professionals in the field of aging.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Executive Order 13045

**Civil Enforcement**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration  
Objective(s): Restore Land

Goal: Compliance and Environmental Stewardship  
Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$117,462.2 (Dollars in Thousands)

**Civil Enforcement (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$106,875.9</i></b>	<b><i>\$113,406.6</i></b>	<b><i>\$117,462.2</i></b>	<b><i>\$4,055.6</i></b>
Oil Spill Response	\$1,583.2	\$1,628.7	\$1,789.5	\$160.8
Hazardous Substance Superfund	\$131.4	\$659.3	\$883.2	\$223.9
Total Budget Authority / Obligations	\$108,590.5	\$115,694.6	\$120,134.9	\$4,440.3
Total Workyears*	924.2	952.7	960.7	8.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\*The increase represents a redistribution of resources from the IT/Data Management program project to the core programs that these resources support: Compliance Monitoring, Civil Enforcement, Compliance Assistance and Compliance Incentives program projects.

**Program Project Description**

The Civil Enforcement program's overarching goal is to protect human health and the environment, targeting enforcement actions according to degree of health and environmental risk. The program works with the Department of Justice to ensure consistent and fair enforcement of all environmental laws and regulations. The program aims to level the economic playing field by ensuring that violators do not realize an economic benefit from noncompliance, and seeks to deter future violations. The civil enforcement program develops, litigates and settles administrative and civil judicial cases against serious violators of environmental laws. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section. For more information, visit: [www.epa.gov/compliance/civil/index.html](http://www.epa.gov/compliance/civil/index.html); and [www.epa.gov/epaoswer/hazwaste/ca/backgnd.htm](http://www.epa.gov/epaoswer/hazwaste/ca/backgnd.htm)

**FY 2006 Activities and Performance Highlights**

The Civil Enforcement program coordinates with states and within EPA to establish priorities based on risk and patterns of compliance. In FY 2006 the Agency will continue to build on its work on sector priorities established in FY 2005, including the Petroleum Refinery Sector; the

Clean Water Act (CWA)/Wet Weather sector; the Clean Air Act (CAA)/New Source Review/Prevention of Significant Deterioration (NSR/PSD) sector; the CAA/Air Toxics sector; the Resource Conservation and Recovery Act (RCRA)/Mineral Processing sector; and the RCRA/Financial Responsibility sector.

The Federal program will also focus its FY 2006 resources on national program priorities, including environmental and human health problems, trans-boundary pollutants, and multi-state industrial violators. The Federal facilities enforcement program will continue to expeditiously pursue enforcement actions at Federal facilities where significant violations are discovered. The civil enforcement program's work will also support the environmental justice program, by focusing enforcement actions on industries that have repeatedly violated environmental laws in disproportionately affected communities, including minority and/or low-income areas.

The cleanup at treatment, storage, or disposal facilities is termed "RCRA Corrective Action." Corrective action at these types of facilities may be accomplished through a variety of permitting, enforcement, and other mechanisms. The RCRA Corrective Action enforcement program recently launched a "Corrective Action Smart Enforcement Strategy (CASES)" which is a targeted approach to get hazardous waste facilities to address contamination, focused on high priority facilities that have not adequately addressed potential human exposures.

EPA is currently evaluating financial responsibility to determine whether it should be pursued as a priority under both RCRA and CERCLA beginning in FY 2006. Financial assurance requirements ensure that adequate funds are available to address closure and clean up of facilities that handle hazardous wastes, hazardous substances, toxic materials, or other pollutants. Placing more emphasis on financial responsibility will facilitate timely clean-up at contaminated sites and closure of waste management units that are no longer being actively used, and will also keep closure and remediation costs from being shifted to the public.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$589.0, +5.0 FTE) This increase is for transfer of five civil investigators from the Forensics Support program in goal 5, objective 4. This shift implements a recommendation from the November 2003 Management Review of Criminal Enforcement, Forensics, and Training by transferring the civil investigators to the Regulatory Enforcement program.
- (+\$399.2) This increase reflects a redistribution of resources from the Congressional, Intergovernmental, and External Relations program. These resources support the review of regulatory and Agency initiatives and Congressional requests and better support the civil enforcement program.
- (+\$100.0) This increase reflects redirection of funds for the biannual enforcement conference to the Civil Enforcement program.
- (-\$1,464.6) This increase reflects a redistribution of working capital fund resources.

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA; SBLRBREERA; CERCLA; PPA; CERFA; AEA; PPA; UMTRLWA.

**Civil Rights / Title VI Compliance**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$12,529.6 (Dollars in Thousands)

**Civil Rights / Title VI Compliance (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$9,413.3</i></b>	<b><i>\$12,414.2</i></b>	<b><i>\$12,529.6</i></b>	<b><i>\$115.4</i></b>
Total Budget Authority / Obligations	\$9,413.3	\$12,414.2	\$12,529.6	\$115.4
Total Workyears*	61.0	74.8	71.4	-3.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Office of Civil Rights activities include policy direction and guidance on EEO, civil rights, affirmative employment and diversity issues for Headquarters' program offices, Regions and Labs. Programs include Title VI compliance and review, the intake and processing of complaints of discrimination from agency employees and applicants for employment under Title VII, and implementation of processes and programs in support of reasonable accommodations and the Minority Academic Institutions (MAIs); and diversity initiatives, especially those related to issues on ageism and sexual orientation. The functions involve accountability for the implementation, program evaluation and compliance monitoring of the Civil Rights Act of 1964 (Titles VI, VII, IX), legislative requirements and executive orders covering civil rights, affirmative employment, disability, and MAIs. Interpretation of policies and regulations, execution of Civil Rights Laws and EEOC regulations and determinations help advance equal employment initiatives, and uphold the civil rights of employees and prospective employees of the Government, as required by federal statutes and executive orders.

**FY 2006 Activities and Performance Highlights**

The Agency expects to conduct compliance reviews of five (5) recipient agencies. While the number of complaints that allege discrimination by a recipient of EPA financial assistance varies annually, over the past three years, there have been approximately 10 complaints per year. The Civil Rights External Compliance Program expects to improve its processing of external complaints. The Agency will:



- Work with the U.S. Department of Justice on the development of any non-discrimination regulations, guidance, or findings of discrimination, and the U.S. Department of Health and Human Services on issues regarding age discrimination, the U.S. Department of Education on issues regarding discrimination on the basis of sex, and other federal agencies that may simultaneously receive discrimination complaints from the same complainant regarding a particular recipient agency.
- Work to reduce the backlog of employment complaints while completing all new discrimination complaints within required time frames.
- Provide training and guidance to over 100 EEO Counselors in the Regional offices. The Agency will train EEO Officers in the Discrimination Complaint Tracking System (DCTS) and provide technical assistance as needed.
- Continue to examine ways to more effectively and efficiently reduce the number of pending complaints, increase the number of compliance reviews conducted, and improve recipient agencies civil rights programs through guidance and/or training.
- Monitor and evaluate the effectiveness of the reasonable accommodation process. Continue to provide technical assistance to managers, supervisors, employees and the designated Local Reasonable Accommodation Coordinators in the form of expert training and consultation by the NRAC to insure efficient implementation of the policy and procedures.
- Monitor the Agency's compliance with various statutes, EEOC regulations, EPA policy and procedures related to the reasonable accommodation of qualified applicants and employees with disabilities.

The Affirmative Employment and Diversity staff (AE&D) will provide programs that increase the cultural awareness of minorities and women; highlight the accomplishments of EPA employees involved in ensuring equal employment opportunity; develop special emphasis programs and initiatives that involve management, unions, and community groups; develop an annual Affirmative Employment Plan; meet on a regular basis with external and union officials to increase communication and relationships, and coordinate the development of recruitment and retention strategies.

The MAI program will conduct information exchange sessions with agency managers from each region and program office; meet with representatives from minority colleges; introduce representatives from minority colleges to appropriate agency personnel; participate on interagency workgroups that support federal assistance for minority colleges; and facilitate constructive dialogues that will advance the goals of the MAI program.

As a result of these activities, the Agency's mission and cornerstone themes are supported by a workforce that is motivated, treated in a fair and non-discriminatory manner and produces positive outcomes with respect to the Agency's goals.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousand)**

- There are increases for payroll and cost-of-living for existing FTE.

## **Statutory Authority**

Civil Rights Act of 1964, VII, as amended; Title VI of the Civil Rights Act of 1964; Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Rehabilitation Act of 1974, as amended; Americans with Disabilities Act of 1990, as amended; Older Workers Benefit Protection Act of 1990, as amended; Age Discrimination in Employment Act of 1967, as amended EEOC Management Directive 715; Executive Orders 13163, 13164, 13078, 13087, 13171, 11478, 13125, 13096, 13230, 13256 February 12, 2002 (HBCUs), 13270 July 3, 2002 (Tribal Colleges), 13339 May 13, 2004 (Asian American Participation in Federal Programs)

**Clean Air Allowance Trading Programs**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air

Total Request for Appropriation EPM: \$18,234.2 (Dollars in Thousands)

**Clean Air Allowance Trading Programs (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$17,471.3</i></b>	<b><i>\$17,495.8</i></b>	<b><i>\$18,234.2</i></b>	<b><i>\$738.4</i></b>
Science & Technology	\$4,236.6	\$9,352.9	\$9,352.9	\$0.0
Total Budget Authority / Obligations	\$21,707.9	\$26,848.7	\$27,587.1	\$738.4
Total Workyears*	94.3	86.4	86.2	-0.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Acid Rain Program, established under Title IV of the Clean Air Act Amendments of 1990, requires major reductions in SO<sub>2</sub> and NO<sub>x</sub> emissions from electric utilities. The authorizing legislation specifies two phases and numerous deadlines for both the SO<sub>2</sub> and NO<sub>x</sub> program components. The U.S. is also committed under the U.S.-Canada Air Quality Agreement of 1991 to making reductions in SO<sub>2</sub> and NO<sub>x</sub> emissions. EPA's Acid Rain Program provides affected sources flexibility to select their own methods of compliance so the required emission reductions are achieved at the lowest cost. The SO<sub>2</sub> program component uses a market-based approach with tradable units called "allowances" (one allowance authorizes the emission of one ton of SO<sub>2</sub>) and sets a permanent cap in 2010 on the total amount of SO<sub>2</sub> that may be emitted by affected sources at approximately one-half the amount these sources emitted in 1980. Both the SO<sub>2</sub> and NO<sub>x</sub> program components require accurate and verifiable measurement of emissions. The Acid Rain Program continues to be recognized as a model for flexible and effective air pollution regulation, both in the U.S. and abroad.

While significant progress has been made under the existing Clean Air Act, further benefits could be achieved faster, with more certainty, and at less cost to consumers through Clear Skies – an Administration legislative proposal that expands the current Acid Rain program to dramatically reduce nationwide power plant emissions of SO<sub>2</sub> and NO<sub>x</sub>, as well as, for the first time ever, reduce mercury emissions from power plants. Clear Skies would reduce emissions of these three pollutants by nearly 70 percent while encouraging innovation and the deployment of cleaner, more cost effective technologies. This legislation was submitted to Congress in 2002 and the Administration continues to promote its enactment.

Although Clear Skies is the more comprehensive and cost effective approach and therefore the strongly preferred solution, the Administration is pursuing a regulatory path that would achieve many of the same benefits should legislation not be enacted. EPA has proposed the Clean Air Interstate Rule (CAIR) which regulates the transport of powerplant emissions of SO<sub>2</sub> and NO<sub>x</sub> across state lines via a market-based approach similar to Clear Skies and the existing Acid Rain program. CAIR is projected to further reduce pollution from electrical power generation sources by close to an additional 70%, when fully implemented.

Both Clear Skies and CAIR call for utilities to utilize a cap and trade program modeled after the Acid Rain SO<sub>2</sub> Allowance Trading Program. The Acid Rain Program provides incentives for operators of power plants to find the best, fastest, and most efficient ways to make the required reductions in emissions as well as to do make reductions earlier than required.

Another market-based cap and trade program managed by EPA is the NO<sub>x</sub> Budget Program (NBP). EPA administers this program for affected States. It requires reductions of NO<sub>x</sub> emissions and transported ozone in the eastern U.S. The initial program under the Ozone Transport Commission (OTC) went into effect in the summer of 1999. By 2001, this voluntary regional control program for the Ozone Transport Region (OTR) had expanded to include 9 States plus the District of Columbia (D.C.). Through OTC, ozone-season<sup>1</sup> NO<sub>x</sub> emissions from approximately 970 affected sources were reduced by over 250,000 tons (60%) from the 1990 baseline and 12% below allowance allocations.<sup>2</sup> In 2003, the OTC program ended as a separate entity, integrating fully with the broader regional NBP under the NO<sub>x</sub> SIP Call. Implementation of the NO<sub>x</sub> SIP Call rule began in 2003 for the affected OTC States and in 2004 for other States. Based on data reported to EPA, there are nearly 2,600 affected and operating units in the 19 NBP States and D.C.<sup>3</sup>

This program was included in the Air Toxics PART review in 2006, which received an overall rating of Adequate; more information is included in the Appendix Section.

### **FY 2006 Activities and Performance Highlights**

In support of Clear Skies and CAIR, in FY 2006 EPA will conduct data analysis and develop modeling tools for States to identify sources, assess their contributions and determine control options that would lead to attainment and optimal benefits for noncriteria pollutants. EPA will help States to manage attainment programs so sources contributing more to transport and nonattainment are controlled more. Over the next five years, States, interstate organizations and the RPO's will be engaged in developing State Implementation Plans (SIPs) that require a collection of technical air quality data analyses, emissions inventory, air quality modeling and emissions strategy development and applications. Quantifiable characterization of the specific effects attributed to Clear Skies or CAIR is required, in order to adequately assess the underlying problems of an area's air quality and to develop effective State and local emission strategies.

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<sup>1</sup> Ozone season is between May and September each year.

<sup>2</sup> U.S. EPA., Acid Rain Program 2003 Progress Report (September 2004). (EPA 430-R-04-009). Available on the Internet at <http://www.epa.gov/airmarkets/cmprpt/arp03/2003report.pdf> (last accessed December 2004).

<sup>3</sup> U.S. EPA., Acid Rain Program 2003 Progress Report (September 2004). (EPA 430-R-04-009). Available on the Internet at <http://www.epa.gov/airmarkets/cmprpt/arp03/2003report.pdf> (last accessed December 2004).

The tools developed for this support will enable States and other organizations to interface the impacts of Clear Skies or CAIR with the estimated benefits of locally developed programs that likely will focus on source categories markedly different from the major energy production sources addressed in Clear Skies or CAIR. Such tools will include the capability of integrating air quality model and measured data to adequately characterize benefits both from a multiple pollutant perspective, but also with far greater spatial and temporal coverage offered by existing tools.

Through the Acid Rain program, emissions are measured, quality assured and tracked for SO<sub>2</sub>, NO<sub>x</sub>, and CO<sub>2</sub> with those emissions recorded by Continuous Emissions Monitors (CEMs) or equivalent monitoring methods at more than 3,400 electric utility units. The Program conducts audits and certifies emissions monitors. Through SO<sub>2</sub> allowance tracking system, allowance transfers are recorded and reconciled for all affected sources to ensure compliance.

In FY 2006, EPA will continue to assist the States with implementation, especially related to the emissions trading program, compliance supplement pool, and monitoring; operate the centralized NO<sub>x</sub> Allowance Tracking System; and reconcile emissions and allowances for all affected sources, which include boilers, turbines, and combined cycle units from a diverse set of industries as well as electric utility units. In 2004, the volume of emissions data processed by EPA increased 2½ times over the volume under the OTC program. This surge in emissions reporting and allowance reconciliation activity is one factor that has required the program to increase and accelerate investment in software re-engineering for the Clean Air Markets Division Business System.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Clean Air Act

**Clean School Bus Initiative**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air

Total Request for Appropriation EPM: \$0.0 (Dollars in Thousands)

**Clean School Bus Initiative (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,990.4</i></b>	<b><i>\$0.0</i></b>	<b><i>\$0.0</i></b>	<b><i>\$0.0</i></b>
State and Tribal Assistance Grants	\$0.0	\$65,000.0	\$10,000.0	(\$55,000.0)
Total Budget Authority / Obligations	\$4,990.4	\$65,000.0	\$10,000.0	(\$55,000.0)
Total Workyears*	0.0	0.0	0.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

In FY 2004, this program supported diesel retrofit pilot projects. As part of this program, EPA worked with state and local governments and other non-governmental organizations to reduce children's exposure to diesel emissions from buses and other sources by applying new, innovative diesel emission reduction technologies to the existing school bus fleet, promoting anti-idling strategies, and encouraging the use of low sulfur fuel.

In the FY 2005 President's Budget Request, this funding was transferred to the STAG appropriation to support the national diesel school bus retrofit program.

**FY 2006 Activities and Performance Highlights**

- Resources for this program are now in the STAG appropriation, supporting similar efforts.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- Resources for this program are now in the STAG appropriation.

**Statutory Authority**

Clean Air Act

**Climate Protection Program**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change

Objective(s): Reduce Greenhouse Gas Intensity; Enhance Science and Research

Total Request for Appropriation EPM: \$95,529.9 (Dollars in Thousands)

**Climate Protection Program (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$88,524.8</b>	<b>\$91,961.3</b>	<b>\$95,529.9</b>	<b>\$3,568.6</b>
Science & Technology	\$21,794.6	\$17,458.9	\$17,732.5	\$273.6
Total Budget Authority / Obligations	\$110,319.4	\$109,420.2	\$113,262.4	\$3,842.2
Total Workyears*	218.9	224.0	216.3	-7.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program focuses on EPA's voluntary government/industry partnership programs designed to capitalize on the opportunities that consumers, businesses, and organizations have for making sound investments in efficient equipment, policies, and practices.

EPA manages a number of efforts, such as the ENERGY STAR<sup>1</sup> programs and voluntary transportation efficiency programs including the SmartWay Transport initiative, to help remove barriers in the marketplace and deploy technology faster in the residential, commercial, transportation, and industrial sectors of the economy. EPA's Climate Protection Programs work by overcoming widely acknowledged barriers to energy efficiency: lack of clear, reliable information on technology opportunities; lack of awareness of energy efficient products and services; lack of financing options to turn life cycle energy savings into initial cost savings for consumers; low incentives to manufacturers for efficiency research and development; and lack of awareness about more energy efficient transportation choices.

EPA's Climate Protection Program efforts have encouraged the reduction of emissions of carbon dioxide (CO<sub>2</sub>) and other greenhouse gases such as methane and perfluorocarbons (PFCs). As many of the investments promoted through EPA's climate programs involve energy efficient equipment with lifetimes of decades or more, the investments that have been spurred to date will continue to deliver environmental and economic benefits through 2012 and beyond. EPA

<sup>1</sup> The ENERGY STAR program crosses two climate change program areas: Buildings and Industry. The total FY 2006 budget request for the ENERGY STAR program is \$50.5million.

currently estimates that based on investments in equipment already made due to EPA's programs, organizations and consumers across the country could net sizable cost savings and greenhouse gas emission reductions. These programs continue to be cost-effective approaches for delivering environmental benefits across the country.

Internationally, EPA works with the Department of State to provide technical assistance to developing countries and economies-in-transition on greenhouse gas reduction programs. EPA is assisting a number of key developing countries to: (1) design and implement programs to increase the use of low and zero greenhouse gas technologies; (2) identify, evaluate and implement strategies for achieving multiple social and health or economic benefits while reducing greenhouse gas emissions; and (3) accurately assess GHG emissions from the transportation sector. In 2004, EPA's efforts in Russia, along with our project partners, resulted in the reduction of greenhouse gas emissions by 3-5 million tons. In 2005, we expect to reduce greenhouse gas emissions by 5 -7 million tons.

EPA's international activities have contributed to greater information and technical capacity available for developing and industrialized countries to implement emissions reductions policies and climate protection programs. In addition, EPA works with state and local governments interested in technical, educational, and outreach assistance for clean energy projects that reduce carbon emissions.

This program underwent a PART review in 2006 and received a rating of adequate; more information is included in the Appendix Section.

### **FY 2006 Activities and Performance Highlights**

EPA will continue to build upon its voluntary government/industry partnership efforts to achieve additional greenhouse gas reductions in support of the President's goal to reduce greenhouse gas intensity by 18 percent in 2012.

In FY 2006, EPA will continue implementation of the Methane to Markets Partnership - a U.S. led international initiative that promotes cost-effective, near-term methane recovery and use as a clean energy source. The Partnership has the potential to deliver by 2015 annual reductions in methane emissions of up to 50 MMTCE or recovery of 500 billion cubic feet (Bcf) of natural gas. Methane to Markets builds on the success of EPA's domestic methane voluntary programs by creating an international forum to promote methane recovery and use projects in developing countries. The Partnership will achieve its goals through collaboration among developed countries, developing countries, and countries with economies in transition – together with strong participation from the private sector, development banks, and other governmental and non-governmental organizations.



In FY 2006, EPA's climate change programs will:

- Work to reduce greenhouse gas emissions from projected levels by up to 100 MMTCE;
- Work to reduce energy consumption from projected levels by up to 145 billion kilowatt hours annually;
- Work to reduce other forms of pollution, including air pollutants such as nitrogen oxides (NO<sub>x</sub>), particulate matter, and mercury;
- Continue to expand the ENERGY STAR program for energy efficiency in the residential, commercial, and industrial sectors and work toward avoiding up to 30 MMTCE in 2006;
- Continue to implement the Climate Leaders program.
- Develop voluntary partnerships with the freight industry to increase the market penetration of diesel engine retrofits, anti-idling technologies, speed management practices, improved aerodynamic truck designs and other practices under the SmartWay Transport initiative;
- Continue to expand the Best Workplaces for Commuters program which provides incentives for US businesses to provide energy efficient commute options including telework, carpools, vanpool and transit, which could reduce vehicle miles of travel by up to two billion miles.
- Assist state and local governments by providing technical, outreach, and education services for clean energy projects;
- Implement the Methane-to-Markets Partnership internationally by assessing the feasibility of methane recovery and use projects at landfills, coal mines, and natural gas and oil facilities and by identifying and addressing institutional, legal, regulatory and other barriers to project development in Partner countries
- Work with USDA to, analyze, identify, and develop specific opportunities to sequester carbon in agricultural soils, forests, other vegetation, and commercial products, with collateral benefits for productivity and the environment;
- Assist developing countries and countries with economies-in-transition in building their capacity to reduce emissions of greenhouse gases through cost-effective measures and participate actively in international discussions of climate protection and assist in the fulfillment of the U.S. obligations under the U.N. Framework Convention on Climate Change (UNFCCC) to facilitate technology transfer to developing countries;
- Produce measurable international greenhouse gas emission reductions through clean industrialization partnerships with key developing countries;
- EPA will continue and expand cooperation with China, Mexico, Brazil, and India, consistent with Administration efforts under the climate change bilaterals; build the capacity in major emitter countries (e.g., Mexico) to develop reliable emission inventories in support of sustained emissions reduction strategies, consistent with the goals of the Intergovernmental Panel on Climate Change (IPCC) and the UN Framework Convention on Climate Change (UNFCCC); improve energy efficiency practices in buildings in the former Soviet Union; continue to assist key developing countries in their efforts to identify and quantify mitigation measures.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$4,000) This increase provides additional funding for the implementation of the international Methane-to-Markets Partnership program.

- (-\$2,700) This decrease represents the elimination of the WasteWise program.
- (-6.2 FTE, -\$700) This reduces 6.2 FTE from the Climate Protection program.
- There are increases for payroll and cost of living for existing FTE.

### **Statutory Authority**

Clean Air Act Amendments, 42 U.S.C. 7401 et seq. - Sections 102, 103, 104, and 108; Clean Water Act, 33 U.S.C. 1251 et seq. - Section 104; Solid Waste Disposal Act, 42 U.S.C. 6901 et seq. - Section 8001; Pollution Prevention Act, 42 U.S.C. 13101 et seq. - Sections 6602, 6603, 6604, and 6605; National Environmental Policy Act, 42 U.S.C. 4321 et seq. - Section 102; Global Climate Protection Act, 15 U.S.C. 2901 - Section 1103; Federal Technology Transfer Act, 15 U.S.C. - Section 3701a, Clean Water Act, 33 U.S.C. 1251 et seq.- Section 104 Solid Waste Disposal Act, 42 U.S.C. 6901 et seq.- Section 8001

**Commission for Environmental Cooperation**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical, Organism, and Pesticide Risks; Communities

Total Request for Appropriation EPM: \$4,209.9 (Dollars in Thousands)

**Commission for Environmental Cooperation (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,918.1</i></b>	<b><i>\$3,948.8</i></b>	<b><i>\$4,209.9</i></b>	<b><i>\$261.1</i></b>
Total Budget Authority / Obligations	\$4,918.1	\$3,948.8	\$4,209.9	\$261.1
Total Workyears*	7.8	6.0	7.4	1.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program/Project Description**

The Commission on Environmental Cooperation (CEC) was created by a side agreement to the North American Free Trade Agreement (NAFTA) with the mission of facilitating cooperation and public participation to conserve and improve the North American environment, in the context of increasing economic, trade and social links among Canada, Mexico, and the United States. EPA has worked to make the products of the CEC more environment and health results-oriented and based on sound science. In 2004 the "Puebla Declaration" set a new direction focused on three priorities: 1) developing quality information across the three countries; 2) building capacity for environmental protection, particularly in Mexico, for the benefit of the environment and human health; and 3) building synergies and taking advantage of the environmental benefits of increased trade. EPA's continuing leadership and management of the CEC is critical to ensure that activities generate concrete results, consistent with U.S. goals and priorities

**FY 2006 Activities and Performance Highlights:**

In FY 2006, EPA will support the CEC in developing projects to promote policies and actions that achieve benefits for both the environment and trade. For example, by increasing the ability of border inspectors and environmental investigators to anticipate, identify and address illegal and environmentally harmful activities associated with the import and export of hazardous wastes, chemicals, and wildlife, through training, information exchange, and improvement in compliance assistance materials. To support all three countries in our domestic economic commitments to renewable energy, EPA also will work with the CEC and other NAFTA parties to enhance the development of a North American market for renewable energy.

EPA will support the CEC to develop quality information that helps decision-makers and the public understand the state of the environment, including an annual report measuring pollutant releases from the three countries and new developments on environmental laws in the three countries. In FY 2006, EPA will support work on specific projects related to air quality, children's health, and biodiversity to help the three countries develop compatible information systems. These systems will enable all people to access consolidated environmental information across North America

In the area of capacity building, EPA will support the CEC in specific projects related to integrated environmental management, beginning with two pilot projects in Mexico. EPA will support collaborative projects to engage small and large companies in voluntary stewardship activities throughout North America. In addition, the CEC will complete a needs-assessment to identify the greatest capacity building needs in Mexico and to help identify resources to fill those needs.

**FY 2006 Change from 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

North American Free Trade Agreement; North American Agreement on Environmental Cooperation.

**Compliance Assistance and Centers**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration  
 Objective(s): Preserve Land; Restore Land

Goal: Compliance and Environmental Stewardship  
 Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$29,097.1 (Dollars in Thousands)

**Compliance Assistance and Centers (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$27,177.2</b>	<b>\$28,574.5</b>	<b>\$29,097.1</b>	<b>\$522.6</b>
Leaking Underground Storage Tanks	\$463.5	\$585.3	\$773.6	\$188.3
Oil Spill Response	\$251.6	\$276.6	\$286.5	\$9.9
Hazardous Substance Superfund	\$0.0	\$26.6	\$22.5	(\$4.1)
Total Budget Authority / Obligations	\$27,892.3	\$29,463.0	\$30,179.7	\$716.7
Total Workyears*	204.3	213.8	212.4	-1.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\*The increase represents a redistribution of resources from the IT/Data Management program project to the core programs that these resources support: Compliance Monitoring, Civil Enforcement, Compliance Assistance and Compliance Incentives program projects.

**Program Project Description**

To improve compliance with environmental laws regulated entities, Federal agencies and the public benefit from easy access to tools that help them understand these laws and find efficient, cost-effective means for putting them into practice. To achieve these goals the Compliance Assistance and Centers program provides information, training and technical assistance to the regulated community, to increase its understanding of statutory and regulatory environmental requirements, thereby gaining measurable improvements in compliance and reducing risks to human health and the environment. The program also provides tools such as plain-language guides; interactive virtual compliance assistance centers; training; and assistance to other compliance assistance providers, enabling them to more effectively help the regulated community comply with environmental requirements. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section. For more information, visit: [www.epa.gov/compliance/assistance/index.html](http://www.epa.gov/compliance/assistance/index.html); [www.epa.gov/clearinghouse](http://www.epa.gov/clearinghouse); and [www.assistanccenters.net](http://www.assistanccenters.net).

## **FY 2006 Activities and Performance Highlights**

In FY 2006 EPA will continue to provide general and targeted compliance assistance to the regulated community and to integrate assistance into its enforcement and compliance efforts. In partnership with trade associations and other assistance providers, the Agency will continue to support the Compliance Assistance Centers Program. The 13 existing centers provide one-stop shopping for regulatory environmental and technical assistance, pollution prevention activities, and other information particularly suited to specific small and medium business sectors and to governments.

The Federal Facility Enforcement Program will continue to provide technical guidance to other Federal agencies on compliance with executive orders and applicable environmental laws. EPA will also continue working with other Federal agencies to support the new Federal Facilities Stewardship and Compliance Assistance Center ([www.fedcenter.gov](http://www.fedcenter.gov)) in FY 2006.

The Agency will improve and expand local and state-specific information (e.g. state regulatory requirements) available in new and existing Centers. EPA will also continue to integrate the centers and clearinghouse with the “Business Gateway” Initiative; one of the President’s 24 e-government initiatives. In FY 2006, EPA will also refine data elements to ensure accurate reporting into the Integrated Compliance Information System (ICIS), and build the Agency’s capacity to measure compliance assistance outcomes.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$450.0) This reduction reflects a redirection of resources from compliance assistance to support Compliance Monitoring program efforts.
- There are increases for payroll and cost of living for existing FTE.

### **Statutory Authority**

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; CERCLA; NAAEC; LPA-US/MX-BR.

**Compliance Incentives**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship  
 Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$9,622.2 (Dollars in Thousands)

**Compliance Incentives (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,131.3</i></b>	<b><i>\$9,420.7</i></b>	<b><i>\$9,622.2</i></b>	<b><i>\$201.5</i></b>
Hazardous Substance Superfund	\$564.2	\$188.8	\$168.1	(\$20.7)
Total Budget Authority / Obligations	\$10,695.5	\$9,609.5	\$9,790.3	\$180.8
Total Workyears*	79.8	78.5	76.8	-1.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\*The increase represents a redistribution of resources from the IT/Data Management program project to the core programs that these resources support: Compliance Monitoring, Civil Enforcement, Compliance Assistance and Compliance Incentives program projects.

**Program Project Description**

EPA will continue to implement EPA’s Audit/Self-Policing Policy (Audit Policy); Small Business Compliance Policy; and Small Local Governments Policy as core elements of the Enforcement and Compliance Assurance Program. EPA’s Audit Policy encourages corporate audits of environmental compliance and subsequent correction of self-discovered violations, providing a uniform enforcement response toward disclosures of violations. Under the Audit Policy, when companies voluntarily discover and promptly correct environmental violations, EPA may waive or substantially reduce civil penalties. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section. For more information, visit: [www.epa.gov/compliance/incentives/programs/index.html](http://www.epa.gov/compliance/incentives/programs/index.html).

**FY 2006 Activities and Performance Highlights**

EPA is currently working on many efforts to encourage corporate self-disclosures, with emphasis on corporate-wide disclosures of environmental violations under various environmental statutes. Since FY 2001, over 5,000 facilities have disclosed and corrected violations. In FY 2006, the Agency will continue to expand use of the Audit Policy through aggressive outreach to industries. One example of the EPA’s outreach is a compliance incentive program being developed for the “Grocers” sector to address CFC-related violations. EPA actively encourages disclosures at multiple facilities owned by the same regulated entity, because such disclosures

allow each entity to review their operations holistically, which more effectively benefits the environment.

In FY 2006, the Compliance Incentives program continues to promote the use of Environmental Management Systems (EMSs). EMSs provide organizations with an approach to minimizing environmental impacts – regulated and unregulated – by integrating environmental concerns into business decisions and practices. EPA will continue to implement the National Environmental Performance Track Program (NEPT) which is a program that recognizes and motivates top-performing facilities that consistently meet their legal requirements, have implemented EMS, and made tangible improvements to their environmental performance.

In FY 2006, the Agency will support and encourage states' efforts to adopt the innovative Environmental Results Program (ERP). ERP consists of a set of three linked tools – compliance assistance, self-evaluation and certification, and inspections and performance measurement – that work together to hold facility owners and operators accountable for their environmental obligations. In Massachusetts, where ERP was developed, the program improved performance for small businesses, and resulted in savings for businesses, allowing the state and EPA to focus resources on higher priority environmental problems.

Compliance Incentives activities are reported and tracked in several different compliance information systems; efforts will continue to focus on modernizing those systems into the Integrated Compliance Information System (ICIS), to enable the Agency to make strategic decisions for the best utilization of resources and tools, and to respond to increasing demands for compliance and environmental information.

EPA will continue to make multi-media compliance incentives information available to the public through the Enforcement and Compliance History On-line (ECHO) Internet website during FY 2006. ECHO is heavily used (approximately 75,000 queries per month in FY 2004), with visits to the site increasing each year.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$244.3) This increase reflects a redirection of resources into the Compliance Incentives program to support information technology systems.
- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR.



**Compliance Monitoring**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship  
Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$93,412.1 (Dollars in Thousands)

**Compliance Monitoring (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$64,141.7</i></b>	<b><i>\$84,297.3</i></b>	<b><i>\$93,412.1</i></b>	<b><i>\$9,114.8</i></b>
Hazardous Substance Superfund	\$0.0	\$881.8	\$1,156.7	\$274.9
Total Budget Authority / Obligations	\$64,141.7	\$85,179.1	\$94,568.8	\$9,389.7
Total Workyears*	569.5	624.1	627.6	3.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\* The increase represents a redistribution of resources from the IT/Data Management program project to the core programs that these resources support: Compliance Monitoring, Civil Enforcement, Compliance Assistance and Compliance Incentives program projects.

**Program Project Description**

The Compliance Monitoring program reviews and evaluates the activities of the regulated community to determine compliance with applicable laws, regulations, permit conditions, and settlement agreements. It also responds to tips and complaints from the public, and determines whether conditions exist that may present imminent and substantial endangerment to human health or the environment. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section. For more information, visit: [www.epa.gov/compliance/monitoring/index.html](http://www.epa.gov/compliance/monitoring/index.html).

The Agency also reviews and responds to 100 percent of the notices for trans-boundary movement of hazardous waste, ensuring that these wastes are properly handled in accordance with international agreements and Resource Conservation and Recovery Act regulations. For more information about the Import/Export program, visit: [www.epa.gov/compliance/monitoring/programs/importexport/hazard.html](http://www.epa.gov/compliance/monitoring/programs/importexport/hazard.html).

**FY 2006 Activities and Performance Highlights**

EPA, in tandem with states and Tribes, plans to conduct approximately 18,500 inspections, evaluations, and civil and criminal investigations during FY 2006. These activities will be targeted to areas that pose risks to human health or the environment, display patterns of noncompliance, or involve disproportionately exposed populations. EPA is working with states

and Tribes to identify where these inspections, evaluations and investigations will have the greatest impact on achieving environmental results. Program activities will focus on the national program priorities established through the Office of Enforcement and Compliance Assurance's FY 2005/2007 National Program Guidance. Additional information can be found at: <http://www.epa.gov/ocfopage/npmguidance/index.htm>

The Agency plans to release the first version of its modernized Permit Compliance System (PCS) in December 2005, to improve the ability of EPA and the states to manage the Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. The December 2005 release of the modernized PCS will cover approximately fourteen states, with additional states being added in another release in June 2006. Development of a modernized PCS, through integration into ICIS, will continue throughout FY 2006, with a goal of completing the modernization of PCS and moving all states to modernized PCS by the end of FY 2007.

EPA will continue to make multi-media compliance monitoring information available to the public through the Enforcement and Compliance History On-line (ECHO) Internet website during FY 2006. ECHO is heavily used (approximately 75,000 queries per month in FY 2004), with visits to the site increasing each year.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$4,353.2) This increase reflects a redistribution of working capital fund resources that support the program's workforce and mainframe computer system.
- (+\$1,169.2) This increase reflects a redistribution of regional program support funding for Compliance Monitoring program activities.
- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR.

**Congressional, Intergovernmental, External Relations**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$49,753.3 (Dollars in Thousands)

**Congressional, Intergovernmental, External Relations (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$53,015.2</b>	<b>\$48,166.0</b>	<b>\$49,753.3</b>	<b>\$1,587.3</b>
Hazardous Substance Superfund	\$162.7	\$184.0	\$161.0	(\$23.0)
Total Budget Authority / Obligations	\$53,177.9	\$48,350.0	\$49,914.3	\$1,564.3
Total Workyears*	395.8	394.7	384.8	-9.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Congressional and Intergovernmental activities help provide the vision and leadership needed to enable EPA to meet its commitments to protect public health and the environment. These efforts coordinate or respond to Congressional requests for information, written and oral testimony, briefings, and briefing materials. Developing legislative strategies to support the program offices and coordinating Agency appearances before Congress. External relations emphasizes informing the public (including State, Local and tribal Governments) about environmental problems and goals; strengthening communications with the State, local and tribal governments, and organizations as well as the public and news media; increasing public awareness and enhancing public perceptions of environmental issues and their technological and scientific solutions. Work with States, local and tribal governments and their associations focuses on ensuring that all concerns are considered in Agency policies, guidance, and regulations and serving as EPA's lead on issues relating to the National Environmental Performance Partnerships System (NEPPS). Another essential function is to log, assign, track, and respond to correspondence received by the Administrator and Deputy Administrator and, in the Regions, the Regional Administrator.

The Congressional, Intergovernmental, External Relations program also disseminates information about enforcement actions, compliance monitoring and the availability of compliance assistance. Monthly Enforcement Alerts, Compliance Assistance newsletters, regular news briefs about enforcement and compliance assistance activities and a vibrant website with

easily accessible tools for retrieving information are all elements of the public awareness work. Comprehensive reports and Agency documents are also posted in a timely manner.

A portion of this program was included in the Civil Enforcement PART review for FY 2006 which received an overall rating of adequate; more information is included in the Special Analysis heading.

### **FY 2006 Activities and Performance Highlights**

The emphasis and priority of these programs is to provide the vision and leadership for the full range of EPA's mission. The Regional Administrators and their staffs will provide leadership to their respective Regions and the States they serve. They will work with the States and negotiate performance partnerships to agree on environmental outcomes the States will achieve with resources received from EPA.

Congressional and Intergovernmental Relations efforts will:

- Lead and support the Administration's efforts to pass legislation to protect human health and the environment (such as Clear Skies, the Treaty on Persistent Organic Pollutants, Energy, Transportation, and Water Resources).
- Help facilitate EPA's involvement in the White House Conference on the Facilitation of Cooperative Conservation Presidential Executive Order.
- Support the President's Executive Order on intergovernmental consultation through the National Environmental Performance Partnership System (NEPPS) and Local Government Advisory Council (LGAC). The LGAC and Intergovernmental Relations team will outreach to local governments to facilitate implementation of the Executive Order on Intergovernmental Consultation.
- Provide national policy and program management to more fully integrate the NEPPS framework and principles into the Agency's core business practices. Key activities include: (a) developing policy/program guidance, outreach tools and training to promote the value and benefits of Performance Partnership Agreements (PPAs) and Performance Partnership Grants (PPGs); (b) improving opportunities for bilateral joint planning and work sharing agreements, evaluating its influence, and facilitating continuous improvement; and (c) increasing the use and effectiveness of PPAs and PPGs as definitive joint planning and management tools to achieve environmental results at the national, state, and local level.
- Improve the management of EPA's cooperative agreement with the Environmental Council of the States (ECOS) through close coordination and greater involvement of several of EPA's program offices.

Executive Secretariat emphasizes responsiveness and efficiency. The program:

- Manages the Agency's correspondence tracking and workflow management software application. Indicators of success include an increase in Agency wide usership, meeting or exceeding all user support commitments, and delivering service and meeting user needs within the program's annual budget.
- Is responsible for mail distribution and performs vital records management functions for the Immediate Office. Indicators of success are determined through a customer feedback

process and workflow tracking to help ensure same-day delivery, timely responses to FOIA and discovery requests, and compliance with all NARA mandates.

Cooperative Environmental Management (OCEM) functions will:

- Ensure that EPA's 67 federal advisory committees are in compliance with the Federal Advisory Committee Act through policy creation, oversight of federal advisory committees, program office staff training, surveying federal advisory committee members and stakeholders, identifying and sharing best practices, and training Agency Designated Federal Officers and committee Chairs. These efforts have helped to ensure consistent application of an open process throughout all of EPA's federal advisory committees by developing a new membership approval process.
- Manage four committees in a manner that ensures they will make significant contributions to the conduct of Agency programs. Specifically, the National Advisory Council for Environmental Policy and Technology (NACEPT) will develop recommendations to the Administrator on ways the Agency can leverage its existing environmental technology programs and on potential new environmental technology programs that take advantage of collaborative opportunities--particularly market incentives. The Good Neighbor Environmental Board (GNEB) will develop recommendations to the President and the Congress on collaborative approaches to address environmental problems along the U.S. - Mexico border. The National and Governmental Advisory Committees (NAC and GAC) will develop recommendations to the Administrator and the U.S. Government on collaborative approaches and market incentives that the U.S., Canada, and Mexico can adopt to more efficiently deal with environmental impacts throughout the North American Market.

Public Affairs efforts support achievement of Agency strategic goals by communicating Agency proposals, actions, policy, data, research and information through mass media and directly via the Web. Coordination is needed with all program and regional offices to develop, coordinate and manage print, broadcast and Web-based background and content information to enhance public understanding of Agency policy and actions. Recognizing the importance of the Web in the communication of Agency information, in FY 2006, a major review and consolidation of Agency Web content is a priority to ensure Web information is current, consistent, accurate and easy to find.

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During FY 2006, the Agency will continue to foster public awareness of Superfund environmental issues and the federal government's role in monitoring compliance and enforcing Superfund laws. This awareness and support are critical to public support and to the Agency's

success in meeting its goals. The Agency will issue the following informational materials: monthly enforcement alerts; quarterly compliance assistance newsletters; annual accomplishments reports, daily updating of the website; weekly news alerts; six specialized list-serves with periodic postings; and news releases as Superfund major cases are concluded.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

(-\$399.2 / -3.0 FTE) Reflects a redistribution of resources to the civil enforcement program. These resources support the review of regulatory and Agency initiatives and Congressional requests and better support the civil enforcement program.

(-\$23.0) Reflects a reduction to support working capital fund investments.

(-9.9 FTE) The reduction is in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of job positions, but not to actual FTE levels.

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

As provided in Appropriations Act funding; Federal Advisory Committee Act; Enterprise for the Americas Initiative Act; North America Free Trade Agreement Implementation Act; RLBPHRA; NAAED; LPA-US/MX-BR; CERCLA

**Criminal Enforcement**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship  
Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$37,326.3 (Dollars in Thousands)

**Criminal Enforcement (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$31,107.0</i></b>	<b><i>\$33,260.2</i></b>	<b><i>\$37,326.3</i></b>	<b><i>\$4,066.1</i></b>
Hazardous Substance Superfund	\$7,764.8	\$8,635.7	\$9,504.2	\$868.5
Total Budget Authority / Obligations	\$38,871.8	\$41,895.9	\$46,830.5	\$4,934.6
Total Workyears*	261.2	267.1	273.5	6.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Criminal Enforcement program, mandated by the Pollution Prosecution Act of 1990, forcefully deters violations of environmental laws and regulations by demonstrating that the regulated community will be held accountable, through jail sentences and criminal fines, for serious, willful statutory violations. The program thus serves as a deterrent for potential violators, thereby enhancing aggregate compliance with laws and regulations.

The criminal enforcement program conducts investigations and refers for prosecution cases which reduce pollution and help secure plea agreements or sentencing conditions that will require defendants to improve their environmental management practices (e.g., by securing permits or developing environmental management systems to enhance performance). The Agency also develops information to support grand jury inquiries and decisions, and works with other law enforcement agencies to present a highly visible and effective force in the Agency's overall enforcement strategy. Cases are referred to the Department of Justice for prosecution, with special agents serving as key witnesses in the proceedings.

The program also participates in task forces with state and local law enforcement, and provides specialized training at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA. FLETC provides one of the few opportunities for state, local, and tribal environmental enforcement professionals to obtain criminal investigation training. This program underwent a PART review in 2006 and received a rating of Adequate; more information is included in the Appendix Section. For more information, visit: [www.epa.gov/compliance/criminal/index.html](http://www.epa.gov/compliance/criminal/index.html).

## **FY 2006 Activities and Performance Highlights**

In FY 2006, the Criminal Enforcement program will continue implementation of revised case screening procedures that enhance integration with the Civil Enforcement program. This integration will be achieved through an increased emphasis upon national and regional enforcement priorities, and repeat, chronic or long-term civil violations. This strategy is also improving the Agency's ability to target enforcement resources towards the most serious and culpable violators.

FY 2006 efforts to upgrade to the criminal enforcement data system, the Criminal Case Reporting System, will also enable the program to more systematically develop an aggregate "profile" of its criminal enforcement cases. This will improve analysis of case attributes, including the extent to which cases support Agency-wide, OECA-wide, or Regional enforcement and compliance priorities, and the identification of the components of "complex" cases, such as those involving specific sector initiatives or global plea agreements affecting multiple facilities that have significant pollutant impacts.

In addition, the Criminal Enforcement program will develop the baseline for, and begin measuring and reporting data on, three additional GPRA measures: a recidivism measure that will identify the *specific* deterrent effect of the program; a pollutant impact measure to assess the annual aggregate amount of illegal pollution released into the environment that cannot be remediated, treated or otherwise reduced; and an environmental management improvement measure that assesses the extent to which concluded criminal enforcement cases result in improved or additional environmental management practices.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$1,732.6, +6.0 FTE) This increase is for the Administrator's Protection Detail.
- (+435.1) This increase reflects a redistribution of workforce-related costs funded from the working capital fund.
- (+\$300.0) This increase reflects the shift of resources from enforcement training for the Federal Law Enforcement Training Center (FLETC) which provides training to the Agency's criminal investigators.
- There are increases for payroll and cost of living for existing FTE.

### **Statutory Authority**

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR; Pollution Prosecution Act; Powers of Environmental Protection Agency.



**Drinking Water Programs**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean and Safe Water  
Objective(s): Protect Human Health

Total Request for Appropriation EPM: \$101,089.9 (Dollars in Thousands)

**Drinking Water Programs (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$90,553.9</i></b>	<b><i>\$97,947.9</i></b>	<b><i>\$101,089.9</i></b>	<b><i>\$3,142.0</i></b>
Science & Technology	\$2,941.9	\$2,999.7	\$3,068.5	\$68.8
Total Budget Authority / Obligations	\$93,495.8	\$100,947.6	\$104,158.4	\$3,210.8
Total Workyears*	585.6	597.9	588.6	-9.3

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program comprises the multiple-barrier approach to protecting public health from unsafe drinking water. Under this approach, EPA protects public health through: source water assessment and protection programs; promulgation of new or revised, scientifically sound and risk-based National Primary Drinking Water Regulations (NPDWRs); training, technical assistance, and financial assistance programs to enhance systems' capacity to comply with existing and new regulations; and the national implementation of NPDWRs by state and tribal drinking water programs through regulatory, non-regulatory, and voluntary programs and policies to ensure safe drinking water. (For more information visit <http://www.epa.gov/safewater/>)

**FY 2006 Activities and Performance Highlights**

Safe drinking water and clean surface waters are critical to protecting human health. Over 260 million Americans rely on the safety of tap water provided by water systems that are subject to national drinking water standards.<sup>7</sup> In support of the goal that 94 percent of the population served by community water systems will receive drinking water that meet all of the health-based standards with compliance dates of December 2001, EPA will continue in FY 2006 to protect sources of drinking water from contamination; develop new and revise existing drinking water standards; support states, Tribes, and water systems in implementing standards; and, promote sustainable management of drinking water infrastructure. Due to these efforts, by the end of FY 2006, the Agency will have ensured that 93% of the population served by community water

<sup>7</sup> U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), <http://www.epa.gov/safewater/data/getdata.html>

systems, and 90% of the population served by community water systems in Indian country, receive drinking water that meets all applicable health-based standards.

### Drinking Water Standards

In FY 2006, EPA will:

- Prepare a final determination whether to regulate at least five contaminants from the second drinking water contaminant candidate list (CCL). EPA will review and address comments upon the draft determination (published in 2005), continue to evaluate health effects and occurrence information, and assess the opportunity for health risk reduction;
- Begin the health risk reduction and cost analyses to support proposed rulemakings for the contaminant(s) from the second CCL that the Agency determines to regulate;
- Continue analysis to prepare the Agency's third CCL. EPA will implement key recommendations of NAS and the National Drinking Water Advisory Committee. EPA will evaluate a broad universe of chemical and microbial agents and identify the contaminant candidates with a greater likelihood of occurring in drinking water supplies at levels that could affect human health;
- Continue to assess available data on health effects, occurrence, analytical methods, and technologies to remove currently regulated contaminants. EPA will determine what revisions are appropriate to drinking water regulations, as part of the second National Primary Drinking Water Rule Review required in 2008. The revisions could include changes to the Lead and Copper Rule identified in the comprehensive Lead and Copper Rule Review that began in 2004; and,
- Continue to develop revisions to the Total Coliform Rule by initiating a stakeholder process and analyzing upcoming NAS recommendations.

### **Drinking Water Implementation**

By FY 2006, the Agency will have promulgated the Cryptosporidium (Long Term 2 Enhanced Surface Water Treatment Rule), Disinfection (Stage 2 Disinfectants and Disinfection Byproducts Rule), and Ground Water Rules. EPA will be responsible for directly implementing the early monitoring requirements under these rules. In addition, initial monitoring requirements under the revised arsenic rule and revised radionuclides rule will be underway. Hydrologic sensitivity assessments under the Ground Water Rule will also be underway. In order to facilitate compliance with these new rules, as well as existing rules, EPA will:

- Continue to provide guidance, training, and technical assistance on the implementation of drinking water regulations to states, Tribes, and systems;
- Ensure proper certification of water system operators;
- Develop new, easily accessible tools to assist states and water systems;
- Ensure on-site reviews of the operation, condition, and management of public water systems as required by regulations;
- Promote consumer awareness of the safety of drinking water supplies;
- Focus on training and assistance on the use of cost-effective treatment technologies, proper waste disposal, and compliance with high priority contaminant requirements,

including initial monitoring under the revised arsenic rule, radionuclides rule, LT2 rule, Stage 2 rule, and hydrologic sensitivity assessments under the Ground Water Rule;

- Even though regulatory development activities for the M-DBP Rule cluster have been completed, EPA has committed to implementing early requirements under new rules as well; and
- The Safe Drinking Water Information System (SDWIS) modernization should be complete by the end of 2005. EPA will continue to work with states to improve data completeness, accuracy, timeliness, and consistency through: 1) training on data entry, error correction, and regulatory reporting; 2) conducting data verifications and analyses; and 3) implementing quality assurance and quality control procedures to identify missing, incomplete, or conflicting data under the data reliability action plan.

### Sustainable Infrastructure

EPA provides affordable, flexible financial assistance through the Drinking Water State Revolving Fund. To help states and municipalities address their drinking water infrastructure needs, the Agency will:

- Continue to implement its sustainable infrastructure leadership initiative in partnership with drinking water utilities. Through this initiative, EPA and its partners will identify leaders in the utility industry who have established best practices in drinking water asset management, innovations, efficiency, and who are interested in employing watershed-based approaches to managing water resources;
- Work closely with states, utilities, and other stakeholders to develop a strategy to facilitate the voluntary adoption of these best practices. The initiative will support sustainable drinking water utilities that are able to maximize the value of safe drinking water by improving system performance at the lowest possible cost; and
- The Partnership for Safe Water -- a voluntary activity by which primarily large systems implement effective practices aimed at mitigating microbes and pathogens in drinking water -- will serve as a model for this initiative.

### Source Water Protection

EPA will continue to support state and local efforts to protect source waters by identifying and addressing significant sources of contamination. These efforts could be an integral part of the utility efforts in the sustainable infrastructure leadership initiative. By the end of FY 2006, the Agency expects that all EPA-approved state source water assessment programs will have completed high-quality baseline assessments for public water systems nationwide. States with assistance from many Federal programs will be working with community water systems to take voluntary measures to prevent, reduce, or eliminate threats of contamination to source water areas. In FY 2006, the Agency will:

- Work with national, state, and local stakeholder organizations and other Federal agencies to manage significant sources of contamination identified in the source water assessments through broad-based efforts;

- Continue to support source water protection efforts by: 1) providing training, technical assistance, and technology transfer capabilities to states and localities; and 2) facilitating the adoption of geographic information system (GIS) databases to support local decision-making;
- Work with states and Tribes to educate and assist operators of all classes of underground injection control wells; collaborate with industry and stakeholders to collect and evaluate data on high priority endangering shallow injection wells; and explore best management practices for closing and permitting these shallow wells and for otherwise protecting underground sources of drinking water; and
- Continue to provide grants for studies and demonstrations associated with source water and drinking water.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- -9.0 FTE: The reduction is in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to overall Agency FTE utilization.
- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

Safe Drinking Water Act (SDWA); Clean Water Act (CWA)

**Endocrine Disruptors**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical, Organism, and Pesticide Risks; Enhance Science and Research

Total Request for Appropriation EPM: \$9,096.8 (Dollars in Thousands)

**Endocrine Disruptors (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$7,917.5</b>	<b>\$9,037.3</b>	<b>\$9,096.8</b>	<b>\$59.5</b>
Total Budget Authority / Obligations	\$7,917.5	\$9,037.3	\$9,096.8	\$59.5
Total Workyears*	17.3	15.5	15.5	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Implementation of the Endocrine Disruptor Screening Program (EDSP) is currently proceeding in three areas: 1) Developing and validating the test assays; 2) Chemical selection; and, 3) Regulatory Implementation and Procedures.

**FY 2006 Activities and Performance Highlights**

The EDSP will complete the validation of eight assays that will identify the ability of chemicals to interact with the endocrine system, and submit the results for scientific peer review, in FY 2006. The Agency will generate and release for public comment a preliminary list of the first chemicals to be tested in the Endocrine Disruptor Screening Program. EPA will continue to move forward on the validation of in-depth, longer-term assays that can confirm the ability of chemicals to interact with the endocrine system and which will provide information that can be used in risk assessment. This effort will leverage international interest in validation of endocrine disruptor assays where possible to minimize costs incurred by the U.S. and to maximize international harmonization of test guidelines while maintaining scientific integrity. The EDSP also expects to release for public comment a proposal for the Regulatory Framework of the Endocrine Disruptor Screening Program. All of these activities further the goal of protecting communities from harm from substances in the environment which may adversely affect health through specific hormonal effects. This program was included in the Endocrine Disruptor PART review in 2006 which received an overall rating of "Adequate"; more information is included in the Appendix Section.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Resource Conservation and Recovery Act as amended; Comprehensive Environmental Response, Compensation, and Liability Act; Superfund Amendments and Reauthorization Act; Oil Pollution Act; Safe Drinking Water Act; Clean Air Act and amendments; Clean Water Act and amendments; Toxic Substances Control Act; Federal Insecticide, Fungicide and Rodenticide Act; Food Quality Protection Act; Emergency Planning and Right to Know Act; Ocean Dumping Act; Pollution Prosecution Act.

**Enforcement Training**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship  
 Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$2,498.7 (Dollars in Thousands)

**Enforcement Training (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,094.0</b>	<b>\$3,302.4</b>	<b>\$2,498.7</b>	<b>(\$803.7)</b>
Hazardous Substance Superfund	\$1,034.6	\$755.7	\$613.9	(\$141.8)
Total Budget Authority / Obligations	\$5,128.6	\$4,058.1	\$3,112.6	(\$945.5)
Total Workyears*	29.0	16.7	17.0	0.3

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

As mandated by the Pollution Prosecution Act, the Agency's Enforcement Training program provides environmental enforcement training nationwide, through the National Enforcement Training Institute (NETI). The program oversees the design of core and specialized enforcement courses, and their delivery to lawyers, inspectors, civil and criminal investigators, and technical experts. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section.

**FY 2006 Activities and Performance Highlights**

In FY 2006, the program will develop and deliver training to support national teams formed to address national enforcement priority areas. The program also maintains a training center on the Internet, "NETI Online," which offers targeted technical training courses to national and international audiences. The site also provides for tracking individual training plans, as well as developing, managing and improving the program's training delivery processes.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$300.0) This decrease reflects the shift of resources to the Criminal Enforcement program for the Federal Law Enforcement Training Center (FLETC) which provides training to the Agency's criminal investigators.
- (-\$300.0) This decrease is for the four State Environmental Enforcement Associations.

- (-\$175.9) This reduction is a redirection to support working capital fund investments.

**Statutory Authority**

PPA; RLBPHRA; RCRA; CWA'; SDWA; CAA; TSCA; EPCRA; TSCA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA.



**Environment and Trade**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Communities

Total Request for Appropriation EPM: \$1,787.0 (Dollars in Thousands)

**Environment and Trade (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,810.9</i></b>	<b><i>\$1,723.1</i></b>	<b><i>\$1,787.0</i></b>	<b><i>\$63.9</i></b>
Total Budget Authority / Obligations	\$1,810.9	\$1,723.1	\$1,787.0	\$63.9
Total Workyears*	11.2	7.0	8.9	1.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Trade Promotion Authority Act of 2002 requires environmental reviews of trade agreements, provisions in each agreement against lowering environmental standards or weakening the enforcement of existing laws to attract investment or trade. It also calls for the provision of U.S. assistance to promote sustainable development and increase the capacity of U.S. trading partners to develop and implement environmental protection standards.

EPA contributes to the development, negotiation and implementation of environment-related provisions in all new free trade agreements, the development of environmental reviews of such agreements, and the negotiation and implementation of environmental capacity agreements related to each new trade agreement. One of the Agency's key objectives in this work is to help ensure that other trading partner countries enforce their domestic environmental laws, which helps to level the playing field for U.S. businesses while promoting improved environmental conditions.

**FY 2006 Activities and Performance Highlights**

During FY 2006, the U.S. will conclude at least three new free trade agreements (most likely with Panama, Oman, and the United Arab Emirates), and their associated environmental reviews and environmental cooperation agreements. EPA will provide targeted capacity building support for existing trade and environmental agreements with Jordan, Chile, Bahrain, Morocco, Singapore, six countries in Central America, three countries in the Andean region, and with our Middle East Trade and Investment Framework Agreement partners Algeria, Egypt, Kuwait, Oman, Qatar, Saudi Arabia, Tunisia, United Arab Emirates, and Yemen. These countries will receive training in the effective implementation and enforcement of environmental laws as well

as in the design and implementation of effective environmental impact assessment decision-making processes. In addition, EPA will assist with the establishment and start-up of an independent institution that will administer the public submission/ factual record mechanism required by the environment chapter of the trade agreement between the U.S. and a number of Central American nations.

In FY 2006, EPA will undertake selected trade- and environment-related projects with other countries (e.g., China, India) that, by virtue of their booming growth in economic output and trade flows, pose increasingly grave environmental and health threats of a transboundary and even global nature. For example, China's growth rate has resulted in levels of air pollution, desertification, soil erosion, and other problems that are felt far beyond its borders, including in the U.S.

EPA also will continue to provide the U.S. Trade Representative (USTR) with policy and analytical inputs for ongoing work within the World Trade Organization and other fora that could potentially influence or even constrain environmental practices in the U.S. and other countries. In this context, EPA will continue to support USTR in negotiating the "Doha Development Round" provisions to further liberalize trade in goods and services around the world. EPA will make a major contribution to the U.S. government's environmental review of the Doha Round and help to assess the U.S. approach to conducting environmental assessments.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

Trade Act of 2002; Executive Order 13141 (Environmental Review of Trade Agreements); World Trade Organization Agreements; North American Free Trade Agreement; North American Agreement on Environmental Cooperation; Pollution Prevention Act

**Environmental Justice**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Communities

Total Request for Appropriation EPM: \$3,979.7 (Dollars in Thousands)

**Environmental Justice (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$6,274.1</b>	<b>\$4,230.5</b>	<b>\$3,979.7</b>	<b>(\$250.8)</b>
Hazardous Substance Superfund	\$1,092.5	\$800.0	\$845.2	\$45.2
Total Budget Authority / Obligations	\$7,366.6	\$5,030.5	\$4,824.9	(\$205.6)
Total Workyears*	21.4	18.0	18.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Environmental Justice program addresses environmental and human health concerns in all communities, especially minority and/or low-income communities -- segments of the population that have been, or could be disproportionately exposed to environmental harms and risks. The program provides education, outreach, and data to communities and facilitates the integration of environmental justice principles into Agency activities. The Agency also supports state and tribal environmental justice programs and conducts outreach and technical assistance to states, local governments, and stakeholders on environmental justice issues.

In order to be able to respond to an allegation of environmental injustice, it is essential to identify “affected geographic areas.” EPA has developed the Environmental Justice Geographical Information System Assessment Tool for the Internet, to provide all stakeholders with information about all geographic areas in the 48 contiguous states. The Environmental Justice Tool reflects environmental data available from the agency’s data warehouse, and demographic data provided by the U.S. Census Bureau. Links are provided to the Department of Health and Human Services’ health-related database. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section.

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will maintain the Environmental Justice Collaborative Problem-Solving (CPS) Cooperative Agreement Program. This program provides financial assistance to affected local community-based organizations who wish to engage in constructive and collaborative problem-

solving. This is achieved by utilizing tools developed by EPA and others to find viable solutions for their community's environmental and/or public health concerns. EPA will continue to manage its Environmental Justice Small Grants program, which assists community-based organizations in developing solutions to local environmental issues. The program has awarded more than 1,000 grants of up to \$20,000 each to community-based organizations and other entities such as universities, Tribes, and schools.

The Agency also will continue to chair the Federal Interagency Working Group on Environmental Justice (IWG), composed of 11 Federal agencies, to ensure that environmental justice concerns are incorporated into all Federal programs. In 2006, the IWG will continue its efforts to work collaboratively and constructively with all levels of government, and throughout the public and private sectors. The IWG will also effectively address the environmental, health, economic and social challenges facing our communities by continuing to monitor the demonstration and revitalization projects underway which have used the collaborative problem-solving model as a tool for addressing local environmental and/or public health issues.

In FY 2006 the Agency will continue to stress the use of alternative dispute resolution (ADR) as an alternative means of addressing local disputes by training local community organizations on its use. Through the use of ADR, the Agency expects to reduce time and resources accompanying litigation and anticipates that decisions reached will be more efficient and favorable for all parties involved.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$250.8) This reduction reflects a redistribution of working capital fund investments.

**Statutory Authority**

Executive Order 12898; RCRA; CWA; DWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA; Pollution Prosecution Act.

**Exchange Network**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$22,739.4 (Dollars in Thousands)

**Exchange Network (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$18,816.9</i></b>	<b><i>\$25,419.7</i></b>	<b><i>\$22,739.4</i></b>	<b><i>(\$2,680.3)</i></b>
Hazardous Substance Superfund	\$2,631.4	\$2,342.5	\$1,676.2	(\$666.3)
Total Budget Authority / Obligations	\$21,448.3	\$27,762.2	\$24,415.6	(\$3,346.6)
Total Workyears*	45.7	48.1	47.6	-0.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program supports the development and maintenance of the Environmental Exchange Network (the Exchange Network), an integrated information system that facilitates information sharing among EPA and its partners using standardized data formats and definitions providing a centralized approach to receiving and distributing information, and improving access to timely and reliable environmental information. This program provides resources for the development, implementation, and operation and maintenance for the Agency's Central Data Exchange (CDX, [www.epa.gov/cdx](http://www.epa.gov/cdx)), the point of entry on the Exchange Network for data submissions to the Agency. The program also develops the regulatory framework to ensure that electronic submissions are legally acceptable, establishes partnerships with states, Tribes, Territories and tribal consortia; and, supports the e-Rulemaking e-Government initiative. E-Rulemaking is designed to improve the public's ability to find, view, understand and comment on Federal regulatory actions.

**FY 2006 Activities and Performance Highlights**

Major focuses for EPA's Information Technology community in FY 2006 center on the Agency's Technology Initiative and fulfilling the Agency's e-Government (e-Gov) commitments. The Agency's Technology Initiative builds on efforts started in FY 2004 and FY 2005 to enhance environmental analytical capacity for EPA, its partners and stakeholders. The Initiative is designed with the knowledge that the majority of environmental data are collected by states and

Tribes, not directly by EPA and that ready access to real time quality environmental data and analytical tools is essential to making sound environmental decisions.

The Exchange Network program provides a cornerstone of the Agency's FY 2006 Technology Initiative, providing the secure, integrated exchange of environmental information. In FY 2006 EPA, states, and Tribes will continue to migrate from the old, inaccessible, "stove pipe" data systems of the past in favor of new, secure, high quality, integrated air, water, and waste information systems. These new systems are being designed to include "network portals" through which data can be exchanged over the internet between EPA, states, Tribes, the regulated community and the public. In FY 2006 the Agency will add ten more states and/or Tribes to the Network and six more databases for the States to access through the Central Data Exchange (CDX) for a total of 35 and 6 respectively. These efforts are closely coordinated with the Agency's IT/Data Management Program where the Integrated Portal effort as well as system data registries and standards are being developed and maintained.

EPA's Technology Initiative capitalizes on the Exchange Network and CDX efforts to continue to improve access to and availability of relevant program databases for state, Tribe and Direct Report participants. Additional CDX capabilities to accept Direct Report information and program databases increase user cost and time efficiencies and focuses the long-term goal of improving analytical capacity.

Effective implementation of the Exchange Network activities relies on close coordination with the Information Security and Agency Infrastructure and data management activities. Coordination helps ensure necessary system security measures are adhered to, system platforms follow the Agency's Enterprise Architecture and data management follows documented data standards.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$3,346.4, -0.5 FTE) The reduction in resources reflects a shift of activities from the Exchange Network program to the IT/Data Management program. The System of Registry (SOR) and Facility Registry System (FRS) are being moved to the IT/Data Management program to be more closely aligned with the Agency's Enterprise Architecture and Integrated Portal functions.

#### **Statutory Authority**

Federal Advisory Committee Act; Government Information Security Reform Act; Comprehensive Environmental Response, Compensation, and Liability Act; Clean Air Act and amendments; Clean Water Act and amendments; Environmental Research, Development, and Demonstration Act; Toxic Substance Control Act; Federal Insecticide, Fungicide, and Rodenticide Act; Food Quality Protection Act; Safe Drinking Water Act and amendments; Federal Food, Drug and Cosmetic Act; Emergency Planning and Community Right-to-Know; Comprehensive Environmental Response, Compensation, and Liability Act; Superfund Amendments and Re-authorization Act; Government Performance and Results Act; Government Management Reform Act; Clinger-Cohen Act; Paperwork Reduction Act; Freedom of Information Act; Computer Security Act; Privacy Act Electronic Freedom of Information Act.

**Facilities Infrastructure and Operations**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$358,045.6 (Dollars in Thousands)

**Facilities Infrastructure and Operations (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$299,417.3</i></b>	<b><i>\$326,793.8</i></b>	<b><i>\$358,045.6</i></b>	<b><i>\$31,251.8</i></b>
Science & Technology	\$9,331.4	\$8,715.8	\$8,715.8	\$0.0
Building and Facilities	\$31,382.3	\$31,418.0	\$28,718.0	(\$2,700.0)
Leaking Underground Storage Tanks	\$862.1	\$883.9	\$883.9	\$0.0
Oil Spill Response	\$499.1	\$504.4	\$504.4	\$0.0
Hazardous Substance Superfund	\$62,299.2	\$70,981.9	\$72,725.9	\$1,744.0
Total Budget Authority / Obligations	\$403,791.4	\$439,297.8	\$469,593.6	\$30,295.8
Total Workyears*	355.2	441.8	438.6	-3.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPM resources in the Facilities Infrastructure and Operations Program Project are used to fund rent, utilities, and security, and also manage activities and support services in many centralized administrative areas such as health and safety, environmental compliance, occupational health, medical monitoring, fitness/wellness and safety, and environmental management functions at EPA. Resources for this program also support a full range of ongoing facilities management services including: facilities maintenance and operations; Headquarters security; space planning; shipping and receiving; property management; printing and reproduction; mail management; and transportation services.

**FY 2006 Activities and Performance Highlights**

The Agency will continue to manage its lease agreements with GSA and other private landlords by conducting rent reviews and verifying monthly statements to ensure the charges are correct.

These resources also help to improve operating efficiency and encourage the use of new, advanced technologies and energy. EPA will continue to direct resources towards acquiring

alternative fuel vehicles and more fuel-efficient passenger cars and light trucks to meet the goals set by Executive Orders (EO) 13149<sup>1</sup>, *Greening the Government through Federal Fleet and Transportation Efficiency* and EO 13123<sup>2</sup>, *Greening the Government through Efficient Energy Management*. Additionally, the Agency will attain the Executive Order's goals through several initiatives including comprehensive facility energy audits, sustainable building design in Agency construction and alteration projects, energy savings performance contracts to achieve energy efficiencies, the use of off-grid energy equipment, energy load reduction strategies, green power purchases, and the use of Energy Star products and buildings.

EPA will provide transit subsidy to eligible applicants as directed by Executive Order (EO) 13150<sup>3</sup> "Federal Workforce Transportation."

In FY 2006, the Agency will also complete its Headquarters space consolidation project for the offices in Crystal City, VA and the new facility in Region 8 (Denver, CO).

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$14,141.7) Provides additional resources for increases in rent costs;
- (+\$1,454.5) Provides additional resources for increases in utilities costs;
- (+\$1,520.7) Provides additional resources for increases in security costs.
- (+\$8,700.0) Provides additional resource for the Crystal City consolidation project at Potomac Yards and the new Region 8 facility in Denver, CO;
- (-\$270.0) reduction to Energy Conservation resources – the Agency will focus its efforts towards the most inefficient facilities; and
- There are additional increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

Federal Property and Administration Services Act; Public Building Act; annual Appropriations Act; Clean Water Act; Clean Air Act; D.C. Recycling Act of 1988; Executive Orders 10577 and 12598; Department of Justice United States Marshals Service, Vulnerability Assessment of Federal Facilities Report; Presidential Decision Directive 63 (Critical Infrastructure Protection)

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<sup>1</sup> Information available at <http://www.epa.gov/fedsite/eo13149.htm>

<sup>2</sup> Information available at <http://www.epa.gov/fedsite/eo13123.htm>

<sup>3</sup> Additional information available at <http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html>



**Federal Stationary Source Regulations**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air

Total Request for Appropriation EPM: \$23,509.2 (Dollars in Thousands)

**Federal Stationary Source Regulations (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$22,039.2</b>	<b>\$24,302.0</b>	<b>\$23,509.2</b>	<b>(\$792.8)</b>
Total Budget Authority / Obligations	\$22,039.2	\$24,302.0	\$23,509.2	(\$792.8)
Total Workyears*	103.2	106.8	105.8	-1.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Under the Clean Air Act, EPA is responsible for setting, reviewing, and revising the National Ambient Air Quality Standards (NAAQS), as well as for setting emission standards for sources of air toxics. These national standards form the foundation for air quality management and air toxics programs implemented at the national, State, local and tribal levels, and establish goals that protect public health and the environment.

The Clean Air Act requires EPA to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. The Clean Air Act established two types of national air quality standards. Primary standards set limits to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. EPA establishes NAAQS for the six most pervasive air pollutants: particulate matter (PM), ozone, sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), and lead.

This program includes activities related to the development of maximum achievable control technology (MACT), combustion, and area source standards, the Stationary Source Residual Risk Program, and associated national guidance and outreach information.

This program was included in the Air Toxics PART review in 2006, which received an overall rating of Adequate; more information is included in the Appendix Section.

## FY 2006 Activities and Performance Highlights

The following chart shows the current status of the NAAQS reviews:

Criteria Pollutant*	Proposal	Final
PM (Fine & 10)	December 2005	September 2006
Ozone	March 2007	December 2007
CO	March 2008	December 2008
Lead	September 2008	May 2009

\* There are currently no schedules for reviewing the SO<sub>2</sub> & NO<sub>x</sub> standards.

In FY 2006, EPA plans to promulgate five residual risk standards and propose another two source categories.

Promulgations:

- Dry Cleaning
- Industrial Process Cooling Towers
- Magnetic Tape
- Ethylene Oxide Sterilizers
- Gasoline Distribution

Proposals:

- Halogenated Solvents
- Hazardous Organic NESHAP (HON)

EPA is required to regulate 70 source categories through area source standards. EPA has completed 15 source categories, with an additional one to be proposed in 2006.

In FY 2006, EPA also plans to promulgate three New Source Performance Standards (NSPS) and propose an additional NSPS.

Promulgations:

- NSPS for Electric Utility Steam Generating Units and Industrial and Commercial Boilers (Da, Db, Dc)
- NSPS for Combustion Turbines
- NSPS for Reciprocating Internal Combustion Engines – Compression Ignition Engines

Proposals:

- NSPS for Reciprocating Internal Combustion Engines – Spark Ignition Engines

EPA also plans to promulgate the revisions to the large municipal waste combustors (MWC) under Section 129 of the Clean Air Act.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$1,000.0) As implementation efforts at the State level increase, EPA will reduce Federal support for regulations. EPA will focus on toxics regulations that are under court-ordered deadlines and on those sources with the greatest emissions and toxicity.
- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

Clean Air Act

**Federal Support for Air Quality Management**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air; Enhance Science and Research

Total Request for Appropriation EPM: \$110,891.2 (Dollars in Thousands)

**Federal Support for Air Quality Management (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$86,964.0</b>	<b>\$93,283.6</b>	<b>\$110,891.2</b>	<b>\$17,607.6</b>
Science & Technology	\$10,497.3	\$10,048.7	\$10,015.9	(\$32.8)
Total Budget Authority / Obligations	\$97,461.3	\$103,332.3	\$120,907.1	\$17,574.8
Total Workyears*	704.5	732.4	715.9	-16.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Federal support for air quality management program provides support to State, tribal, and local air pollution control agencies for the development, implementation, and evaluation of programs to implement the National Ambient Air Quality Standards (NAAQS). EPA develops federal measures and regional strategies that reduce emissions from stationary and mobile sources. States and Tribes must develop the additional clean air measures necessary to meet the NAAQS. EPA partners with States, Tribes, and local governments to create a comprehensive compliance program to ensure that vehicles and engines pollute less. For each of the criteria pollutants, EPA tracks two kinds of air pollution trends: air concentrations based on actual measurements of pollutant concentrations in the ambient (outside) air at selected monitoring sites throughout the country, and emissions based on engineering estimates of the total tons of pollutants released into the air each year. EPA works with States and local governments to help ensure the technical integrity of the source controls in the State implementation plans (SIPs). EPA also assists areas in identifying the most cost-effective control options available. EPA works with other Federal agencies to ensure a coordinated approach, and works with other countries to address sources of air pollutants that lie outside our borders, but pose risks to public health and air quality within the U.S. This program supports the development of risk assessment methodologies for the criteria air pollutants.

In addition, EPA will address particulate matter (PM) and ozone pollution through the National Clean Diesel Initiative, which is designed to complement strict new diesel engine emission standards by reducing emissions across the existing fleet of approximately 11 million diesel engines.

This program was included in the Air Toxics PART review in 2006, which received an overall rating of Adequate. This program was also included in the Mobile Sources PART review in 2006, which received an overall rating of Moderately Effective; more information is included in the Appendix Section.

### **FY 2006 Activities and Performance Highlights**

Beginning in FY 2006, through the National Clean Diesel Initiative, EPA will focus on reducing emissions from the legacy fleet of diesel engines through technology verification and assistance, direct grants to support emission reduction strategies, and the creation of partnerships to advance the application of emission reduction strategies in all sectors that use diesel engines. The five sectors targeted for emissions reductions from the existing fleet include: freight, construction, school buses, agriculture, and ports. EPA's goal is to reduce emissions in approximately 11 million engines across these sectors by 2014 and prevent 1,200 tons of particulate matter emissions.

In FY 2006, EPA will continue to assess particle pollution and the transport of particle pollution and provide support to States and Tribes in developing control strategies for attaining the PM<sub>2.5</sub> NAAQS. EPA will also support States and Tribes in developing plans for attaining the 8-hour ozone standard. The Agency will review issues on reactivity of volatile organics and will revise the volatile organic compound (VOC) control policy. Finally, EPA will continue to address visibility through region-specific programs.

EPA will assist State, tribal, and local agencies in implementing and assessing the effectiveness of national programs using a broad suite of analytical tools. These tools include source characterization analyses, emission factors and inventories, statistical analyses, source apportionment techniques, quality assurance protocols and audits, improved source testing and monitoring techniques, cost/benefit tools to assess control strategies, and urban and regional-scale numerical grid air quality models (for more information, visit: <http://www.epa.gov/ttn/>). Application of these tools is the basis for assessing regional control strategies and measuring progress toward meeting regional haze goals, and developing SIPs and tribal implementation plans (TIPs). EPA will continue to improve and automate associated data and technology exchange/transfer. Through the EPA's Air Pollution Training Institute (APTI), technical air pollution training will be provided to State, tribal and local air agency professionals. For more information on APTI, visit: <http://www.epa.gov/apti/>.

The AIRNow Program will offer air quality (AQ) forecast maps, developed in conjunction with National Oceanic and Atmospheric Agency (NOAA) and using data from the NOAA prototype AQ Forecast Model. Program activities include streamlining existing processes; developing new products including web services, tools, XML, and Geographic Information Systems (GIS); and producing new maps, forecasts and information as additional monitors, forecast cities, and agencies join the program. A tribal map showing real-time data for the nation's tribal agencies will also be developed. For more information on AIRNow, visit: <http://airnow.gov>.

EPA will modify the Air Quality System (AQS) to reflect new ambient monitoring requirements and to ensure that it complies with programmatic needs and EPA's enterprise architecture and

data standard requirements. For more information on AQS, visit: <http://epa.gov/ttn/airs/airsaqs>. The AQS Data Mart will continue to operate as a method for the scientific community and others to obtain air quality data via the internet.

EPA will continue to focus on the timely issuance of Part 70 renewal permits. EPA also will continue to develop periodic monitoring rules and address monitoring issues in underlying Federal and State rules. EPA will begin implementing recommendations from the Clean Air Act Advisory Committee regarding Title V program performance and the OAR Action Plan which resulted from EPA's Inspector General (OIG) evaluation of the Title V program.

As part of implementing the 8-hour ozone and PM<sub>2.5</sub> standards, in FY 2006 EPA will continue to provide State and local governments with substantial assistance in implementing the conformity rule during this period. The first conformity determinations for the 8-hour ozone standard will be due by June 15, 2005. The first conformity determinations for the PM<sub>2.5</sub> standard will be due in early 2006.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (- 16.5 FTE) for PM Implementation Guidance, ozone economic support, new source review reform and source measurements and monitoring. The reduction is in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to overall Agency FTE utilization.
- (+ \$15,000.0) for the National Clean Diesel Initiative that is expected to leverage at least an additional \$30 million in funding assistance and reduce PM by 1,200 tons, achieving an estimated \$360 million in health benefits.
- There are additional increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Clean Air Act

**Federal Support for Air Toxics Program**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air; Enhance Science and Research

Total Request for Appropriation EPM: \$25,431.4 (Dollars in Thousands)

**Federal Support for Air Toxics Program (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$25,983.9</b>	<b>\$25,181.2</b>	<b>\$25,431.4</b>	<b>\$250.2</b>
Science & Technology	\$2,168.1	\$2,582.9	\$2,264.6	(\$318.3)
Total Budget Authority / Obligations	\$28,152.0	\$27,764.1	\$27,696.0	(\$68.1)
Total Workyears*	151.5	147.7	144.8	-2.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Federal support for the air toxics programs provides support to State, tribal and local air pollution control agencies for: modeling, inventories, monitoring, assessments, strategy and program development; community-based toxics programs; voluntary programs including those that reduce inhalation risk and those that reduce deposition to water bodies and ecosystems; international cooperation to reduce transboundary and intercontinental air toxic pollution; National Toxics Inventory development and updates; Great Waters; the development of risk assessment methodologies for the toxic air pollutants; and Persistent Biocummulative Toxics (PBT) activities. This program also includes training for air pollution professionals, activities for implementation of Maximum Achievable Control Technology (MACT) standards and the National Air Toxics Assessment.

This program was included in the Air Toxics PART review in 2006, which received an overall rating of Adequate; more information is included in the Appendix Section.

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will complete an air toxic version of the National Emissions Inventory (NEI) for the year 2002, which can be used by EPA, States, and others to analyze the public health risks from air toxics, and develop strategies to manage that risk (<http://www.epa.gov/ttn/chief/net/index.html>). To aid the Agency in characterizing risk, EPA will continue to work with State and local agencies, via the National Air Monitoring Steering Committee, to implement the National Air Toxics Monitoring Network. The network has two main components: the National Air Toxics Trends Sites (NATTS), and Community Assessment

Projects (CAPs). The NATTS are comprised of 22 permanent monitoring sites, designed to capture the impacts of widespread pollutants. The CAPs are comprised of several short-term monitoring sites, each designed to address specific local issues. Additional community scale monitoring projects will be initiated in FY 2006. For information on air toxics monitoring, visit: <http://www.epa.gov/ttn/amtic/airtxfil.html>.

EPA will provide information to States and communities through case examples, documents, websites, and workshops on tools to help them in conducting assessments and identifying risk reduction strategies for air toxics. This will allow State, local and tribal governments, industry, public interest groups, and local citizens to work together to determine if actions are needed, and if so, what should be done.

EPA will continue its efforts under the Air-Water Interface Work Plan to address and prevent adverse effects of atmospheric deposition to coastal and inland waterways (i.e., Great Waters <http://www.epa.gov/oar/oaqps/gr8water/>). EPA will begin implementation of the revised Air-Water Interface Work Plan. These efforts involve the development and support of multi-media approaches to reduce risk and achieve water quality standards. Up-to-date information regarding air deposition, emission sources, monitoring technologies, and toxic effects will be provided to State and local governments as well as a number of multi-state organizations.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Clean Air Act



**Financial Assistance Grants / IAG Management**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$19,915.9 (Dollars in Thousands)

**Financial Assistance Grants / IAG Management (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$18,854.2</b>	<b>\$20,328.9</b>	<b>\$19,915.9</b>	<b>(\$413.0)</b>
Leaking Underground Storage Tanks	\$24.5	\$0.0	\$0.0	\$0.0
Hazardous Substance Superfund	\$3,054.2	\$2,933.2	\$2,578.9	(\$354.3)
Total Budget Authority / Obligations	\$21,932.9	\$23,262.1	\$22,494.8	(\$767.3)
Total Workyears*	188.4	163.1	163.4	0.3

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Resources in this program support activities are related to the management of Financial Assistance Grants/IAG and suspension and debarment at Headquarters and Regions. This program focuses on maintaining a high level of integrity in the management of EPA's assistance agreements, and fostering relationships with state and local governments to support the implementation of environmental programs. A key component of this program is ensuring that EPA's management of grants, which comprise over half of the Agency's budget, meets the highest fiduciary standards and produces measurable environmental results.

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will achieve key objectives under its long-term Grants Management Plan. These objectives include strengthening accountability and implementing new and revised policies on at-risk grantees, environmental outcomes, and competition.<sup>1</sup> In furtherance of the Plan, in 2006 EPA will enhance efforts to reform grants management by providing funding for additional Regional on-site and pre-award reviews of grant recipients and applicants, indirect cost rate reviews, tribal technical assistance and the development of an Agency-wide training program for project officers.

<sup>1</sup> US EPA, EPA Grants Management Plan. EPA-216-R-03-001, April 2003. Available at <http://www.epa.gov/ogd/EO/finalreport.pdf>

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$500.0) This increase will provide funding to increase support for grants management reforms. The reforms focus on pre- and post-award oversight, negotiation of non-profit indirect costs rates, and training and technical assistance.
- There are additional increases/decreases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

EPA's environmental statutes; annual Appropriations Act; Federal Grant and Cooperative Agreement Act; Section 40 Code of Federal Regulations, Parts: 30, 31, 35, 40, 45, 46, and 47

**Geographic Program: Chesapeake Bay**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Ecosystems

Total Request for Appropriation EPM: \$20,746.4 (Dollars in Thousands)

**Geographic Program: Chesapeake Bay (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$23,185.6</b>	<b>\$20,816.6</b>	<b>\$20,746.4</b>	<b>(\$70.2)</b>
Total Budget Authority / Obligations	\$23,185.6	\$20,816.6	\$20,746.4	(\$70.2)
Total Workyears*	23.4	22.4	21.9	-0.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA's work in the Chesapeake Bay is based on a regional partnership formed to direct and conduct restoration of the Chesapeake Bay. Partners include Maryland, Virginia and Pennsylvania; the District of Columbia; the Chesapeake Bay Commission, a tri-state legislative body; EPA, which represents the Federal government; and participating citizen advisory groups. Delaware, New York and West Virginia, representing the Bay's headwaters, also participate in Bay Program water quality restoration activities.

A comprehensive and far-reaching agreement will guide restoration and protection efforts through 2010. That agreement, *Chesapeake 2000*, focuses on improving water quality as the most critical element in the overall protection and restoration of the Bay and its tributaries.

To achieve improved water quality and restore submerged aquatic vegetation, Bay partners have committed to reducing nutrient and sediment pollution loads sufficiently to remove the Bay and the tidal portions of its tributaries from the list of impaired waters. Key elements of State strategies to achieve these reductions include: the implementation of advanced treatment of wastewater to reduce nutrient discharges, the use of a range of management practices to reduce nutrients and sediments from farms, and the restoration and protection of riparian forests that serve as a buffer against sediment and nutrient pollution that enters waterways from the land.

**FY 2006 Activities and Performance Highlights**

One of the key measures of success in achieving improved Bay water quality will be the restoration of submerged aquatic vegetation (SAV). SAV is one of the most important biological communities in the Bay, producing oxygen, nourishing a variety of animals, providing shelter

and nursery areas for fish and shellfish, reducing wave action and shoreline erosion, absorbing nutrients such as phosphorus and nitrogen, and trapping sediments.

While recent improvements in water quality have contributed to a modest increase in SAV (from a low of 38,000 acres in 1984 to a cumulative total of 64,709 acres), more improvements are needed. As a measure of improved water quality in the Bay, in FY 2006, there will be 100,000 acres of SAV.

EPA has identified a number of actions that will contribute to achievement of the program goals. For example, EPA will work with the Bay Program partners to implement:

- Strategies and water quality criteria to protect SAV;
- Collaboration efforts with the U.S. Forest Service to ensure effective strategies to conserve forest buffers;
- Efforts to ensure that States are implementing existing tributary strategies and are on schedule to implement new water quality standards and allocations through actions such as installation of biological nutrient removal at wastewater treatment facilities and effective stormwater and CAFO permits.
- EPA continues to work with Bay participants and will continue communication and outreach activities through resources such as the Chesapeake Bay homepage on the internet. ([www.chesapeakebay.net/wqcpartnership.htm](http://www.chesapeakebay.net/wqcpartnership.htm))

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- Resources are largely unchanged.

**Statutory Authority**

- Clean Water Act

**Geographic Program: Great Lakes**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Ecosystems

Total Request for Appropriation EPM: \$21,519.1 (Dollars in Thousands)

**Geographic Program: Great Lakes (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$17,098.6</i></b>	<b><i>\$21,194.8</i></b>	<b><i>\$21,519.1</i></b>	<b><i>\$324.3</i></b>
Total Budget Authority / Obligations	\$17,098.6	\$21,194.8	\$21,519.1	\$324.3
Total Workyears*	56.2	52.1	52.1	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Great Lakes are the largest system of surface freshwater on earth, containing 20 percent of the world's surface freshwater and accounting for more than 90 percent of the surface freshwater in the United States. The watershed includes two nations, eight American states, a Canadian province, more than 40 Tribes, and is home to more than one-tenth of the U.S. population. The goal of the Agency's Great Lakes Program is to restore and maintain the chemical, physical, and biological integrity of the Great Lakes Basin Ecosystem. Activities include:

- Conducting and reporting annual air and water monitoring (nutrients, toxics and biota) for 5 lakes in partnership with other federal, state and Canadian agencies to stakeholders and public (as required by the Great Lakes Water Quality Agreement (GLWQA) with Canada and by the Clean Water Act);
- Operating the binational Great Lakes Integrated Atmospheric Deposition Network and completing analyses and issuing data reports;
- Expanding public access to Great Lakes environmental information and expand the Great Lakes environmental monitoring database to enhance public;
- Performing toxics reduction activities;
- Implementing the Canada-U.S. Great Lakes Binational Toxics Strategy for reduced loadings of targeted pollutants in accordance with the GLWQA;
- Performing demonstrations and investigations related to contaminated sediments in Great Lakes rivers and harbors;

- Protecting and restoring habitat to (1) decrease loss of high quality ecological communities and rare species and (2) increase ecosystem conditions and functions providing habitat with the necessary size, mixture, and quality to sustain native plants and animals;
- Working with partners to address invasive species, emphasizing prevention of additional introductions; and
- Supporting commitments under the GLWQA and the Clean Water Act, including coordination with the 8 Great Lakes States, Canada, and the International Joint Commission (IJC); developing basin-wide policy, technical assistance, and overall coordination for management plans for the Lakes and their Areas of Concern (AOCs); and drafting reports to Congress and the IJC on the Great Lakes ecosystem that reflect major trends and program accomplishments.

### **FY 2006 Activities and Performance Highlights**

In 2006, EPA will continue implementation of a local, state, tribal, and Federal Great Lakes Regional Collaboration focusing on outcomes like cleaner water and sustainable fisheries, and targeting measurable results. The Regional Collaboration was called for as part of the President's May 2004 Executive Order directing EPA to establish the Great Lakes Task force to coordinate the Federal effort to improve water quality in the Great Lakes. EPA will continue working with partners to restore the chemical, physical, and biological integrity of the Great Lakes ecosystem, by implementing Clean Water Act core water protection programs and other actions pursuant to Great Lakes Strategy 2002: A Plan for the New Millennium.<sup>1</sup> Objectives in the Strategy include the clean up and de-listing of at least 10 Areas of Concern by 2010, a 25 percent reduction in PCB concentrations in lake trout and walleye (see graph below), and the restoration or enhancement of 100,000 acres of wetlands within the Great Lakes basin. The Strategy also sets goals for the clean up of all Areas of Concern by 2025, and for 90 percent of monitored Great Lakes beaches to be open 95 percent of the season.

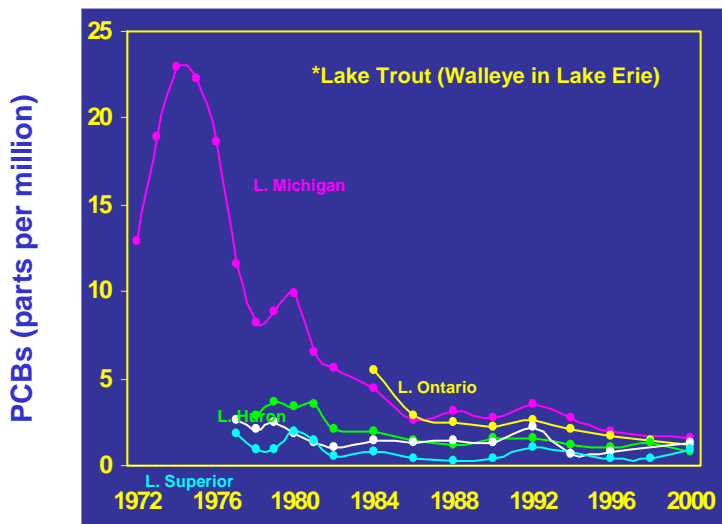
The Great Lakes Strategy incorporates the Great Lakes Binational Toxics Strategy, a groundbreaking international toxics reduction effort that targets a common set of persistent, toxic substances for reduction and elimination (<http://www.epa.gov/glnpo/bns/documents.html>).<sup>2</sup> The Toxics Strategy applies voluntary and regulatory tools focused on pollution prevention to a targeted set of substances including mercury, PCBs, dioxins/furans, and certain canceled pesticides. The Strategy outlines activities for states, industry, Tribes, non-governmental organizations, and other stakeholders. Fish and air toxics monitoring programs support the Toxics Strategy and Lakewide Management Plans by measuring actual progress in the environment.

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<sup>1</sup> U.S. Policy Committee for the Great Lakes. April 2002. *A Strategic Plan for the Great Lakes Ecosystem*. Washington, DC. Available online at <http://www.epa.gov/glnpo/gls/glsvideotest.html>.

<sup>2</sup> U.S. EPA. Great Lakes National Program Office. April 1997. *The Great Lakes Binational Toxics Strategy*. Washington, DC. Available online at <http://www.epa.gov/glnpo/p2/bns.html>.

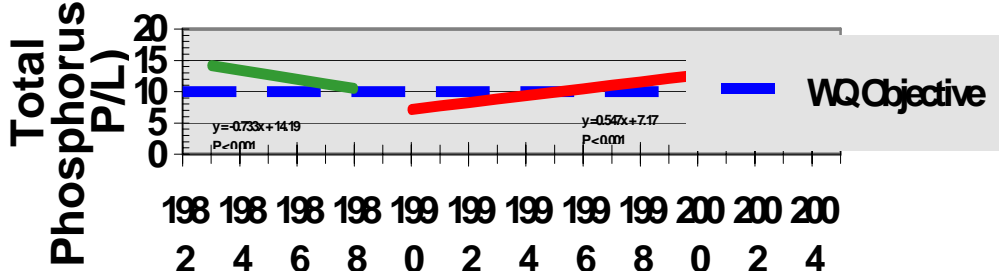
Polychlorinated biphenyls (PCBs) Trends in Great Lakes fish tissue\*



Source: Great Lakes National Program Office annual monitoring program, Great Lakes Environmental Database

EPA will lead development of management recommendations to address the low dissolved-oxygen levels in Lake Erie, which have resulted in an increasing “dead zone.” Despite U.S. and Canadian success in achieving total phosphorus load reductions, phosphorus in the central basin of Lake Erie has increased since the early 1990’s to levels substantially in excess of the Great Lakes Water Quality Agreement Objective of 10ug-P/l (see Figure 1). During 2005, EPA will continue to investigate the depleted oxygen conditions in Lake Erie and will initiate actions to update models of Lake Erie’s response to nutrients. In 2006, efforts will focus on information gaps which are identified through the modeling process regarding nutrient dynamics and on the identification of management implications for Lake Erie restoration.

**Figure 1: Central Lake Erie Total Phosphorus  
Spring 1983-2003**



This chart shows changes in Phosphorus levels and direction over time. The regression lines for periods, 1983-1988 and 1990-2003 are highly significant. Note the Great Lakes Water Quality Agreement Objective of 10ug-P/l. Source: Great Lakes National Program Office annual monitoring program, Great Lakes Environmental Database. See <http://www.epa.gov/grtlakes/glindicators/index.html>

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act (Great Lakes Legacy Act); Clean Water Act; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; US-Canada Agreements; Water Resources Development Act (WRDA); 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement (GLWQA); 1987 Great Lakes Water Quality Agreement; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Binational Toxics Strategy;



**Geographic Program: Gulf of Mexico**

Environmental Protection Agency

FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems

Objective(s): Ecosystems

Total Request for Appropriation EPM: \$4,467.5 (Dollars in Thousands)

**Geographic Program: Gulf of Mexico (EPM)**

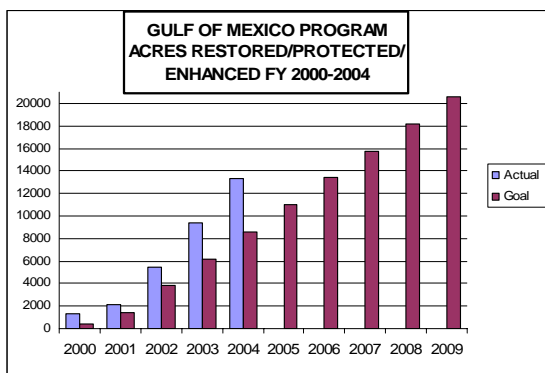
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,055.7</b>	<b>\$4,477.8</b>	<b>\$4,467.5</b>	<b>(\$10.3)</b>
Total Budget Authority / Obligations	\$4,055.7	\$4,477.8	\$4,467.5	(\$10.3)
Total Workyears*	11.6	13.4	13.0	-0.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA’s efforts in the Gulf of Mexico directly support a collaborative, multi-organizational Gulf states-led partnership comprised of regional, business and industry, agriculture, State and local government, citizens, environmental and fishery interests, and numerous Federal departments and agencies. The Gulf of Mexico Program ( [www.epa.gov/gmpo](http://www.epa.gov/gmpo)) is designed to assist the Gulf States and stakeholders in developing a regional, ecosystem-based framework for restoring and protecting the Gulf of Mexico through coordinated Gulf-wide and priority area-specific efforts. The qualitative, long-term goals of the Gulf of Mexico Program provide a blueprint for building the framework while supporting projects and actions at the local level in order to achieve environmental results. The Gulf States strategically identify the key environmental issues and then work at the regional, state, and local level to define, recommend, and voluntarily implement the supporting solutions. To achieve the Program’s environmental objectives, the partnership must target specific Federal, state, local, and private programs. The partnership must also identify processes and financial authorities in order to leverage the resources needed to support the state and community actions. EPA supports the partnership to enhance its capacity to protect and restore the health and productivity of this complex ecosystem in ways consistent with the economic well-being of the region.



**FY 2006 Activities and Performance Highlights**

Gulf of Mexico issues can be broadly categorized as affecting water quality, public health, and habitat loss. Activities of the Gulf of Mexico Program and its partners include:

- Support efforts to achieve the 2006 target to restore 20% of impaired segments in the 13 priority coastal areas to achieve water and habitat quality levels that meet state water quality standards;
- Support projects with the goal of creating, restoring or protecting 2400 acres of important coastal and marine habitats in the Gulf of Mexico;
- Support State and coastal community efforts to manage harmful algal blooms (HABs) by implementing an integrated binational early-warning system;
- Assist the Gulf States in reducing contamination of seafood and local beaches through efforts to establish effective bacterial source tracking methods and technologies;
- Assist in consumer awareness/educational efforts to reduce the rate of shell-borne *Vibrio vulnificus* illnesses caused by consumption of commercially-harvested raw or undercooked oysters;
- Support efforts to reduce nutrient loadings to watersheds;
- Support national and Gulf-wide efforts to address multi-jurisdictional problems such as the hypoxic zone and mercury in the Gulf of Mexico;
- Foster regional stewardship through Gulf Guardian Awards and outreach projects.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- Resources are largely unchanged.

**Statutory Authority**

Clean Water Act

**Geographic Program: Lake Champlain**

Environmental Protection Agency

FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems

Objective(s): Ecosystems

Total Request for Appropriation EPM: \$954.8 (Dollars in Thousands)

**Geographic Program: Lake Champlain (EPM)**

(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,181.5</b>	<b>\$954.8</b>	<b>\$954.8</b>	<b>\$0.0</b>
Total Budget Authority / Obligations	\$2,181.5	\$954.8	\$954.8	\$0.0
Total Workyears*	0.5	0.0	0.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Efforts to protect Lake Champlain support the successful interstate, interagency, and international partnership undertaking the implementation of “Opportunities for Action.” This plan is designed to address various threats to the Lake’s water quality, including phosphorus loadings, invasive species and toxic substances. Further information about this program can be found at: <http://www.lcbp.org> and <http://www.epa.gov/NE/eco/lakechamplain/index.html>

**FY 2006 Activities and Performance Highlights**

In the Lake Champlain Basin Program, EPA will work with state and local governments to restore and protect Lake Champlain and its surrounding watershed for future generations. Activities include:

- Addressing high levels of phosphorus, which encourage algae blooms in parts of the lake.
- Reducing levels of persistent toxic contaminants in the lake’s sediments and fish;
- Addressing invasive, non-native aquatic plants and animals such as zebra mussels, and water chestnuts, which displace native species and reduce recreational values;
- Continued work on cyanobacteria, particularly microcystin;
- Continued limnological monitoring;
- Continued education/outreach and training;
- Continued restoration through community involvement;
- Aquatic nuisance species control;
- Possible hydrodynamic investigation.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- No change from FY 2005

**Statutory Authority**

1909 The Boundary Waters Treaty; 1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; Clean Water Act; North American Wetlands Conservation Act; U.S.-Canada Agreements; and Water Resources Development Act (WRDA)

**Geographic Program: Long Island Sound**

Environmental Protection Agency

FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems

Objective(s): Ecosystems

Total Request for Appropriation EPM: \$477.4 (Dollars in Thousands)

**Geographic Program: Long Island Sound (EPM)**

(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,640.1</b>	<b>\$477.4</b>	<b>\$477.4</b>	<b>\$0.0</b>
Total Budget Authority / Obligations	\$2,640.1	\$477.4	\$477.4	\$0.0
Total Workyears*	0.5	0.0	0.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA supports protection and restoration activities in the Long Island Sound, implementing the Sound's Comprehensive Conservation and Management Plan (CCMP), approved in September 1994 under Section 320 of the Clean Water Act as amended.

The CCMP is a product of the Long Island Sound Study (LISS) -- a bi-state cooperative effort to restore and protect the Sound authorized under Section 119 of the Clean Water Act. The LISS includes EPA, Connecticut, New York, scientific researchers, user groups, industry, and other concerned organizations and individuals. The LISS organized a number of committees to help ensure broad input into development of, and continuing implementation of the CCMP. These committees represent policy, management, citizen, and scientific and technical interests from around the Long Island Sound region. Restoration and protection actions focus on six areas identified in the CCMP that require special attention: hypoxia, toxic contamination, pathogens, floatable debris, the impact of habitat degradation and loss on the health of living resources, land use and development, and public education, information, and participation.

Further information about this program can be found at <http://www.longislandsoundstudy.net>.

**FY 2006 Activities and Performance Highlights**

EPA will continue to ensure implementation of the LISS CCMP in 2006 through coordinating the actions of the LISS Management Conference authorized under the Clean Water Act Section

320 and 119. Efforts will focus in the following four primary areas -- cleanup and restoration actions; water quality monitoring; scientific research; and public information and education.

- Nitrogen reduction from point and nonpoint sources of pollution to reduce large areas of the Sound that are seasonally impaired as habitat for fish and shellfish because of low dissolved oxygen levels, a condition called hypoxia.
- Habitat restoration and protection to improve the productivity of tidal wetlands, intertidal zones, and other key habitats that have been adversely affected by unplanned development, overuse, or pollution.
- Watershed protection and nonpoint source pollution controls to reduce the effects of runoff pollution on rivers and streams discharging to the Sound, and to restore and protect streamside buffer zones.
- Stewardship of ecologically and biologically significant areas, and identification and management of recreationally important areas and compatible public access and use.
- Monitoring of water quality, including environmental indicators such as dissolved oxygen levels, temperature, salinity, and water clarity, and biological indicators such as chlorophyll *a*, to assess environmental conditions that may contribute to impaired water quality.
- Scientific research into the causes and effects of pollution on the Sound's living marine resources, ecosystems, water quality and human uses.
- Public education and information to report on implementation progress and the status of environmental and other indicators of ecosystem health.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

No change in funding.

**Statutory Authority**

2002 Great Lakes and Lake Champlain Act; Clean Water Act; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; Water Resources Development Act (WRDA)

**Geographic Program: Other**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Communities; Ecosystems

Total Request for Appropriation EPM: \$13,186.1 (Dollars in Thousands)

**Geographic Program: Other (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,824.6</b>	<b>\$6,789.7</b>	<b>\$13,186.1</b>	<b>\$6,396.4</b>
Total Budget Authority / Obligations	\$2,824.6	\$6,789.7	\$13,186.1	\$6,396.4
Total Workyears*	7.6	14.7	12.5	-2.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Agency targets efforts to protect and restore various communities and ecosystems impacted by environmental problems. Under this program, the Agency works with communities to develop and implement community-based approaches to mitigate diffuse sources of pollution and cumulative risk. The Agency also fosters community efforts to build consensus and mobilize local resources to target highest risks.

The South Florida Program takes the lead on special initiatives and planning activities in the south Florida region, which includes the Everglades and Florida Keys coral reef ecosystem. Implementing, coordinating, and facilitating activities include the Section 404 Wetlands Protection Program of the Clean Water Act, Water Quality Protection Program for the Florida Keys National Marine Sanctuary (FKNMS), Brownsfield Program, and other Waste Division programs.

The Northwest (NW) Forest program implements is a collaborative planning and management framework that supports efforts needed to generate interagency management agreement and joint funding for watershed assessment, planning, protection, and restoration efforts. The NW aquatic and watershed monitoring effort contributes to aquatic and riparian monitoring under the NW Forest Plan and the Pacific NW Aquatic Monitoring Partnership. These two efforts contribute to the achievement of national examples of watershed scale aquatic monitoring and collaborative monitoring across Federal, tribal, state, and private lands.

The Lake Pontchartrain Basin Restoration Program strives to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

The Community Action for a Renewed Environment (CARE) is a community-based, multimedia program designed to help local communities address the cumulative risk of toxics exposure. Through the CARE program, EPA provides technical support for communities, helps them use collaborative processes to select and implement local actions, and awards Federal funding for projects to reduce exposure to toxic pollutants. Much of the risk reduction comes through the application of over 25 EPA voluntary programs from across the Agency.

## **FY 2006 Activities and Performance Highlights**

### South Florida

- Assist with coordinating and facilitating the ongoing implementation of the Water Quality Protection Program for the FKNMS, including long-term status and trends monitoring projects (water quality, coral reef, and seagrass) and the associated data management program.
- Conduct studies to determine cause and effect relationships among pollutants and biological resources, implementation of wastewater and storm water master plans, and public education and outreach activities.
- Provide monetary and/or technical/managerial support for priority environmental projects and programs in south Florida, including the following:
  - Southeast Florida Coral Reef Initiative,
  - Water Quality Protection Strategy for the South Florida Ecosystem;
  - Integrated Mercury Study;
  - REMAP Monitoring Program (assess ecosystem characteristics and conditions throughout the Everglades ecosystem);
- Wetlands Conservation, Permitting, and Mitigation Strategy; and
- FY 2006 resources total \$2.5 million.

Northwest Forest - Federal, State, and tribal partners implement shared responsibilities for the Aquatic Monitoring Strategy, including broad scale monitoring indicators, protocols, and design framework. Other activities include:

- Implement intensive effectiveness monitoring network in 3 to 5 basins in OR/WA;
- Develop shared data standards and data sharing network/tools (State, tribal, Federal); and
- Complete watershed condition/trend monitoring in 25 to 30 watersheds in CA/OR/WA.
- FY 2006 resources total \$1.2 million.

### Lake Pontchartrain:

- Implement restoration projects and studies recommended in the Comprehensive Management Plan.
- Conduct outreach and public education projects.
- FY 2006 resources total \$1.0 million.



CARE – In FY 2006, EPA is providing initial resources to work with communities to implement this multi-media, collaborative program. Several EPA offices: Solid Waste and Emergency Response, Air, Water, Toxics, Pesticides will provide technical support and award funding for projects to reduce exposure to toxic pollutants. EPA expects to establish 80 CARE programs across the nation in FY 2006, building on experience gained from 10 projects started in 2005. CARE uses two sets of cooperative agreements. In FY 2006, EPA plans to initiate 40 of the smaller Level I agreements, in which the community, working with EPA, creates a collaborative problem-solving group made up of the various stakeholders in the community. That group assesses the community's toxic exposure problems and begins to identify potential solutions. EPA plans to initiate 40 larger Level II agreements, in which the community, working with EPA, selects and funds projects that reduce risk and improve the environment in the community.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$7,000.0) With additional funding, EPA will establish CARE collaborative community-based programs to reduce toxics in 80 communities in FY 2006 and add 80 additional communities every two years. EPA will work with organizations such as ECOS, NACO and the National Conference of Majors to obtain state and local government support for CARE projects.
- There are changes for payroll and cost of living for existing FTE.

#### **Statutory Authority**

South Florida: Florida Keys National Marine Sanctuary and Protection Act of 1990; National Marine Sanctuaries Program Amendments Act of 1992; Clean Water Act, RCRA, and CERCLA.

Northwest Forest: Clean Water Act; Economy Act of 1932; and Intergovernmental Cooperation Act.

Lake Pontchartrain: Clean Water Act.

CARE: As a multi-media program CARE uses grant authority from all the major statutes (CAA, CWA, SWDA, TSCA, etc.)

**Great Lakes Legacy Act**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Ecosystems

Total Request for Appropriation EPM: \$50,000.0 (Dollars in Thousands)

**Great Lakes Legacy Act (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,598.0</i></b>	<b><i>\$45,000.0</i></b>	<b><i>\$50,000.0</i></b>	<b><i>\$5,000.0</i></b>
Total Budget Authority / Obligations	\$4,598.0	\$45,000.0	\$50,000.0	\$5,000.0
Total Workyears*	0.0	0.0	0.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Great Lakes Legacy Act funding supports a program to clean up contaminated sediments in the 31 U.S. or binational Great Lakes Areas of Concern; perform research and development regarding innovative ways to clean up these sediments; and provide public information on these cleanups. (For more information, visit <http://www.epa.gov/glnpo/sediment/legacy/index.html>).

**FY 2006 Activities and Performance Highlights**

The Great Lakes Legacy Act request targets additional resources to clean up contaminated sediments. Sediment contamination is a significant source of Great Lakes toxic pollutants and can impact human health via the bio-accumulation of toxic substances through the food chain. Reporting in 2006 is expected to show that EPA and its partners will have remediated a cumulative total of 4 million cubic yards of contaminated sediments since tracking began in 1997. In 2006, the third year of the program, EPA will support four to six projects for remediation which would result in cleanup of over a quarter million cubic yards of contaminated sediments.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$5,000.0) provided to operate the program's sediment remediation activities at the authorized level.

## **Statutory Authority**

2002 Great Lakes and Lake Champlain Act (Great Lakes Legacy Act); Clean Water Act; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; Water Resources Development Act (WRDA); 1990 Great Lakes Critical Programs Act; 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement (GLWQA); 1987 Great Lakes Water Quality Agreement; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Binational Toxics Strategy; and US-Canada Agreements

**Homeland Security: Communication and Information**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$6,680.3 (Dollars in Thousands)

**Homeland Security: Communication and Information (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,226.2</b>	<b>\$4,320.3</b>	<b>\$6,680.3</b>	<b>\$2,360.0</b>
Hazardous Substance Superfund	\$0.0	\$0.0	\$300.0	\$300.0
Total Budget Authority / Obligations	\$4,226.2	\$4,320.3	\$6,980.3	\$2,660.0
Total Workyears*	5.2	3.0	13.0	10.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program coordinates development and implementation of homeland security policy and related information security across the Agency. EPA coordinates its homeland security policy with other Federal partners as well as within the Agency through implementation of its Homeland Security Strategy. EPA also works to ensure rapid access to relevant communication tools, accelerated transfers of data, the development of models and maps to support response activities, and effective Agency wide communication in emergency situations.

The Strategy and development of an Agency wide collaborative network on Homeland Security support the Agency's ability to effectively implement its broad range of homeland security responsibilities; ensures consistent development and implementation of homeland security policies and procedures, and build an external network of partners so that EPA's homeland security efforts are integrated into the Federal effort, complementing the work of other Federal partners. It also serves to capitalize on the concept of "dual-benefits" so that EPA's homeland security efforts enhance and are integrated into EPA core environmental programs that serve to protect human health and the environment.

**FY 2006 Activities and Performance Highlights**

The Agency will develop a new EPA Homeland Security Strategy to present the Agency's priorities through 2009, integrating and identifying the specific assignments for EPA from

Homeland Security Presidential Directives, White House Homeland Security Council and directives from the Department of Homeland Security and other Federal agencies related to Homeland Security.

EPA's FY 2006 homeland security resources for information systems will continue support for the Agency's rapid response infrastructure by delivering increased network capacity. Expanding the Agency's bandwidth and functions (e.g., Voice over IP) will allow secure, reliable, and high-speed data access and communication to first responders, on-scene coordinators, emergency response teams, and investigators wherever they are located.

Key FY 2006 Program Activities
<ul style="list-style-type: none"><li>✓ Deliver increased network capacity</li><li>✓ Provide high speed communication and data access tools</li><li>✓ Ensure secure and reliable systems</li><li>✓ Implement secure system backup operations</li><li>✓ Establish and deploy Agency mobile LANs</li></ul>

In FY 2006, EPA will ensure emergency access to the Agency's information resources by establishing an integrated Internet/WAN/LAN solution – Mobile Laboratory LAN-in-a-Box -- that can be immediately deployed anywhere to equip mobile laboratories with high speed, secure access to the Internet and the EPA WAN, and the ability to share information on scene. On-scene equipment would include a satellite dish, laptop computers, router, UPS, secure wireless access points, satellite phones, and printer/fax/scanner equipment. In addition, Homeland Security information technology efforts are closely coordinated with the Agency-wide Information Security and Infrastructure activities coordinated and managed in the Information Security and IT/Data Management programs.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

(+\$1,100.0, +10 FTE) Increase reflects addition of 10 FTE for homeland security related coordination.

(+\$1,200.0) Increase reflects resource levels required to support the deployment and maintenance of five mobile local area networks (LANs) to facilitate remote, real-time, secure information and data access.

**Statutory Authority**

National Oil and Hazardous Substances Pollution Contingency Plan (NCP); CERCLA; SDWA, Clean Water Act; Clean Air Act, Homeland Security Act of 2002; Defense Against Weapons of Mass Destruction Act (Title XIV of Public Law 104-201).

**Homeland Security: Critical Infrastructure Protection**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air

Goal: Clean and Safe Water  
 Objective(s): Protect Human Health

Goal: Compliance and Environmental Stewardship  
 Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$6,946.9 (Dollars in Thousands)

**Homeland Security: Critical Infrastructure Protection (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$5,960.5</b>	<b>\$6,840.8</b>	<b>\$6,946.9</b>	<b>\$106.1</b>
Science & Technology	\$17,822.3	\$3,515.6	\$47,568.7	\$44,053.1
Hazardous Substance Superfund	\$1,447.7	\$852.6	\$1,052.6	\$200.0
Total Budget Authority / Obligations	\$25,230.5	\$11,209.0	\$55,568.2	\$44,359.2
Total Workyears*	44.3	47.0	59.0	12.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program involves several EPA activities that help protect the nation's critical public infrastructure from terrorist threats. EPA activities support effective information sharing and dissemination to help to protect critical water infrastructure. Support to state and local governments also helps them develop methods to detect anomalies in ambient air. EPA also provides subject matter expertise in environmental criminal investigative and training support for terrorism-related investigations.

**FY 2006 Activities and Performance Highlights**

In FY 2006, the EPA will continue to build its capacity to identify and respond to threats to critical national infrastructure.

EPA will expand its National Counter Terrorism Evidence Response Team (NCERT)-Weapons of Mass Destruction/ Environmental Crime Scene/Forensic Evidence Collection training to all EPA criminal investigators, and will provide associated specialized response and evidence collection equipment. This will enable all EPA criminal investigators to collect evidence and

process a crime scene safely and effectively in a contaminated environment (hot zone). EPA criminal investigators support criminal cases and the FBI in the event of a terrorist attack anywhere in the United States.

In FY 2006, EPA's wastewater and drinking water security efforts will continue to support the implementation of information sharing tools and mechanisms to provide timely information on contaminant properties, water treatment effectiveness, detection technologies, analytical protocols and laboratory capabilities for use in responding to a water contamination event. EPA will continue to support effective communication conduits to disseminate threat and incident information and to serve as a clearing-house for sensitive information. EPA promotes information sharing between the water sector and such groups as environmental professionals and scientists, law enforcement and public health agencies, the intelligence community, and technical assistance providers. Through such exchange, water systems can obtain up-to-date information on current technologies in water security, accurately assess their vulnerabilities to terror acts and work cooperatively with public health officials, first responders and law enforcement officials to respond effectively in the event of an emergency.

EPA will continue to provide support for infrastructure protection by assisting state and local governments to develop methods for detection of anomalies in ambient air. EPA will work with State and local agencies to measure and report air pollutants in real time during emergency response episodes, including those associated with homeland security.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$100.0) For training and equipping criminal investigators to safely collect and process evidence in a contaminated environment (hot zone).
- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

Safe Drinking Water Act; Clean Water Act; Public Health Security and Bioterrorism Emergency and Response Act of 2002; Emergency Planning and Community Right to Know Act; Clean Air Act (42 U.S.C. 7401-7661f); RCRA; TSCA; Residential Lead-Based Paint Hazard Reduction Act; FIFRA; ODA; NEPA; North American Agreement on Environmental Cooperation; 1983 La Paz Agreement on US/Mexico Border Region; Pollution Prosecution Act.

**Homeland Security: Preparedness, Response, and Recovery**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration  
 Objective(s): Restore Land

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$3,348.2 (Dollars in Thousands)

**Homeland Security: Preparedness, Response, and Recovery (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$766.7</i></b>	<b><i>\$1,839.8</i></b>	<b><i>\$3,348.2</i></b>	<b><i>\$1,508.4</i></b>
Science & Technology	\$14,763.9	\$25,396.0	\$44,116.2	\$18,720.2
Hazardous Substance Superfund	\$63,979.9	\$29,163.2	\$48,964.9	\$19,801.7
Total Budget Authority / Obligations	\$79,510.5	\$56,399.0	\$96,429.3	\$40,030.3
Total Workyears*	141.2	97.6	165.7	68.1

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Through this program EPA continues to increase the state of preparedness for homeland security incidents. One area of emphasis is to prepare for incidents that release or introduce dangerous chemicals or certain foreign plant or animal pathogens or other pests into the United States. Acute Exposure Guideline Levels (AEGLs) are also needed by first responders and Chemical Risk Managers to help guide response and preparedness efforts. In addition to dictating evacuation or shelter-in-place decisions, they are used to help guide the development of chemical protective equipment and chemical detection limits.

Introduction of dangerous pathogens or pests could cause significant crop or livestock diseases, which could result in catastrophic damage to the multi-billion dollar U.S. food and agriculture sectors. These sectors' economies, including international trade, public health, and the public's confidence in the food supply could be seriously affected. EPA will focus on addressing the need for readily available chemical pesticides to mitigate virulent crop or animal pests of high consequence if introduced into the U.S.



## **FY 2006 Activities and Performance Highlights**

In FY 2006, EPA is requesting additional resources to augment work in this area. EPA, in collaboration with other Federal and state agencies and industry, will make regulatory decisions to approve selected pesticides. These preparatory efforts are necessary to ensure appropriate pesticides will be available in advance that are safe and effective to protect crops and decontaminate livestock and food facilities from pests of concern identified by the U.S. Department of Agriculture (USDA). In FY 2006, the Agency will make regulatory decisions on three pesticides for use against potentially dangerous crop and/or livestock pests. EPA will review extensive scientific data on each of these pesticides to determine the potential risks to human health and the environment if used to mitigate these crop or animal pests. EPA will also assess and establish by regulation maximum pesticide residue limits in treated crops for consumption by the general public and livestock.

EPA will accelerate development of Acute Exposure Guideline Levels (AEGLs) that are needed by First Responders and Chemical Risk Managers for use in chemical emergency and counter-terrorism planning, prevention and response programs.

## **FY 2006 Change from FY 2005 President's Budget (Thousands of Dollars)**

- (+\$1,000.0) This increase will be used to review scientific data and to complete registration and tolerance decisions on three pesticides to protect the food and agriculture sectors from virulent, foreign crop and livestock disease pathogens.
- (+\$500.0) This increase will be used to accelerate development of Proposed AEGL values in 2006, which are needed by on-scene responders.
- There are additional increases for payroll and cost-of-living for existing FTE.

## **Statutory Authority**

Public Health Security and Bioterrorism Emergency and Response Act of 2002; Comprehensive Environmental Response, Compensation, and Liability Act; Superfund Amendments and Reauthorization Act; Toxic Substances Control Act; Oil Pollution Act; Pollution Prevention Act; Resource Conservation and Recovery Act; Emergency Planning and Right to Know Act; Safe Drinking Water Act; Clean Water Act; Clean Air Act; Federal Insecticide, Fungicide and Rodenticide Act; Federal Food, Drug and Cosmetic Act; Food Quality Protection Act; Ocean Dumping Act; Public Health Service Act, as amended; 42 U.S.C 201 et seq.; Executive Order 10831 (1970); Public Law 86-373; Pesticides Registration Improvement Act (PRIA).

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

Environmental Protection Agency

FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$6,403.0 (Dollars in Thousands)

**Homeland Security: Protection of EPA Personnel and Infrastructure (EPM)**

(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$5,431.3</b>	<b>\$6,344.3</b>	<b>\$6,403.0</b>	<b>\$58.7</b>
Science & Technology	\$1,663.1	\$2,100.0	\$2,100.0	\$0.0
Building and Facilities	\$12,488.7	\$11,500.0	\$11,500.0	\$0.0
Hazardous Substance Superfund	\$677.8	\$600.0	\$600.0	\$0.0
Total Budget Authority / Obligations	\$20,260.9	\$20,544.3	\$20,603.0	\$58.7
Total Workyears*	3.6	3.0	3.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program involves activities to ensure that EPA's physical structures and assets are secure and that the Agency is prepared to conduct its essential functions during an emergency or threat situation. This involves safeguarding EPA's staff, ensuring the continuity of operations and protecting the capability of EPA's vital infrastructure assets.

**FY 2006 Activities and Performance Highlights**

The Agency will improve its personnel security program by expanding background checks and investigations to include contractors, grantees, and other personnel with access to EPA space. EPA will enhance security operations to include increased guard services and improvements to the Agency's Occupant Emergency Planning.

The Agency will provide funding for two E-Gov initiatives. The first is the procurement of universal, technology-enhanced smart cards and equipment for identifying and credentialing appropriate personnel that will grant access to EPA facilities and sensitive information. The second initiative is the development and implementation of an interface with the Office of Personnel Management's E-Clearance initiative to allow timely and efficient background checks and investigations.

EPA will develop and disseminate updated policies and procedures detailing roles and responsibilities for safeguarding the Agency's National Security Information and Segmented Compartment Information NSI/SCI documents and develop and implement a computer based training course to increase employee and clearance-holder awareness of NSI/SCI policies and procedures.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE

**Statutory Authority**

Public Health Security and Bioterrorism Emergency and Response Act of 2002; and Secure Embassy Construction and Counterterrorism Act (Sections 604 and 629).

**Human Resources Management**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$38,871.6 (Dollars in Thousands)

**Human Resources Management (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$41,725.0</b>	<b>\$44,139.5</b>	<b>\$38,871.6</b>	<b>(\$5,267.9)</b>
Leaking Underground Storage Tanks	\$4.0	\$3.0	\$3.0	\$0.0
Hazardous Substance Superfund	\$5,034.7	\$4,410.6	\$4,789.7	\$379.1
Total Budget Authority / Obligations	\$46,763.7	\$48,553.1	\$43,664.3	(\$4,888.8)
Total Workyears*	363.1	323.1	297.7	-25.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Resources in this program support activities related to the provision of human resources management services to the entire Agency. EPA supports organizational development and management activities by supporting Agency-wide and interagency councils and committees and serving as EPA's liaison on interagency management improvement initiatives. The Agency continually evaluates human resource and workforce functions, employee development, leadership development, workforce planning, and succession management

**FY 2006 Activities and Performance Highlights**

EPA is committed to fully implementing "Investing in Our People II, EPA's Strategy for Human Capital"<sup>1</sup>, which was issued in December 2003. The Agency will continue to take advantage of the Workforce Planning System throughout the entire organization to identify competency gaps. A focused effort will target the delivery of training in the Workforce Development Strategy<sup>2</sup> to help organizations eliminate their competency gaps. In accordance with OMB Circular A-76 "Implementation of the Federal Activities Inventory Reform Act of 1998"<sup>3</sup> (Public Law 105-270)

<sup>1</sup> US EPA Investing in OUR People II, EPA's Strategy for Human Capital. Available at <http://www.epa.gov/oarm/strategy.pdf>

<sup>2</sup> Workforce Assessment Project: Executive Summary and Tasks 1 - 4 Final Reports. Available at <http://www.epa.gov/epahrist/workforce/wap.pdf>

<sup>3</sup> Available at <http://www.whitehouse.gov/omb/fedreg/fair2002notice4.html>

(“FAIR Act”), the Agency will continue to utilize competitive sourcing as an approach to determine who can provide the necessary service at the best value to the government.

**FY 2006 Change from FY 2005 President’s Budget (Dollars in Thousands)**

- -25.4 FTE: The reduction is in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to overall Agency FTE utilization.
- There are increases for payroll and cost-of-living for existing FTE

**Statutory Authority**

Title V United States Code

**Indoor Air: Radon Program**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
Objective(s): Healthier Indoor Air

Total Request for Appropriation EPM: \$5,918.3 (Dollars in Thousands)

**Indoor Air: Radon Program (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$5,125.3</b>	<b>\$5,667.1</b>	<b>\$5,918.3</b>	<b>\$251.2</b>
Science & Technology	\$382.3	\$398.5	\$441.6	\$43.1
Total Budget Authority / Obligations	\$5,507.6	\$6,065.6	\$6,359.9	\$294.3
Total Workyears*	39.8	43.1	43.3	0.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This non-regulatory indoor radon program promotes voluntary public action to reduce health risk from indoor radon (second only to smoking as a cause of lung cancer). EPA and the Surgeon General recommend that people do a simple home test and, if levels above EPA's guidelines are confirmed, reduce those levels by home mitigation using inexpensive and simple techniques. EPA also recommends that new homes be built radon-resistant using techniques described in national building codes. This program includes national, regional, state, and tribal programs and activities that promote radon risk reduction activities across the spectrum of building type.

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will continue to promote public action to test homes for indoor radon, reduce elevated levels, and to include radon-resistant features in new homes in high radon areas. In light of new and substantially higher risk estimates from the National Academy of Sciences<sup>1</sup>, EPA will renew its work with national partners to inform and motivate public action, linking the advantage of radon mitigation to other indoor-air benefits, such as mold reduction and asthma prevention. The radon program will accomplish its goals through national outreach and education campaigns in collaboration with the states, private non-profit organizations, Tribes, housing organizations, and other Federal agencies.

The program will continue to promote radon testing and mitigation in Federal housing and through private real estate transactions, promote radon-resistant new construction, and track

<sup>1</sup>For more information, visit: [http://www.epa.gov/radon/risk\\_assessment.html](http://www.epa.gov/radon/risk_assessment.html)

results in these program areas. In addition, EPA will continue to maintain a web site with comprehensive information for the public on radon testing and mitigation.<sup>2</sup>

### **FY 2006 Change from FY 2005 President's Budget**

- There are increases and adjustments for payroll and cost of living for existing FTE.

### **Statutory Authority**

Clean Air Act Amendments of 1990 (CAA); Indoor Radon Abatement Act (IRAA), Section 306; Radon Gas and Indoor Air Quality Research Act; Title IV of the Superfund Amendments and Re-authorization Act (SARA) of 1986; Toxic Substances Control Act (TSCA), section 6, Titles II, and Title III (15 U.S.C. 2605 and 2641-2671), and Section 10

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<sup>2</sup> [www.epa.gov/iaq/radon](http://www.epa.gov/iaq/radon), updated 12/10/2004

**Information Security**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$3,888.3 (Dollars in Thousands)

**Information Security (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$7,067.5</b>	<b>\$4,188.3</b>	<b>\$3,888.3</b>	<b>(\$300.0)</b>
Hazardous Substance Superfund	\$151.4	\$508.9	\$408.8	(\$100.1)
Total Budget Authority / Obligations	\$7,218.9	\$4,697.2	\$4,297.1	(\$400.1)
Total Workyears*	15.5	15.0	14.3	-0.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Information Security program protects the confidentiality, availability, and integrity of the EPA's information assets. The program: establishes a risk-based cyber security program using a defense-in-depth approach that includes partnering with other Federal agencies and the states; implements aggressive efforts to respond to evolving threats and computer security alerts and incidents, and integrates information security into its day-to-day business; manages the Federal Information Security Management Act (FISMA) data collection and reporting requirements; and, supports the development, implementation and operations and maintenance of the ASSERT security documentation system.

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will continue its technical and system analyses, evaluations and assessments to maintain the security of EPA's information. The constant system and network monitoring is essential to detect and identify any potential weaknesses or vulnerabilities that might compromise EPA's information assets. These proactive efforts allow EPA to develop cost effective solutions that extend EPA's long-term

- ✓ Implement technical controls to protect the network, infrastructure, and systems;
  - ✓ Conduct independent effectiveness testing of the security program;
  - ✓ Conduct systems and infrastructure risk assessments to maintain awareness of evolving threats and vulnerabilities;
  - ✓ Establish an incident response capability;
  - ✓ Maintain up-to-date security and contingency plans for all Agency major IT applications and general support systems
  - ✓ Perform annual security awareness training for all employees; and
  - ✓ Conduct technical training for employees with significant security responsibility.



goal of building analytical capacity. EPA will also coordinate information security activities with the Homeland Security IT, Exchange Network and IT/Data Management program requirements and where possible identify and implement more efficient solutions.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$308.0,-0.5 FTE) The reduction in resources reflects efficiencies gained in implementing a standard platform for the Agency's secure information technology infrastructure.

**Statutory Authority**

Federal Information Security Management Act; Government Performance and Results Act; Government Management Reform Act; Clinger-Cohen Act; Paperwork Reduction Act; Freedom of Information Act; Privacy Act; Electronic Freedom of Information Act.

**International Capacity Building**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Healthier Outdoor Air

Goal: Clean and Safe Water  
 Objective(s): Protect Human Health; Protect Water Quality

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Goal: Compliance and Environmental Stewardship  
 Objective(s): Improve Compliance

Total Request for Appropriation EPM: \$6,449.5 (Dollars in Thousands)

**International Capacity Building (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,370.6</i></b>	<b><i>\$7,174.2</i></b>	<b><i>\$6,449.5</i></b>	<b><i>(\$724.7)</i></b>
Total Budget Authority / Obligations	\$11,370.6	\$7,174.2	\$6,449.5	(\$724.7)
Total Workyears*	52.0	42.4	42.0	-0.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program/Project Description**

EPA has improved the quality of life for all Americans by safeguarding their air, water, and land and helping protect their health. Addressing issues at home is only part of the environmental equation. As globalization continues to affect the world and as we better understand the interdependencies of ecosystems and the transport of pollutants, it becomes clearer that the actions of others can affect our environment. For example, the water quality of a lake here in the U.S. is affected not only by pesticides from nearby farms, lawns, or gardens but also by pollutants emitted thousands of miles away. The depletion of a natural resource, such as forest cover, in one nation can have environmental and economic consequences in many other countries. International engagement is a key component to protecting human health and the environment in the U.S. The U.S. works with other U.S. agencies that have primary responsibility for international assistance efforts. The U.S. EPA also works directly with other nation's governments to achieve international environmental goals. In assisting developing countries to manage their own natural resources and protect the health of their citizens, we help ensure our own well-being.

Through this program, EPA employs a range of strategies for achieving its international goals of clean air, clean water, marine protection, and the sound management of toxic chemicals. These strategies include participation in bilateral, multi-lateral, and regional programs, as well as cooperation with multilateral organizations and contribution to a set of thematic initiatives that focus on critical global concerns, such as mercury, lead phase-out, PBTs, children's health, air pollution, and drinking water and sanitation. EPA integrates the principles of environmental justice into its policies and projects that support these goals.

This program out promotes international and border environmental security through enforcement and compliance activities. The program also fosters cooperation with foreign countries of strategic interest to the United States, as prescribed in treaties and trade agreements, through capacity building activities, including providing enforcement and compliance training, promoting environmental "good governance," promoting effective enforcement of sound environmental laws and regulations, and promoting positive approaches to trade and environment.

### **FY 2006 Activities and Performance Highlights**

Clean Air: Despite recent improvements, poor air quality is still a major concern throughout the world. On a global basis, the WHO estimates that about 800,000 deaths a year are attributable to air pollution, mostly due to particulate matter.<sup>1</sup> EPA's goals in its international air quality programs are to work with developing countries to reduce harmful air emissions, to reduce the impact of transboundary air pollution on the U.S., and to improve health in developing countries and in the United States. In FY 2006, EPA's programs to reduce global air pollution will continue to focus on 3 areas:

- 1) **Continue partnership for Clean Fuels and Vehicles**, both through support of the Partnership Clearinghouse at the United Nations and through support of on-the-ground activities in key countries. Funding for the Partnership will go towards Lead phase-out along with introduction of catalytic converters in those countries that have phased out lead and the introduction of low-sulfur fuel and retrofits of in-use vehicles in key countries, such as China, India, and Brazil. In FY 2006, our goal is to implement diesel retrofit programs in 3 countries and get standards place in one additional country. In China, EPA plans to initiate a demonstration diesel retrofit program in Beijing, a city of over 13 million people;
- 2) **Through the reduction in emissions of particulates and NO<sub>x</sub>:** EPA will continue to provide technical assistance to Africa, China, India, Mexico, Russia, and Central America to leverage the ability of such countries to implement measures to better manage air quality and reduce global air pollutants of concern. EPA's programs in are expected to reduce emissions of conventional air pollutants by about 200,000 tons in 2005. In India, OIA is working with the Indian government to develop a national standard for nitrogen oxides from power plants with the goal of having standards in place in 2006;

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<sup>1</sup> World Health Organization, *The World Health Report 2002 -- Reducing Risk, Promoting Healthy Life*, 2002.

- 3) **Improve urban air quality management in key countries/regions** through the transfer of appropriate tools and techniques to key developing countries and economies-in-transition, including India, Mexico, China, Russia and regionally, Central America and Africa. In India, EPA plans to implement the successful urban air quality management program in 3 additional cities. EPA will work with China to reduce dioxin and furans from cement kilns. Chinese cement kilns produce 40 percent of the world's cement and contribute up to 80 percent of the dioxin and furan emissions from global cement production<sup>2</sup> and to assess and reduce emissions of mercury from coal combustion sources

Clean Water: In FY 2006, EPA will continue its Urban Drinking Water Quality Management Program that builds the capacity among water professionals and community groups in key nations to address water quality issues that affect human health. EPA is moving toward a more sustainable, comprehensive approach of managing drinking water for urban areas. For example, in collaboration with the government of India, EPA is launching a partnership with the World Health Organization (WHO) and other donor countries that will focus on implementation of WHO's Water Safety Plan (WSP) work initiated in 2004 with urban poor in five sub-Saharan countries to improve the capacity of communities to provide safe drinking water to their inhabitants. A source water protection project in China, which is aimed at demonstrating how to protect the Yuqiao Reservoir from contamination from animal waste generated by surrounding villages, the source of drinking water for more than four million Tianjin residents, will be completed in 2006. Water financing projects with Russia in 2006 will reduce polluted wastewater discharges by 75 million cubic meters and reduce water use by 75 million liters.

Marine Protection: OIA's goal is to prevent water pollution and protect coastal and ocean systems to improve national and regional coastal aquatic ecosystem health by at least 0.2 points on the "good/fair/poor" scale of the National Coastal Condition Report by 2008. In FY 2006, EPA will work with key stakeholders to advance legislation to ratify and implement Annex VI to MARPOL, the International Convention on the Control of Harmful Antifouling Systems on Ships, and the 1996 Protocol to the London Convention mechanisms.

Sound Management of Toxic Chemicals: Our international chemical program gives priority to selected chemicals and certain heavy metals which can persist, bioaccumulate and are toxic (PBTs). Long-range and transboundary atmospheric transport and deposition of PBTs, such as mercury, are a continuing threat to human health and the ecosystems in North America. These pollutants can be transported and released far from their sources. To reduce the recognized risks these pollutants pose to the American public, especially children, we will need to address their international sources.

In FY 2006, EPA will continue work to reduce potential risk from PBTs through reduction of sources of PBTs in countries of origin, focusing on Mercury and Lead. EPA estimates that a significant amount of mercury deposition to the continental United States is from global sources of mercury depositions to the United States territories.<sup>3</sup> In order to meet our domestic public health goals, we must take aggressive action to address the largest foreign emitters of mercury

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<sup>2</sup> Lynn Price and Jonathan Sinton, 2004, Lawrence Berkeley National Laboratories, Energy Analysis Division (unpublished).

<sup>3</sup> U.S. EPA 1997. *Mercury Study Report to Congress* (Vol I-VIII). Office of Air Quality Planning and Standards and Office of Research and Development. EPA-452/R-97-003 through EPA-452/R-97-010. Available: <http://www.epa.gov/mercury.html>.

emissions (China, Russia, and India). Lead: EPA will continue phase-out efforts in Africa, which is severely affected by lead poisoning. At the end of calendar year 2004, 9 countries in Africa had phased-out lead in gasoline, affecting about 250 million people. World Health data indicates that most African countries exceed (10 ug/dl – 15 ug/dl) the World Health Organization lead blood level of 5ug/dl.<sup>4</sup>

In FY 2006, EPA will continue cooperating with Federal agencies, states, Tribes and other nations to ensure compliance with international agreements affecting the environment to promote global environmental protection. These activities also serve to level the economic playing field in an increasingly global trading system.

#### **FY 2006 Change from 2005 President's Budget (Dollars in Thousands)**

- (- \$609.2) Resources reallocated to support Border 2012 implementation and POPs implementation.
- (-\$100.0) reflects a redirection of funds for the biannual enforcement conference to the civil enforcement program.
- There are additional increases for payroll and cost -of -living for existing FTEs

#### **Statutory Authority**

Pollution Prevention Act, Federal Insecticide, Fungicide, and Rodenticide Act, Clean Air Act, Toxic Substances Control Act, National Environmental Policy Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act, North American Free Trade Agreement; Organotin Antifouling Paint Control Act.

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<sup>4</sup> Inheriting the World. The Atlas of Children Health and the Environment. Bruce Gordon, Richard MacKay, and Eva Rehfues. World Health Organization. ISBN 92-4-159156-0.

**IT / Data Management**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$105,999.0 (Dollars in Thousands)

**IT / Data Management (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$101,091.2</i></b>	<b><i>\$108,359.4</i></b>	<b><i>\$105,999.0</i></b>	<b><i>(\$2,360.4)</i></b>
Science & Technology	\$4,611.0	\$4,821.4	\$4,250.9	(\$570.5)
Leaking Underground Storage Tanks	\$109.3	\$177.6	\$177.6	\$0.0
Oil Spill Response	\$36.7	\$32.8	\$32.8	\$0.0
Hazardous Substance Superfund	\$16,886.3	\$16,628.4	\$16,113.2	(\$515.2)
Total Budget Authority / Obligations	\$122,734.5	\$130,019.6	\$126,573.5	(\$3,446.1)
Total Workyears*	577.0	467.0	457.8	-9.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

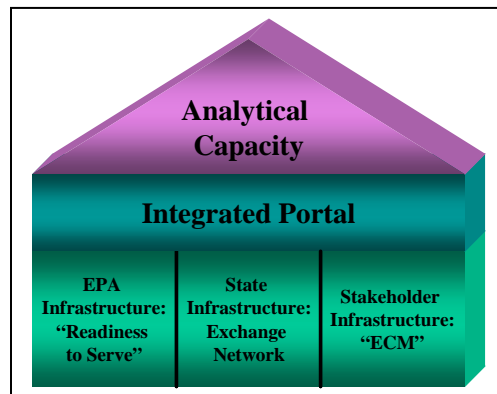
**Program Project Description**

This program manages and coordinates the Agency's Enterprise Architecture and develops analytical tools (e.g., Environmental Indicators) to ensure sound environmental decision-making. The program: implements the Agency's e-Government responsibilities; designs, develops and manages the Agency's Internet and Intranet resources including the Integrated Portal; supports the development, collection, management, and analysis of environmental data (to include both point source and ambient data) to manage statutory programs and to support the Agency in strategic planning at the national, program, and regional levels; provides a secure, reliable, and capable information infrastructure based on a sound enterprise architecture which includes data standardization, integration, and public access; manages the Agency's Quality System ensuring EPA's processes and data are of quality and adhere to Federal guidelines, and, supports Regional information technology infrastructure, administrative and environmental programs, and telecommunications. These functions are integral to the implementation of Agency information technology programs and systems like the Exchange Network, the Central Data Exchange (CDX) and Permit Compliance System (PCS). Agency Offices rely on the IT/Data Management program and its capabilities to develop and implement tools for ready access to accurate and timely data. Recent partnerships include portals projects with the Offices of Research and Development and Air and Radiation to access scientific and program data.

## FY 2006 Activities and Performance Highlights

EPA's Information Technology community's FY 2006 activities focus on the Agency's Technology Initiative and fulfilling the Agency's e-Government (e-Gov) commitments. The Agency's IT/Data Management program forms the core of this effort with its focus on building and implementing the Agency's Integrated Portal and Enterprise Content Management System (ECMS), developing of Environmental Indicators, and continuing to deploy enterprise-wide IT infrastructure solutions.

The Agency's Technology Initiative builds on efforts started in FY 2004 and FY 2005 to enhance environmental analytical capacity for EPA, its partners and stakeholders. The Initiative is designed with the understanding that the majority of environmental data are collected by states and Tribes, not directly by EPA and that ready access to real time quality environmental data and analytical tools are essential to making sound environmental decisions. Understanding these factors focused EPA's FY 2006 Technology Initiative on five related and supporting activities:



- ✓ Building the Agency's analytical capacity to facilitate sound environmental decision-making and address critical data gaps;
- ✓ Developing a central integrated portal to manage the flow of information to and from the Agency;
- ✓ Providing more effective, secure, and integrated information exchange through the environmental exchange network with our state partners;
- ✓ Streamlining, securing, and technically advancing the infrastructure through enterprise-wide solutions across EPA; and,
- ✓ Implementing a central content management system that provides ready access to documents and data.

EPA's Environmental Information Exchange Network Program (Exchange Network, [www.epa.gov/cdx](http://www.epa.gov/cdx)), the Electronic Content Management System (ECMS) and EPA's 'Readiness to Serve' enterprise-wide IT infrastructure solutions provide the foundation for states, Tribes, the public, regulated community and EPA for improved information and data access and sharing opportunities. The Integrated Portal manages a variety of environmental information allowing increased data availability, better data quality and accuracy, security of sensitive data, and prevents data redundancy. Finally, with proven infrastructures and increased data access, EPA, its partners and stakeholders can conduct better data analyses to answer environmental questions.

IT/Data Management resources support the preparation of the "Report on the Environment" (<http://www.epa.gov/indicators/roe/index.htm>) and the analysis of critical data gaps. The program also funds the Integrated Portal, ECMS development and implementation, and EPA's 'Readiness to Serve' infrastructure program. The majority of the resources focused on EPA's Technology Initiative reside in the IT/Data Management program.

### Key FY 2006 Program Activities

#### **Analytical Capacity**

- ✓ Address priority data gaps (e.g., locational data)
- ✓ Build tool kit of essential analytical tools
- ✓ Prepare electronic "Report on the Environment"

#### **Integrated Portal**

- ✓ Implement identity and access management solutions
- ✓ Integrate geospatial tools
- ✓ Link to CDX

#### **ECMS**

- ✓ Deploy ECMS within Agency

#### **'Readiness to Serve'**

- ✓ Standardize the Agency's Core Infrastructure (e.g., Desktops, telephone service, etc.)

Feedback and results received during stakeholder meetings on EPA's FY 2003 "Draft Report on the Environment" identified key areas for data collection, review and analysis. EPA's Technology Initiative and its focus areas work together to advance data analyses and the development of an analytical tool kit including environmental indicators to address these information needs. These efforts will be reflected in the next "Report on the Environment" planned for release in FY 2006.

The Integrated Portal is the user interface that provides the ready access and capability to perform real time data searches and analyses. It provides a single business gateway for people to access, exchange and integrate nationally standardized local, Regional and national environmental and public health data. In FY 2006 EPA's Integrated Portal activities include implementing identity and access management solutions, integrating geospatial tools and linking the Central Data Exchange. The Portal is the Technology Initiative's link to diverse data sets and systems giving users the ability to perform complex environmental data analyses.

In 2006, EPA will develop and implement the ECMS project, which is an enterprise-wide, multi-media solution designed to manage and organize environmental data and documents for EPA, Regions, field offices and laboratories. Formerly fragmented data storage approaches will be converted into a single tool on a standard platform, accessible to everyone, reducing data and document search time and assisting in security and information retention efforts. The ECMS is a cornerstone in EPA's Technology Initiative providing streamlined means to access and receive records from all sources and reduce costs for data storage and records duplication.

EPA's 'Readiness to Serve' infrastructure program delivers secure information services to ensure that the Agency and its programs have a full range of information technology infrastructure components (e.g., user equipment, network connectivity, e-mail, application hosting, remote access) that make information accessible across the spectrum of mission needs at all locations. The Program uses performance-based, outsourced services to obtain the best solutions (value for cost) for the range of program needs. This includes innovative multi-year leasing that sustains and renews technical services in a least-cost, stable manner as technology changes over time (e.g., desktop hardware, software and maintenance).

In addition to supporting key components of EPA's Technology Initiative, IT/Data Management will continue to provide local program offices in the Regions' critical support for hardware requirements, software programming and applications, records management systems, data base services, local area network activities, intranet web design, and desktop support. EPA's environmental information needs require the Agency to ensure that it is keeping pace with the states in the areas of data collection, management and utilization. Additionally, this program will continue to focus on information security and the need for each Region to have an internal IT security capacity. The Regions will implement Agency information resource management policies in areas such as data and technology standards, central data base services, and telecommunications. The Regions will also continue to work on the implementation of cost



accounting procedures to capture in detail all IT expenditures for EPA offices. This will enable the Agency to better address OMB's IT reporting requirements.

EPA's e-Government participation and contributions continues in FY 2006 with the coordination, development and implementation of the Business Gateway, Geospatial One-Stop, and e-Authentication. Key activities ensure that access to critical data (e.g., geospatial information, federal regulations) is increased through the Geospatial One-Stop portal and the Business Gateway and its Business Portal providing opportunities for collaboration and intergovernmental partnerships, reducing duplication of data investments, and offering the public easy access to important federal services for businesses.

IT/Data Management efforts are integral to the Exchange Network and Information Security programs. Together these programs work to design, develop and deploy secure systems and analytical tools to promote sound environmental decision-making.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$2,360.4, -7.5 FTE) The reduction in resources reflects a combination of efficiencies gained in aligning activities and project resource shifts to support the Technology Initiative.
- (-\$2,028.0) This resource reduction reflects efficiencies gained in aligning resources for infrastructure and data management necessary to develop and deploy the Integrated Portal.
- (-\$15,263.7) This reduction reflects a shift of resources from non-project specific activities to support the development and implementation of the ECMS, analytical tools including Environmental Indicators and geospatial/locational data and the Agency's 'Readiness to Serve' enterprise-wide information technology infrastructure solutions.
- (+\$4,191.3) This resource increase supports the development and deployment of the ECMS.
- (+\$7,969.0) This resource increase supports the continued development of environmental indicators and the Agency's 'Readiness to Serve' enterprise-wide infrastructure solutions.
- (+\$4,564.0, +9.0 FTE) This resource increase reflects a shift of the System of Registry (SoR) and Facility Registry System (FRS) data management activities to more closely align with the Integrated Portal and Enterprise Architecture functions.

#### **Statutory Authority**

Federal Advisory Committee Act; Government Information Security Reform Action; CERCLA; Clean Air Act and amendments; Clean Water Act and amendments; Environmental Research, Development, and Demonstration Act; Toxic Substance Control Act; Federal Insecticide, Fungicide, and Rodenticide Act; Food Quality Protection Act; Safe Drinking Water Act and amendments; Federal Food, Drug and Cosmetic Act; Emergency Planning and Community Right-to-Know; Resource Conservation and Recovery Act; Superfund Amendments and Re-authorization Act; Government Performance and Results Act; Government Management Reform Act; Clinger-Cohen Act; Paperwork Reduction Act; Freedom of Information Act; Computer Security Act; Privacy Act; Electronic Freedom of Information Act.

**Legal Advice: Environmental Program**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$36,314.3 (Dollars in Thousands)

**Legal Advice: Environmental Program (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$33,516.3</b>	<b>\$34,678.8</b>	<b>\$36,314.3</b>	<b>\$1,635.5</b>
Hazardous Substance Superfund	\$800.6	\$844.0	\$836.1	(\$7.9)
Total Budget Authority / Obligations	\$34,316.9	\$35,522.8	\$37,150.4	\$1,627.6
Total Workyears*	233.9	255.8	250.9	-4.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA's General Counsel and Regional Counsel provide legal representational services, legal counseling and legal support for all Agency environmental activities.

**FY 2006 Activities and Performance Highlights**

In FY 2006, legal advice to environmental programs will include but is not limited to: representing EPA and providing litigation support in cases where EPA is a defendant as well as those cases where EPA is not a defendant but may have an interest in the case: providing legal advice, counsel and support to Agency management and program offices on matters involving environmental issues including, for example, providing interpretations of relevant and applicable laws, regulations, directives, policy and guidance documents and other materials.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

EPA's General Authorizing Statutes

**Legal Advice: Support Program**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$13,087.7 (Dollars in Thousands)

**Legal Advice: Support Program (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$12,554.2</i></b>	<b><i>\$12,521.7</i></b>	<b><i>\$13,087.7</i></b>	<b><i>\$566.0</i></b>
Total Budget Authority / Obligations	\$12,554.2	\$12,521.7	\$13,087.7	\$566.0
Total Workyears*	89.4	89.9	87.2	-2.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA's General Counsel (GC) and Regional Counsel (RC) will provide legal representational services legal counseling and legal support for all activities necessary for the operation of the Agency.

**FY 2006 Activities and Performance Highlights**

In FY 2006, General Counsel and the Regional Counsel will provide legal representational services, legal counseling and legal support for all Agency activities necessary for the operation of the Agency (i.e., contracts, personnel, information law, ethics and financial/monetary issues). Legal services include, but are not limited to: representing EPA and providing litigation support in cases where EPA is a defendant as well as those cases where EPA is not a defendant, but may have an interest in the case; providing legal advice, counsel and support to the Agency management and administrative offices on matters involving actions affecting the operation of the Agency, including, for example, providing interpretations of relevant and applicable laws, regulations, directives, policy and guidance documents and other materials.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

EPA's General Authorizing Statutes

**LUST / UST**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration  
 Objective(s): Preserve Land; Restore Land

Total Request for Appropriation EPM: \$7,719.4 (Dollars in Thousands)

**LUST / UST (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$6,833.7</b>	<b>\$7,094.5</b>	<b>\$7,719.4</b>	<b>\$624.9</b>
Leaking Underground Storage Tanks	\$9,473.6	\$10,499.6	\$10,583.7	\$84.1
Total Budget Authority / Obligations	\$16,307.3	\$17,594.1	\$18,303.1	\$709.0
Total Workyears*	111.0	117.1	114.1	-3.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description:**

In managing petroleum products properly, EPA works with states, Tribes and Intertribal Consortia to prevent, detect, and correct leaks into the environment from federally regulated underground storage tanks containing petroleum and hazardous substances. Achieving significant improvements in release prevention and detection requires a sustained emphasis by both EPA and its partners. Concerns about the use of fuel oxygenates (e.g., methyl-tertiary-butyl-ether, or MTBE) in gasoline further underscores EPA's and the states' emphasis on promoting compliance with all UST requirements. EPA provides technical information, forums for information exchanges and training opportunities to states, Tribes and Intertribal Consortia to encourage program development and/or implementation of the Underground Storage Tanks (UST) program. For more information, visit <http://www.epa.gov/OUST/20comply.htm> and <http://www.epa.gov/OUST/20tnkprf.htm>.

The states are the primary enforcers of the UST program requirements. EPA has adopted a decentralized approach to UST program implementation by building and supporting strong state and local programs. Although EPA is responsible for implementing the UST program in Indian country, the Agency is working with Tribes to strengthen their own UST programs. EPA uses its EPM funding in the UST program primarily to improve compliance and evaluating the performance of UST systems.

**FY 2006 Activities and Performance Highlights:**

EPA will continue to work with States and industry to improve UST system performance based on the results of the UST system evaluation work. The Agency will also continue to monitor UST system performance and evaluate certain aspects of performance in more detail.

To protect groundwater and drinking water from petroleum releases, EPA will continue to promote cross-media opportunities, e.g., targeted public health protection through the UST and Source Water Protection Programs, support core development and implementation of state and tribal UST programs; strengthen partnerships among stakeholders; and provide technical assistance, compliance assistance, and training to promote and enforce UST facilities' compliance. For example, as part of a national UST training effort, initiated in FY 2003 by an EPA/state and industry workgroup, EPA will continue to provide web-based training modules that address topics such as cathodic protection, leak detection, spill containment, and overflow protection components of the UST system. The training modules will provide UST inspectors with core and advanced knowledge on how to inspect an UST system.

EPA will continue its work to obtain states' commitments for their inspection and enforcement presence. The Agency and states will continue to use innovative compliance approaches, along with outreach and education tools, to bring more tanks into compliance. For example, programs that allow tank owners to self-certify by conducting rigorous self-audits through EPA's environmental results program, third-party inspections, and multi-site agreements can be effective in bringing a single tank owner with multiple sites into compliance.

EPA will also provide guidance to encourage the use of new technology to enhance compliance. For example, the presence of MTBE in gasoline increases the importance of preventing and rapidly detecting releases, since MTBE contamination can increase cleanup costs by 25% to more than 100%. The Agency will focus its efforts on reducing UST releases and increasing early detection of petroleum products, including MTBE, by further evaluating the performance of compliant UST systems.

EPA has the primary responsibility for implementation of the UST Program in Indian Country. Grants under P.L. 105-276 will continue to help Tribes develop the capacity to administer UST programs. For example, funding is used to support training for tribal staff, educate owners and operators in Indian Country about UST requirements, and maintain information on USTs located in Indian Country.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

States: Solid Waste Disposal Act (SWDA) of 1976, as amended (Subtitle I); Section 8001(a);  
Tribal Grants: PL 105-276

**Marine Pollution**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean and Safe Water  
Objective(s): Protect Water Quality

Total Request for Appropriation EPM: \$12,279.2 (Dollars in Thousands)

**Marine Pollution (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,049.1</i></b>	<b><i>\$12,296.0</i></b>	<b><i>\$12,279.2</i></b>	<b><i>(\$16.8)</i></b>
Total Budget Authority / Obligations	\$10,049.1	\$12,296.0	\$12,279.2	(\$16.8)
Total Workyears*	47.6	45.7	43.9	-1.8

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The goals of the marine pollution programs are to ensure marine ecosystem protection through adequate controls on point-source and vessel discharges, management of ocean dumping, and other sources of pollution, such as marine debris and invasive species/harmful algal blooms. Major areas of effort include:

- Establishing water quality controls for point source dischargers;
- Developing and implementing regulations and technical guidance to control pollutants from vessels and issuing permits for materials to be dumped in ocean waters;
- Designating, monitoring, and managing ocean dumping sights and implementing provisions of the Administration's National Dredging Policy and Plan for Dredging NY/NJ Harbor;
- Establishing and conducting beach monitoring for marine debris and promoting public awareness of causes, effects, and controls for marine debris through public education programs;
- Working with a wide variety of stakeholders to develop, provide, and implement watershed management tools, strategies and plans for coastal ecosystems, including dredged material management plans for coastal ports, in order to restore and maintain the health of coastal aquatic communities on a priority basis. For more information, visit <http://www.epa.gov/owow/oceans/regulatory/index.html>.

**FY 2006 Activities and Performance Highlights**

Coastal and ocean waters are environmentally and economically valuable to the Nation. To protect and improve water quality on a watershed basis, EPA will focus its work with States, Tribes, interstate agencies, and others on improving the quality of our valuable ocean resources. The health of ocean and coastal waters and progress in meeting the strategic targets will be

tracked through issuance of a National Coastal Condition Report every two years, a cooperative project with other Federal agencies.

The Ocean Survey Vessel *Bold* supports monitoring and assessment needs in EPA Regions and coastal States, and will service the Atlantic Coastal Regions, Gulf of Mexico, and the Pacific Coast.

In 2006, the *Bold* will support monitoring and assessment needs in EPA coastal Regions and coastal states, and will service the Atlantic Coast and Gulf of Mexico. It is also expected to work on the Pacific Coast over the next several years but not in 2006. During 2006, the *Bold* is expected to support the following types of activities: collection of environmental data from several offshore areas for use in their designation of dredged material disposal sites (such as in Long Island Sound); periodic environmental monitoring of 10-20 of the 79 existing ocean disposal sites; the monitoring of 5 to 10 offshore waste disposal sites or wastewater outfalls; and monitoring of significantly impacted or important coastal waters such as the Gulf of Mexico hypoxic zone and Florida coral reefs.

Key marine pollution program efforts in 2006 that focus on ocean and coastal waters and are critical to improving these waters are:

#### Reducing Vessel Discharges

EPA's efforts will focus on enhancing regulation of pollutant discharges from vessels. Develop discharge standards for cruise ships operating in Alaskan waters;

- Cooperate with the Department of Defense to develop discharge standards for certain armed forces vessels;
- Assess of the effectiveness of current marine sanitation device regulations and promotion of technological advancement in those devices to reduce sewage discharges from vessels.

#### Management of the MPRSA Ocean Dumping Program (including Dredged Material).

- Develop and implement new Guidance for Fish Waste Permits;
- Develop and implement of a revised General Vessel Permit;
- Lead the development of modifications to the MPRSA to implement the 1996 Protocol to the London Convention of 1972, part of the ratification led by State Dept.;
- Conduct reviews of two Regional Ocean Dumping Programs;
- Prepare revisions to the Ocean and Inland Dredged Material Testing Manual;
- Issue a comprehensive document on beneficial use of dredged material; and
- As Co-Chair of the National Dredging Team, implement the recently issued NDT Action Agenda for the Next Decade, including the NDT sponsored conference on development of watershed sediment management plans for ports/harbors.

### Managing Invasive Species.

Continue efforts to target invasive species in coastal areas, including: prevention, education and outreach, early detection and rapid response, monitoring, applied research, and leadership and coordination;

- Under an MOU with the U.S. Coast Guard, assist in its efforts to develop ballast water discharge standards specifically developing the EIS;
- Work with the U.S. Coast Guard to make a determination regarding the ratification of the International Ballast Water Standards Convention under MARPOL; and

### Vessels Used as Artificial Reefs

- Complete the proposed Best Management Practices Guidance for Clean-up of Vessels Proposed for Use as Artificial Reefs, such as the Oriskany. Navy/MARAD anticipate many more vessels are to become artificial reefs and will need to follow the Guidance. EPA's role will be to participate in the clean-up plans for each vessel and inspections.

### Contributing to the Health of Coral Reefs

- Participate on the U.S. Coral Reef Task Force;
- Assist in the development of biological assessment methods and biological criteria for use in evaluating coral reef health and associated water quality;
- Continue to support water quality monitoring efforts in the Florida Keys National Marine Sanctuary using the OSV *Bold*; and

### Managing Harmful Algal Blooms

- Continue to coordinate with other agencies and support regional programs in detection and rapid response efforts in cases of harmful algal bloom development;
- EPA will work to address the issue of harmful algal blooms through monitoring, research, and projects related to hypoxia and nutrients; and
- In the case of emergency events (e.g., a *Pfiesteria* outbreak), EPA will provide public education/outreach, and coordinate with the national response to these outbreaks.

### Supporting International Marine Pollution Control

- EPA will continue to work to ensure that U.S. Policy and procedures are consistent with the London Convention of 1972 (i.e., ocean dumping treaty) and its 1996 Protocol;
- Chair the Scientific Group of the London Convention; one current issue being addressed is sequestration of CO<sub>2</sub> in the subseabed;
- Actively participate in meetings of the Marine Environment Protection Committee of MARPOL to develop US-friendly, international standards and guidance within the MARPOL Convention; and
- Participate in MEPC meetings to prepare guidance to implement the International Treaty on Ballast Water Standards.



## **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- Resources are largely unchanged.

### **Statutory Authority**

Certain Alaskan Cruise Ship Operations Act (PL 106-554); Clean Vessel Act; Clean Water Act (CWA); Coastal Zone Act Reauthorization Amendments of 1990; Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Marine Plastic Pollution, Research and Control Act (MPPRCA) of 1987; Marine Protection, Research and Sanctuaries Act (MPRSA); National Defense Authorization Act for Fiscal Year 2004, Section 3516; National Environmental Policy Act, Section 102; National Invasive Species Act of 1996; North American Free Trade Agreement (NAFTA); Ocean Dumping Ban Act of 1988; Organotin Antifouling Paint Control Act (OAPCA); Pollution Prevention Act (PPA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); Shore Protection Act of 1988; Toxic Substance Control Act (TSCA); Water Resources Development Act (WRDA); and Wet Weather Water Quality Act of 2000.

*National Estuary Program / Coastal Waterways*  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Ecosystems

Total Request for Appropriation EPM: \$19,445.5 (Dollars in Thousands)

**National Estuary Program / Coastal Waterways (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$21,527.0</b>	<b>\$19,229.3</b>	<b>\$19,445.5</b>	<b>\$216.2</b>
Total Budget Authority / Obligations	\$21,527.0	\$19,229.3	\$19,445.5	\$216.2
Total Workyears*	48.6	58.5	57.5	-1.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The goal of this program is to restore the physical, chemical, and biological integrity of the Nation's estuaries and coastal watersheds by protecting and enhancing water quality and living resources. Major areas of effort include: supporting coastal watersheds to enhance their efforts to address threats to the health of estuaries and coastal waters; supporting continued implementation of Comprehensive Conservation and Management Plans (CCMPs) for the 28 National Estuary Programs (NEPs); encouraging cooperative efforts between Nonpoint Source Programs (e.g., under CWA Section 319) and other programs to develop and implement coastal ecosystem protection/enhancement strategies; and supporting monitoring of estuarine, coastal and marine waters. For more information, visit <http://www.epa.gov/owow/estuaries/>.

**FY 2006 Activities and Performance Highlights**

The resources in FY 2006 will support EPA's goal of improving aquatic ecosystem health of our national estuaries as well as protect additional acres of habitat. EPA will undertake the following activities in support of coastal watershed protection and restoration:

- In 2006, EPA will issue the third National Coastal Condition Report (NCCR) and the first Coastal Condition Report for the National Estuary Program. EPA, working with State and local partners, will also collect and analyze data from coastal waters which will be used to prepare the fourth NCCR, which is due in 2008. In addition, EPA will support monitoring of estuarine waters using such tools as the OSV BOLD. This ocean survey vessel supports monitoring and assessment needs in EPA Regions, NEPs, and coastal States along the Pacific, Gulf and Atlantic coasts;
- EPA will develop and disseminate tools and resources for local land use decision makers that will provide the information necessary to plan for growth, minimize the adverse impacts of development, and anticipate the cumulative environmental impacts of growth. EPA will continue partnership opportunities with NOAA to specifically address coastal communities;

- EPA will continue to support the integration of coastal and marine fish tissue mercury data into a national database, such as STORET or NLFA (National Listing of Fish Advisories). EPA will continue to work with coastal environmental managers, Federal partners, and other decision-makers to evaluate and address the impacts to water quality from atmospheric deposition of contaminants and provide assistance to these stakeholders and the general public;
- EPA will produce on-line finance planning modules, traditional workshops, and on-site assistance to help coastal watersheds find the best way to finance estuary and coastal protection projects;
- EPA has a lead role in the five-year reassessment of the Action Plan for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico, which will continue in FY 2006

Within the NEP, EPA plans to implement key activities<sup>1</sup> under its flagship coastal watershed protection effort to help address the growing threats to the Nation's estuarine resources. These activities include:

- Supporting continuing efforts of all 28 NEP estuaries to implement their CCMPs to protect and restore estuarine resources;
- Providing more focused support for several priority needs, including problems of invasive species, air deposition of pollutants such as mercury and nitrogen, and nutrient over-enrichment;
- Supporting estuary efforts to achieve its habitat restoration and protection goal of 250,000 additional acres by 2008. In FY 2006, EPA and its partners will protect or restore an additional 25,000 acres of habitat;
- Providing targeted support to special ecosystems, including those with statutorily-authorized protection programs such as the Long Island Sound.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; Clean Water Act; Estuaries and Clean Waters Act of 2000; Protection, and Restoration Act of 1990; North American Wetlands Conservation Act; Water Resources Development Act (WRDA); 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement (GLWQA); 1987 Great Lakes Water Quality Agreement; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Binational Toxics Strategy; Coastal Wetlands Planning; and US-Canada Agreements.

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<sup>1</sup> The means and strategies outlined here for achieving Sub-objective 4.3.1 must be viewed in tandem with the means and strategies outlined under Goal 2, Objective 2, Sub-objective 2.2.2, Improve Ocean and Coastal Waters. Sub-objective 2.2.2 contains strategic measures for EPA's vessel discharge, dredged material management, ocean disposal, and other ocean and coastal programs, which are integral to the Agency's efforts to facilitating the ecosystem scale protection and restoration of natural areas.

**NEPA Implementation**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Innovation

Total Request for Appropriation EPM: \$12,440.3 (Dollars in Thousands)

**NEPA Implementation (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$12,452.4</i></b>	<b><i>\$12,654.2</i></b>	<b><i>\$12,440.3</i></b>	<b><i>(\$213.9)</i></b>
Total Budget Authority / Obligations	\$12,452.4	\$12,654.2	\$12,440.3	(\$213.9)
Total Workyears*	111.6	102.8	101.7	-1.1

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

As required by National Environmental Policy Act (NEPA), the NEPA Implementation program reviews Environmental Impact Statements detailing the anticipated environmental impacts of proposed major Federal actions, and options for avoiding or mitigating them. The program manages the Agency's official filing activity for all Federal environmental impact statements, in accordance with a Memorandum of Understanding with the Council on Environmental Quality. The program also manages the review of environmental impact assessments of non-governmental activities in Antarctica, in accordance with the Antarctic Science, Tourism, and Conservation Act.

In addition, the program fosters cooperation with other Federal agencies to ensure compliance with applicable environmental statutes, and to promote better integration of pollution prevention and ecological risk assessment elements into their programs. The Agency targets high impact Federal program areas, such as water resources and transportation/energy related projects. The program also develops policy and technical guidance on issues related to NEPA, the Endangered Species Act, the National Historic Preservation Act and relevant Executive Orders. This program was included in the Civil Enforcement PART review for 2006 which received an overall rating of Adequate; more information is included in the Appendix Section. For more information, visit: [www.epa.gov/compliance/nepa](http://www.epa.gov/compliance/nepa).

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will work with other Federal agencies to streamline and improve their NEPA process in such key areas as approval of highway and airport expansion; hydro-power/nuclear power plant re-licensing; coal bed methane development and other energy-related projects;

military base closure; flood control and port development; and management of national forests and public lands.

The NEPA Implementation program also guides EPA's own compliance with NEPA, other applicable statutes and executive orders, and related Environmental Justice requirements. Corresponding efforts include EPA-issued new source National Pollutant Discharge Elimination System (NPDES) permits, in cases where a State or Tribe has not assumed responsibility for the NPDES program; off-shore oil and gas projects; Clean Water Act wastewater treatment plant grants; and special appropriation grants for wastewater, water supply and solid waste collection facilities. In FY 2006, 90 percent of EPA projects subject to NEPA environmental assessment or environmental impact Statement requirements (e.g., water treatment facility project and other grants, new source NPDES permits and EPA facilities) are expected to result in no significant environmental impact.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$213.9) This reduction redirects mainly working capital fund resources to support Compliance monitoring efforts.

**Statutory Authority**

CAA; NEPA; ASTCA; CWA; ESA; NHPA; AHPA; FCMA; FWCA; Executive Order 12898.

***Pesticides: Field Programs***  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean and Safe Water  
 Objective(s): Protect Human Health

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$24,682.6 (Dollars in Thousands)

**Pesticides: Field Programs (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$23,679.0</b>	<b>\$27,185.9</b>	<b>\$24,682.6</b>	<b>(\$2,503.3)</b>
Total Budget Authority / Obligations	\$23,679.0	\$27,185.9	\$24,682.6	(\$2,503.3)
Total Workyears*	134.1	137.5	124.5	-13.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The pesticides field programs include Certification and Training (C&T), Worker Protection (WP), Endangered Species Protection Program (ESPP), Groundwater (GW), Pesticide Environmental Stewardship Program (PESP) and the Tribal Program. These programs will continue using a geographically-targeted approach where risk management decisions are made close to the source and involve the regions, States, growers, consumers, and public interest groups. This program underwent a PART review in 2006 and received a rating of “Results Not Demonstrated”; more information is available in the Appendix Section.

**FY 2006 Activities and Performance Highlights**

EPA will continue to promote safe pesticide use. The Agency will provide national leadership and coordination to support regional, state and tribal capacity for the field programs. EPA will make regulatory and policy decisions, develop guidance packages and training/educational materials, organize national meetings/workshops, provide national technical assistance and coordinate with other Federal agencies. In FY 2006, EPA will provide locally based technical assistance and guidance to States and Tribes on pesticide issues, including conducting workshops, briefings, and informational meetings. A well-targeted, high quality program in communications, development and distribution of materials, training and follow-up will continue for all field programs.

## Certification and Training (C&T)/Worker Protection (WP)

EPA will work with stakeholders to identify and prioritize key concerns and issues that must be addressed. Additionally, the Agency will support an infrastructure to address future WP issues. Assessment of scope, quality and delivery of worker and handler training will identify improvements, particularly with respect to children's special concerns. EPA guidance and direction for State and tribal implementation will be provided. Training, education and outreach, cornerstones of all field programs, will be pursued aggressively. Development and distribution of support materials, training and follow-up, critical to program success, will also continue. States will develop, reproduce and distribute training materials. Increased awareness and workers' ability to understand and avoid pesticide hazards will allow individuals to play a key role in their own health and safety. EPA will continue to work with the U.S. Department of Agriculture (USDA) in implementing these programs.

## Tribal

EPA guidance and policy direction to Tribes on pesticide issues affecting Native Americans will continue through a sound, effective and integrated approach. EPA will review software and other risk assessment tools to capture the unique tribal exposure risks. Assistance in organizing national and regional workshops/meetings to provide tribal awareness and understanding of regulatory requirements and pesticide hazards will continue. EPA will provide training on managing pesticides and pesticide risks matched to tribal needs. Agency support of the Tribal Pesticide Program Council, a tribal voice in determining national pesticide policies, and an instrument which brings tribal pesticide issues to Federal attention, will remain a priority. The Agency will also continue open, consistent communications with Tribes, directly and through the Regional Tribal Operations Committees, to communicate tribal pesticide concerns.

## Endangered Species Protection Program (ESPP)

EPA will continue to protect threatened or endangered species from pesticide use, while minimizing regulatory burdens on pesticide users. EPA will use sound science to assess the risk of pesticide exposure to listed species and will continue efforts with partners and stakeholders to improve information databases. As pesticides are reviewed, updated and improved, databases will help ensure consistent consideration of endangered species. EPA will implement use limitations through appropriate label statements; develop county bulletins containing maps of species' locations and pesticide use limitations; and provide a toll-free telephone number to assist users in determining whether they need a bulletin and where to obtain one. The Agency will continue to encourage individual States and Tribes to develop endangered species protections plans which meet the program's goals. EPA will continue providing outreach materials keeping localities informed on the latest pesticide information for protection of listed species. EPA will also provide guidance, assistance and resources to States and Tribes for implementation of pesticide regulatory decisions. Implementation of an enforceable program will demand intensified Regional assistance in developing and reviewing customized state-initiated plans, providing educational/informational and other outreach materials, coordinating with Federal and state lead agencies, and coordinating the review of habitat maps.

## Pesticide Environmental Stewardship Program (PESP)

EPA will coordinate with USDA to provide information about pest control options. The Agency will also organize and deliver pest management educational programs for producers, consumers, and other stakeholders. The Agency will continue promoting the use of safer alternatives to traditional chemical methods of pest control, including reduced risk pesticides, to further reduce risk. Partnerships incorporating pollution prevention strategies will also contribute to risk reduction.

EPA will encourage integration and adoption of Integrated Pest Management (IPM) in schools to reduce children's exposure to pesticides yet maintain effective and efficient pest control. Distribution of publications, awarding of IPM grants, offering of workshops and courses, and providing guidance and assistance through universities and national associations will remain critical. EPA will continue coordination with other Federal Agencies which support IPM practices. Additionally, the Agency will continue fostering the managed use of an array of biological, cultural, mechanical, and chemical pest control methods to achieve the best results with the least adverse impact to the environment.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$434.7) This reduction reflects a redirection toward higher priority activities.
- (-\$565.3) This reduction is from the Water Quality Program in the Goal 2 Pesticides: Field Programs Project. These efforts will now be carried out by the Office of Water Surface Water Protection Program.
- (-\$682.0) This reduction reflects a redirection from PBTI Dioxin efforts to higher priority activities.
- (-13.0 FTE) The reduction is in accordance with the Agency workforce adjustments described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to overall Agency FTE utilization.
- There are increases for payroll and cost-of living for existing FTE.

### **Statutory Authority**

Pesticides Registration Improvement Act (PRIA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Federal Food, Drug and Cosmetic Act (FFDCA); Food Quality Protection Act (FQPA).



***Pesticides: Registration of New Pesticides***  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$41,471.7 (Dollars in Thousands)

**Pesticides: Registration of New Pesticides (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$40,936.3</b>	<b>\$42,907.0</b>	<b>\$41,471.7</b>	<b>(\$1,435.3)</b>
Science & Technology	\$2,173.1	\$2,403.2	\$2,490.0	\$86.8
Total Budget Authority / Obligations	\$43,109.4	\$45,310.2	\$43,961.7	(\$1,348.5)
Total Workyears*	353.6	330.7	327.8	-2.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The scope of the EPA Pesticide Registration Program is to license pesticides for use, ensuring they present a reasonable certainty of no harm to human health and the environment. The Agency makes licensing decisions about new pesticides only after extensive review and evaluation of studies and data on human health and ecological effects.<sup>1</sup> As part of the process, the Agency analyzes data and establishes a tolerance level for each crop or crop grouping (use) the registrant requests for the pesticide. The Pesticide Registration program gives priority to accelerated processing of reduced risk pesticides which may substitute for products already on the market, thus giving farmers and other pesticide users new tools that are safer for human health and the environment. The resulting benefits to the Nation include worker protection, public health assurance, safer food, and increased protection of the environment from pesticide risk.

**FY 2006 Activities and Performance Highlights**

EPA will continue to review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with Food Quality Protection Act (FQPA) standards and Pesticide Registration Improvement Act (PRIA) timeframes. The Agency will continue to process these registration requests, with special consideration given to susceptible populations, especially children. Specifically, the Agency will focus special attention on uses on the foods

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<sup>1</sup>FIFRA Sec 3; FIFRA Sec 4 ( i ) (5)

commonly eaten by children, to reduce pesticide exposure to children where the science identifies potential concerns.

EPA will engage the public, scientific community and other stakeholders in our decision and policy development and implementation to encourage a reasonable transition for farmers and others from the older, more potentially hazardous pesticides to the newer pesticides which have been registered using the latest scientific information available. As we learn from experience in implementing our science policies, the Agency will continue to update them to ensure compliance with the latest scientific methods. EPA will also continue its emphasis on accelerating the registration of reduced risk pesticides, including biopesticides, in order to provide farmers and other pesticide users with new alternatives to the older, more potentially harmful pesticides.

The Agency will meet the special needs of States and industry such as processing requests for temporary use of a pesticide not registered for that specific use in order to meet emergency conditions (controlling a new pest or the spread of a pest to new areas, or controlling an outbreak of a pest that poses a public health risk, such as the West Nile virus spread by the migration of mosquitoes). EPA will process petitions for research purposes, such as the use of a pesticide on a crop for the purposes of determining pest resistance to that pesticide.

In FY 2006, the Agency, in collaboration with the United States Department of Agriculture (USDA), will continue to work to ensure that minor use registrations receive appropriate support and that reduced risk pesticides needs for minor use crops are met.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$1,500.0) This reduction reflects a shift in registration activity into the expedited review pipeline established under PRIA, which is partially funded through fees. This reduction will not affect PRIA registration activities; however, the Agency will scale back the processing of some registrations which are not covered by PRIA.
- There are additional increases for payroll and cost-of living for existing FTE.

#### **Statutory Authority**

Pesticides Registration Improvement Act (PRIA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Federal Food, Drug and Cosmetic Act (FFDCA); Food Quality Protection Act (FQPA).

***Pesticides: Review / Reregistration of Existing Pesticides***  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$57,991.2 (Dollars in Thousands)

**Pesticides: Review / Reregistration of Existing Pesticides (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$54,163.5</b>	<b>\$58,053.9</b>	<b>\$57,991.2</b>	<b>(\$62.7)</b>
Science & Technology	\$2,303.5	\$2,417.1	\$2,506.1	\$89.0
Total Budget Authority / Obligations	\$56,467.0	\$60,471.0	\$60,497.3	\$26.3
Total Workyears*	466.2	466.6	462.7	-3.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Agency will continue to ensure that pesticides, when used according to the label, result in a reasonable certainty of no harm to human health and that they not present an unreasonable adverse effect on the environment. EPA will continue to accomplish this through various means, including risk mitigation measures such as label changes and modification in the ways pesticides are applied (use of protective equipment, farm worker reentry level changes, application rates and frequency, etc.). EPA will continue to use regulatory decisions, along with voluntary actions encouraged through education and outreach to provide benefits such as public health safety, safe and abundant food, worker safety, and protection of land and groundwater from pesticide contamination. FQPA also requires that EPA establish a process for periodic review of pesticide registrations with a goal of completing the process every 15 years. The registrations will be reviewed to ensure that decisions are based on current scientific data, risk assessment methodologies, program policies, and include appropriate risk reduction measures.

In 2004, EPA worked with stakeholders to develop the program parameters for the Registration Review program and piloted the program. The pilot determined the latest risk assessments available for the chemical, identifying if and what additional data or assessment updates are required, and laying the groundwork for developing the economic analysis. EPA will begin implementing this program in FY 2006.

This program underwent a PART review in 2006 and received a rating of “Adequate”; more information is included in the Appendix Section.

## **FY 2006 Activities and Performance Highlights**

The Agency will focus its reregistration resources to support meeting the 2006 and 2008 FQPA/Pesticide Registration Improvement Act (PRIA) statutory deadlines. EPA will continue to review pesticides subject to review to assure the public of their continued safety. Pesticides not in compliance will be eliminated or restricted to reduce harmful exposure. EPA plans to complete issuing Reregistration Eligibility Decisions (REDs) for food use active ingredients by August 3, 2006 and for non-food use active ingredients by 2008. The Agency will complete cumulative risk assessments for active ingredients which share a common mode of toxicity (e.g., organophosphates, N-methyl carbamates, etc.). EPA plans to complete a cumulative 93.5 percent of both food and non-food use REDs, including 3 Interim REDs (IREDs) which on completion of cumulative risk assessments will become finalized REDs. Moreover, completion of the food use REDs by August 3, 2006 will result in the reassessment of tolerances. The Agency will complete 16 Tolerance Reregistration Eligibility Decisions (TREDs) by August 3, 2006 which will also result in the reassessment of tolerances. In addition, the review of existing food use inert ingredients will be completed by August 3, 2006. EPA will complete the review of all 9,721 tolerances requiring reassessment by FQPA by August 3, 2006.

As EPA obtains information and new research results, the cumulative risk policy will be updated to ensure risk assessments maintain pace with advancing science and that improvements are incorporated into the Registration Review Program. This new program, which will be fully implemented in FY 2008, will continue to review registered pesticides periodically, as the reregistration program draws to an end. To address the issues around replacement and review of widely used pesticides, EPA and USDA collaborated, developed and implemented a review process greatly expanding public participation and easing the transition to alternative means of pest control. This process will continue to be reviewed, improved and expanded as needed as we continue the review of other groups of high risk, older pesticides, and during implementation of the Registration Review Program.

Protecting children's health is a primary concern for EPA. As such, EPA has identified and given priority to the tolerance reassessments that affect the top 20 foods eaten by children. The Agency will complete 100 percent of this set of tolerance reassessments by August 3, 2006.

In FY 2006, the Agency will continue to review antimicrobials for reregistration in order to meet the deadlines set by FQPA and the Pesticide Registration Improvement Act (PRIA) of 2003 for the reregistration program. EPA will continue to address concerns regarding the efficacy of public health products used to kill microorganisms in hospitals, schools, restaurants, and homes. EPA will continue to ensure that efficacy tests for antimicrobial products are reliable and reproducible and that internal controls ensure the integrity of data submitted by registrants.

Another area of concern is the review of inert ingredients because they could potentially be more toxic than some active ingredients. There are approximately 870 pesticide inert tolerances and tolerance exemptions requiring reassessment to meet the statutory deadlines. EPA will continue working on reviewing these ingredients in FY 2006.

EPA will continue to use sound science in pesticide reviews and to include stakeholder and scientific community feedback in our policies and decisions. Efforts with stakeholders through the Pesticide Program Dialogue Committee (PPDC) and the Committee to Advise on Reassessment and Transition (CARAT) will continue to provide transparency in decision-making and fuller understanding of the implications for growers, producers and the public.

The Agency will finalize the procedural regulation and begin implementing the Registration Review program. The final rule will be issued in 2006, beginning the first phases of the program. Program implementation will include publishing a proposed schedule of registration review cases, assessing the adequacy of databases, issuing data call-in notices, consulting with stakeholders and other Federal agencies, conducting preliminary risk assessments, and assembling materials for public dockets. As the reregistration program ramps down and the registration review program begins, the Agency will continue to ensure that pesticide regulation is protective of human health and the environment, and is based on the most current scientific standards.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

Pesticides Registration Improvement Act (PRIA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Federal Food, Drug and Cosmetic Act (FFDCA); Food Quality Protection Act (FQPA).

**Pollution Prevention Program**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
Objective(s): Chemical, Organism, and Pesticide Risks

Goal: Compliance and Environmental Stewardship  
Objective(s): Improve Environmental Performance through Pollution Prevention and Innovation

Total Request for Appropriation EPM: \$19,989.8 (Dollars in Thousands)

**Pollution Prevention Program (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$16,039.4</i></b>	<b><i>\$22,496.2</i></b>	<b><i>\$19,989.8</i></b>	<b><i>(\$2,506.4)</i></b>
Total Budget Authority / Obligations	\$16,039.4	\$22,496.2	\$19,989.8	(\$2,506.4)
Total Workyears*	82.6	88.3	87.5	-0.8

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Description**

All the pollution prevention programs funded through the Environmental Program and Management (EPM) appropriation comprise this program, including Environmentally Preferable Purchasing (EPP), Green Supplier Network (GSN), Green Chemistry (GC), Green Engineering (GE), and Design for the Environment (DfE).

EPA's 2003-2008 *Strategic Plan* established a number of long-term strategic targets for EPA's pollution prevention program:

- Promoting "green" Federal government operations in purchases of more environmentally friendly products and services from a baseline year of 2002;
- Ensuring that all Federal agencies have defined EPP programs, have policies in place, and expand their purchases of available "green" products and services;
- Reducing TRI chemical releases at Federal facilities by 40 percent, from a baseline year of 2001;
- Reducing pollution by 76 billion pounds, conserving 360 billion BTUs of energy and 2.7 billion gallons of water, and achieving environmentally-related business cost savings of \$400 million from 2003 levels;
- Reducing 165 thousand metric tons of carbon dioxide emissions from 1996 levels;
- Reducing TRI chemical releases into the environment from the business sector per unit of production by 40 percent and TRI chemicals in production-related wastes generated by the business sector per unit of production by 20 percent from 2001 levels.

**FY 2006 Activities and Performance Highlights**

### Environmentally Preferable Purchasing (EPP) Program:

EPA will continue to implement EPP efforts in partnership with other Federal agencies, notably: implement the Federal Electronics Challenge and the Electronic Products Environmental Assessment Tool; work with the National Park Service to “green” operations at National Parks; and provide assistance on green construction specifications to the Federal buildings sector.

For more information, visit <http://www.epa.gov/oppt/epp/about/about.htm>.

### Green Suppliers Network:

The Green Suppliers Network will continue to partner with the National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership program, expanding the service offerings for the participating suppliers to include health and safety and energy efficiency assistance. Green Suppliers Network will also continue to respond to increasing interest from other industry sectors including appliances, transportation, and farm and construction. Green Suppliers Network will assist U.S. sectors in extending the program to foreign suppliers, particularly those in the North American Free Trade Agreement (NAFTA) region and Asia and will expand the Green Suppliers Network internationally by working with international partners through the World Environment Center (WEC), the Commission for Environmental Cooperation (CEC) and the Organization for Economic Co-Operation and Development (OECD).

For more information, visit <http://www.epa.gov/p2/programs/gsn.htm>.

### Green Chemistry:

The Green Chemistry Program will focus on the development of environmentally preferable substitutes for emerging chemicals of concern such as brominated flame retardants used in flexible foam, perfluorinated acids and chemicals which are persistent in the environment and capable of accumulating in animal, fish, and human tissue. The environmental benefits resulting from the development of safer and greener substitutes are documented in the nominations for the prestigious Presidential Green Chemistry Challenge Awards.

For more information, visit <http://www.epa.gov/opptintr/greenchemistry/>.

### Design for the Environment/Green Engineering:

The Design for the Environment (DfE) Program will continue collaborating with industry and non-governmental organizations to reduce risk from chemicals. In particular the Program will encourage the use of best practices to reduce risks to workers and communities now exposed to significant levels of diisocyanates (the leading cause of occupational asthma).

DfE will leverage partnerships with the polyurethane foam production facilities and furniture manufacturers to address unintended environmental consequences from flame retardant use and to ensure the transition to safer alternatives. EPA expects these new partnership targets to

produce measurable results, such as the replacement of approximately 15.7 million pounds of flame retardants per year with safer alternatives. The related Green Engineering Program will expand partnerships with the result in energy savings of hundred billions of Btu per year. For more information, visit <http://www.epa.gov/dfe/> and <http://www.epa.gov/oppt/greenengineering/index.html>.

The Pollution Prevention Program has a companion STAG program, “Pollution Prevention Categorical Grant.” Both of these programs contribute to achievement of common strategic targets and annual performance goals.

**FY 2006 Change from FY 2005 President’s Budget (Dollars in Thousands)**

- (-\$3,000.0) This reduction aligns the program with recent Congressional Action.
- There are increases for payroll and cost of living for existing FTE.

**Statutory Authorities**

Pollution Prevention Act (PPA); Toxic Substances Control Act (TSCA).



**POPs Implementation**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$2,806.4 (Dollars in Thousands)

**POPs Implementation (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,174.0</b>	<b>\$2,235.4</b>	<b>\$2,806.4</b>	<b>\$571.0</b>
Total Budget Authority / Obligations	\$2,174.0	\$2,235.4	\$2,806.4	\$571.0
Total Workyears*	7.0	9.9	12.3	2.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This Program Project covers EPA's international Persistent Organic Pollutants (POPs) efforts. Domestic POPs-related activities and associated funding are included in the Toxic Substances: Chemical Risk Management Program/Project. EPA's international activities under this program give priority to persistent organic pollutants (POPs) under the Stockholm Convention. Long-range and transboundary atmospheric transport and deposition of POPs, are a continuing threat to human health and the ecosystems in North America. These pollutants can be transported and released far from their sources, enter the ecosystem, and bioaccumulate through the food chain. To reduce the recognized risks these pollutants pose to the American public, we need to address their international as well as domestic sources.

The U.S. is a signatory to the Stockholm Convention on POPs. To demonstrate U.S. commitment to international action on these chemicals, EPA is working to reduce potential risk from POPs on several international fronts including the following: 1) reduction in the releases of POPs reaching the U.S. by long range transport; 2) reduction/elimination of sources of POPs in countries of origin, focusing on PCB-containing equipment, obsolete pesticides stockpiles, and dioxins and furans emissions from combustion sources; and 3) better inter- and intra-country coordination on POPs implementation activities by improving access to POPs technical, regulatory and program information from all sources including the Internet.

**FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will continue FY 2005 efforts to reduce POPs sources world-wide focusing on regions and countries from which POPs releases are impacting U.S. human health and the environment, specifically Russia, China, India and the wider Caribbean. In these countries and

regions we will transfer innovative U.S. technology, help develop Russian regulatory and financial infrastructure for sustainable projects, and help demonstrate destruction of over 200 tons of PCB liquids and safe storage of over 100 tons of obsolete POPs pesticides.

Results will include the following: EPA estimates that by assisting Russia, the strategic targets for reducing Russian inventories of POPs pesticides and PCBs by 20 percent by 2008 will be met. By helping China address dioxins and furans from the cement sector, EPA predicts that by FY 2006, 20 percent of the global emissions of these pollutants will be reduced. Chinese cement kilns produce 40 percent of the world's cement and contribute up to 80 percent of the dioxin and furan emissions from global cement production, because the majority are technologically obsolete and have no environmental controls.<sup>1</sup> By 2006, EPA will help India reduce atmospheric releases of obsolete POPs pesticides by 10 percent. In the wider Caribbean, EPA will help reduce the PCB inventory by 15 percent, thus reducing the deposition of PCBs to the U.S by FY 2006.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+ \$571.0, + 2.4 FTE) Workyears were redirected to this program to provide additional support to address Stockholm Convention signatory countries elimination of priority POP chemicals.
- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Pollution Prevention Act, Federal Insecticide, Fungicide, and Rodenticide Act, Clean Air Act, Toxic Substances Control Act, National Environmental Policy Act, Clean Water Act, the Marine Protection, Research and Sanctuaries Act.

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<sup>1</sup> Global Cement Production [source: Lynn Price and Jonathan Sinton, 2004, Lawrence Berkeley National Laboratories, Energy Analysis Division (unpublished)].

**Radiation: Protection**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change

Objective(s): Radiation; Reduce Greenhouse Gas Intensity; Enhance Science and Research

Total Request for Appropriation EPM: \$11,765.1 (Dollars in Thousands)

**Radiation: Protection (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,608.6</i></b>	<b><i>\$11,811.7</i></b>	<b><i>\$11,765.1</i></b>	<b><i>(\$46.6)</i></b>
Science & Technology	\$4,185.6	\$2,847.0	\$2,120.5	(\$726.5)
Hazardous Substance Superfund	\$2,223.9	\$2,323.2	\$2,387.1	\$63.9
Total Budget Authority / Obligations	\$18,018.1	\$16,981.9	\$16,272.7	(\$709.2)
Total Workyears*	119.5	114.4	103.5	-10.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA conducts radiation risk assessments and provides the technical tools and the scientific basis for generating radionuclide-specific risk coefficients. Risk managers use this information to assess health risks from radiation exposure and to determine appropriate levels for contaminated site clean-up. This information is also utilized by EPA to develop radiation protection and risk management policy, guidance, and rulemakings.

**FY 2006 Activities and Performance Highlights**

EPA will continue to conduct risk assessments on radiation, including radon, and provide technical tools. EPA expects to become involved in a scientific reassessment of average US exposure to radiation and to examine the findings of the National Academy of Sciences' newest study, *Biological Effects of Ionizing Radiation (BEIR) VII*, regarding implications for the Agency's risk and dose coefficients. EPA will provide national guidance on the risks posed by radiation in the environment, including technical guidance for conducting and documenting risk assessments.

**FY 2006 Change from FY 2005 President's Budget**

- There are increases for payroll and cost of living for existing FTE.

## **Statutory Authority**

Atomic Energy Act of 1954, as amended, 42 U.S.C 2011 et seq. (1970), and Reorganization Plan #3 of 1970; Clean Air Act Amendments of 1990 (CAA); Energy Policy Act of 1992, P.L. 102-486; Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; Nuclear Waste Policy Act of 1982; Public Health Service Act, as amended, 42 U.S.C 201 et seq.; Safe Drinking Water Act; Uranium Mill Tailings Radiation Control Act of 1978; Waste Isolation Pilot Plant (WIPP) Land Withdrawal Act.

**Radiation: Response Preparedness**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Radiation; Reduce Greenhouse Gas Intensity

Total Request for Appropriation EPM: \$2,636.0 (Dollars in Thousands)

**Radiation: Response Preparedness (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$3,308.1</i></b>	<b><i>\$2,610.9</i></b>	<b><i>\$2,636.0</i></b>	<b><i>\$25.1</i></b>
Science & Technology	\$2,109.1	\$2,239.0	\$3,576.3	\$1,337.3
Total Budget Authority / Obligations	\$5,417.2	\$4,849.9	\$6,212.3	\$1,362.4
Total Workyears*	25.2	36.5	42.3	5.8

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA generates policy guidance and procedures for EPA radiological response under the government-wide National Response Plan (NRP). EPA is also a member of the Federal Radiological Protection Coordinating Committee (FRPCC), supports the Federal Advisory Team on Environment, Food, and Health “A-Team,” and maintains its own EPA Radiological Emergency Response Team (RERT). EPA’s Emergency Response Team (RERT) conducts national and regional radiological response planning and training and develops response plans for radiological incidents or accidents.

**FY 2006 Activities and Performance Highlights**

EPA’s RERT, a component of the Agency’s emergency response structure, will maintain its preparedness for those radiological incidents for which EPA is the Coordinating Agency under the National Response Plan and will fulfill its requirement under the Nuclear/Radiological Incident Annex to the NRP by developing and maintaining Protective Action Guides (PAGs) for use by Federal, state, and local responders. EPA will provide training on the use of the PAGs to users through workshops and radiological emergency response exercises. EPA will design training and exercises to enhance the RERT’s ability to fulfill EPA responsibilities;<sup>1</sup> as well as analyze them for improvements needed for overall radiation response preparedness.

EPA will continue in FY 2006 to coordinate with its interagency partners under the FRPCC to revise Federal radiation emergency response plans, develop radiological emergency response

<sup>1</sup> Additional information can be accessed at: <http://www.epa.gov/radiation/rert/rert.htm> last accessed 1/3/2005

standard operating procedures, and develop guidance for coordination of EPA support with other Federal and state response agencies.

EPA will participate in planning and implementing international and Federal table-top and field exercises including radiological anti-terrorism activities, with the NRC, DOE, DOD and DHS.

Throughout FY 2006 EPA will train state, local and Federal officials and provide technical support to federal and state radiation, emergency management, solid waste, and health programs that are responsible for radiological emergency response and for development of their own preparedness programs.

EPA will provide policy development, on-site scientific and environmental risk support, and radiation monitoring and assessment assets as part of EPA's counter-terrorism program. EPA will inform the public on its radiological emergency response activities and capabilities.

#### **FY 2006 Change from FY 2005**

- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Atomic Energy Act of 1954, as amended, 42 U.S.C 2011 et seq. (1970), and Reorganization Plan #3 of 1970; Clean Air Act, as amended (CAA); Comprehensive Environmental Response Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA); Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; Executive Order 12656 of November 1988, Assignment of Emergency Preparedness Responsibilities, 3 CFR, 1988; Public Health Service Act, as amended, 42 U.S.C 201 et seq.; Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C 5121 et seq.; Safe Drinking Water Act; Title X IV of the National Defense Authorization Act of 1996 (Nunn-Lugar II).

**RCRA: Corrective Action**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration  
Objective(s): Restore Land

Total Request for Appropriation EPM: \$42,710.2 (Dollars in Thousands)

**RCRA: Corrective Action (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$38,419.8</b>	<b>\$40,975.6</b>	<b>\$42,710.2</b>	<b>\$1,734.6</b>
Total Budget Authority / Obligations	\$38,419.8	\$40,975.6	\$42,710.2	\$1,734.6
Total Workyears*	268.3	280.1	271.6	-8.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The purpose of the Resource Conservation and Recovery Act (RCRA) Corrective Action Program is to control and clean up past and continuing releases from hazardous waste management facilities, and has been one of the main focuses of EPA and state RCRA programs for over fifteen years. This program provides funding for the direct implementation of the RCRA program by EPA Regions 7 and 10 for the States of Iowa and Alaska, respectively. Although the states (both those authorized for corrective action and those not authorized for corrective action through work sharing agreements with their regions) are the primary implementers of the Corrective Action Program, EPA regional staff are also the lead on a significant number of facilities undergoing corrective actions. Key program implementation activities include: development of technical and program implementation regulations, policies, and guidance and conducting corrective action activities including assessments, investigations, stabilization measures, remedy selection, and remedy construction/implementation. For more information, visit <http://www.epa.gov/ebtpages/wastes.html>.

**FY 2006 Activities and Performance Highlights**

In the Agency's FY2004-FY2008 Strategic Plan, EPA introduced new program goals for corrective action that focus EPA and state efforts on moving facilities from stabilization to final remedies. By the end of FY 2008, EPA intends to:

- Assess 100% of GPRA baseline facilities<sup>27</sup>

<sup>27</sup>Of the 1,714 RCRA Corrective Action high priority facilities, 84% (1,440) have human exposures controlled and 70% (1,199) have groundwater migration controlled, reflecting the strong EPA/state partnership in this program. The new performance measures for the RCRA program reflect establishment of a new facility baseline (1,968 facilities) established in October 2004.

- Control current human exposure at 95% of GPRA baseline facilities
- Control current migration of contaminated groundwater at 80% of GPRA baseline facilities
- Selecte of final remedies at 30% of GPRA baseline facilities
- Complete of construction of final remedies at 20% of GPRA baseline facilities

Consistent with EPA's emphasis on land revitalization, ensuring sustainable future uses for RCRA corrective action facilities is considered in remedy selections and in the construction of those remedies. In addition, under the Agency's One Cleanup Program initiative, the Agency will work in partnership with the states to coordinate cleanup program goals and direction. This is a key aspect of improving program efficiency.

EPA plans that by 2020 most of the large number of legacy RCRA facilities subject to corrective action will have been addressed. During FY 2006, the Agency will be working with its state partners, industry, and public interest groups to develop and initiate a strategy to meet this ambitious challenge.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

(-8.5 FTE) The reduction is in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to overall Agency FTE utilization.

- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

Solid Waste Disposal Act (SWDA), Sections 8001 as amended, Resources Conservation and Recovery Act (RCRA) of 1976 as amended; Public Law-94-580, 42 U.S.C. 6901 et seq., Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Public Law 105-276, 112 Stat. 2461, 2499 (1988).



**RCRA: Waste Management**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration  
Objective(s): Preserve Land

Total Request for Appropriation EPM: \$68,727.9 (Dollars in Thousands)

**RCRA: Waste Management (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$60,460.2</b>	<b>\$67,422.3</b>	<b>\$68,727.9</b>	<b>\$1,305.6</b>
Total Budget Authority / Obligations	\$60,460.2	\$67,422.3	\$68,727.9	\$1,305.6
Total Workyears*	423.2	464.6	453.6	-11.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The primary focus of the Waste Management Program is to:

- Provide national policy directed by the Resource Conservation and Recovery Act (RCRA) to reduce the amount of waste generated and to improve the recovery and conservation of materials by focusing on a hierarchy of waste management options that advocate source reduction, reuse, and recycling over treatment and disposal.
- Prevent dangerous releases to the environment from both non-hazardous and hazardous wastes.
- Reduce emissions from hazardous waste combustion, and manage waste in more environmentally beneficial and cost-effective ways.

The Waste Management Program has many major components that are essential to safe waste management and the protection of human health and the environment. Moreover, the program continues to evolve to address the challenges of the 21<sup>st</sup> century and increase its focus on recycling and reuse. New waste streams from new industrial processes are being evaluated, and technological advances and innovative methods of conducting business in the waste management arena are being assessed. EPA is engaged in regulatory and other reform efforts to improve the efficiency of the program (for example, e-manifest and e-permitting projects) and to provide incentives for increased recycling. EPA actively participates in waste management and resource conservation efforts internationally.

Through the Resource Conservation Challenge (RCC), the program works with industry, states and environmental groups to explore new ways to reduce materials and energy use by promoting product process redesign and increased materials and energy recovery from waste otherwise requiring disposal. However, not all wastes can be reduced or recycled and, therefore, some

wastes must be otherwise safely treated and disposed. Thus, EPA and the states maintain the critical health and environmental protections provided by the base “cradle to grave” waste management system envisioned by RCRA. For more information, visit <http://www.epa.gov/ebtpages/wastes.html>. This program was included in the RCRA Base, Permitting, Grants PART review for 2006 which received an overall rating of adequate; more information is included in the Appendix Section.

### **FY 2006 Activities and Performance Highlights**

In FY 2006, the program will continue to work in partnership with the states to incorporate e-permitting tools to encourage and help States to expedite and simplify the permitting process; and to provide better public access to permitting information. During FY 2006, the Agency plans to make substantial progress on the development of an electronic manifest system. The Agency will continue its regulatory reform efforts with work on the definition of solid waste and encouraging safe recycling of targeted waste streams. EPA will also continue its active participation in international waste efforts.

In FY 2006, EPA will develop a comprehensive strategy to promote the gasification of waste materials, including the development of regulations designed to allow gasification of oil-bearing hazardous secondary materials from petroleum refining. Gasification is a technology that is capable of converting wastes containing organics into clean fuels and basic chemicals, thereby vastly expanding the reuse of materials currently managed as waste. Gasification of waste materials will allow the capture of a significant amount of energy from waste materials that previously were treated and disposed of, thus turning a waste problem into an energy solution.

EPA is conducting a state-of-the-practice bioreactor landfill study to lay the groundwork for technical guidance and/or best practices for design, operation, and permitting bioreactor landfills. Bioreactor landfills are supported by industry because of the expected rapid stabilization which leads to rapid settlement and possible recovery of air space and the expectation that bioreactors will increase the practicality of gas to energy conversion. Industry anticipates a greater potential for reducing long-term costs with bioreactors. In FY 2006, EPA will take the results of the study and develop technical guidance and/or best practices to support industry in designing and operating bioreactors.

The Agency will also work to reduce risks from industrial non-hazardous waste, also known as Industrial Subtitle D waste. Manufacturing facilities generate and dispose of 7.6 billion tons of industrial non-hazardous waste each year.<sup>28</sup> EPA will continue to work with interested parties to apply the voluntary “Guide for Industrial Waste Management”. The program will expand its successful voluntary Coal Combustion Partnership Program (C2P2) and use it as a model for

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<sup>1</sup>Data for 1982 from “Screening Survey of Subtitle D Establishments. Draft final report. U.S. Environmental Protection Agency, Office of Solid Waste, December 1987. “Nonhazardous Waste: Environmental Safeguards for Industrial Facilities Need to Be Developed.” Report to the Chairman, Subcommittee on Transportation and Hazardous Materials, Committee on Energy and Commerce, House of Representatives. April 1990

other industrial non-hazardous waste streams, like foundry sands and construction and demolition debris.

Providing grant funds, training, and technical assistance to Tribes and tribal organizations to solve solid waste problems and reduce risk from exposure of improperly disposed hazardous and solid waste is also a priority for the Agency in FY 2006. Of the 560 Federally-recognized Tribes in this country, up to 44% have no waste management program and 24% use open dumps and open burning as their primary disposal methods for solid wastes. In addition, there are over 1,400 open dumps on tribal lands, of which 110 are considered high-threat open dumps.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

(-11.0 FTE) The reduction is in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to overall Agency FTE utilization.

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Solid Waste Disposal Act (SWDA), Sections 8001, as amended, Resources Conservation and Recovery Act (RCRA) of 1976 as amended; Public Law-94-580, 42 U.S.C. 6901 et seq., Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Public Law 105-276, 112 Stat. 2461, 2499 (1988).

**RCRA: Waste Minimization & Recycling**

Environmental Protection Agency

FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration

Objective(s): Preserve Land

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Innovation

Total Request for Appropriation EPM: \$14,376.1 (Dollars in Thousands)

**RCRA: Waste Minimization & Recycling (EPM)**

(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,043.4</i></b>	<b><i>\$14,301.7</i></b>	<b><i>\$14,376.1</i></b>	<b><i>\$74.4</i></b>
Total Budget Authority / Obligations	\$11,043.4	\$14,301.7	\$14,376.1	\$74.4
Total Workyears*	70.2	78.0	74.5	-3.5

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Resource Conservation and Recovery Act (RCRA) directs EPA to minimize the amount of waste generated and to improve recovery and conservation of materials through recycling. The Waste Minimization and Recycling program emphasizes national policy and leadership to reduce the cost and environmental impacts of wastes from businesses, industries, and communities by fostering adoption of more efficient, sustainable, and protective policies, practices, materials and technologies. These policies are based on a hierarchy of waste management options which advocate source reduction, reuse, and recycling over treatment and disposal. The program focuses its efforts on source reduction and recycling by building on partnerships with other Federal agencies; state, tribal, and local governments; business and industry; and non-governmental organizations. These voluntary partnerships provide information sharing, recognition, and assistance to improve practices in both public and private sectors.

The program also implements waste minimization activities that diminish chemicals of most concern to human health and the environment. This approach involves relating chemicals to waste streams and looks to reduce not only the volume, but also the toxicity of hazardous wastes. In addition, through the Resource Conservation Challenge (RCC), the Agency continues to implement programs which: foster source reduction and recycling in business, industry, and government; encourage local adoption of economic incentives that further source reduction and recycling; reduce hazardous wastes containing priority chemicals; promote waste-based industries that concurrently create jobs; foster cost-effective recycling programs in communities and Tribes; enhance markets for recycled materials by increasing procurement of recycled-

content products; encourage innovative practices that result in more cost-effective source reduction and recycling; implement the President's Climate Change Action Plan; and provide information to assess and track progress in reaching national goals. For more information, visit <http://www.epa.gov/ebtpages/wastes.html>. This program was included in the RCRA Base, Permitting, Grants PART review for 2006 which received an overall rating of adequate; more information is included in the Appendix Section.

### **FY 2006 Activities and Performance Highlights**

In FY 2006, EPA will concentrate efforts on recycling 33.4% of municipal solid waste (MSW) on its way to attaining the national goal of recycling 35% of MSW by 2008. To focus Agency resources more efficiently, EPA reviewed the various categories of materials comprising MSW to identify the largest-volume waste categories with the greatest opportunity for increased recycling. Based on the volumes of materials generated, EPA will concentrate efforts on three essential areas: (1) paper (over 35% of MSW); (2) organics (food and yard waste combine to over 23% of MSW); and (3) packaging and containers (depending on the categories selected for focus, over 10% of MSW). To achieve the national 35% recycling goal by 2008, EPA will establish partnerships with various stakeholders representing paper, organics, and packaging and container recycling interests. Furthermore, in FY 2006, EPA will continue to address the nation's growing electronics waste stream through partnerships with private and public entities such as EPA's "Plug-In To eCycling."

The United States has made significant progress in reducing priority chemical releases and their presence in waste. Reported releases have dropped by 53% from 147 million pounds in 1991, to 69 million pounds in 2001. EPA has set goals of reducing 31 priority list chemicals from hazardous waste by 10 percent by 2008 (from a 2001 baseline).

In FY 2006, through the National Waste Minimization Partnership for Environmental Priorities (NPEP, formerly called the National Waste Minimization Partnership Program) the Agency will continue to reduce hazardous wastes containing priority chemicals. EPA will continue the growth of the NPEP, building on the successes achieved by the thirty-eight existing partners. In addition to enrolling new partners, EPA will issue specific chemical challenges to participants. The first challenge to get underway is the "Mercury Roundup." EPA will issue a formal challenge and request to major industrial facilities urging mercury elimination. Partners will commit to do the following:

- Inventory mercury sources in their facilities and evaluate non-mercury alternatives
- Establish purchasing policies and educate staff
- Collect existing mercury for recycling.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

## **Statutory Authority**

Solid Waste Disposal Act; Section 8001 as amended; Resources Conservation and Recovery Act of 1976, as amended; Public Law 94-580, 42 U.S.C. 6901 et seq., Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act; Public Law 105-276; 112 Stat, 2461, 2499 (1988).

**Reduce Risks from Indoor Air**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
Objective(s): Healthier Indoor Air

Total Request for Appropriation EPM: \$23,496.4 (Dollars in Thousands)

**Reduce Risks from Indoor Air (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$22,200.8</b>	<b>\$25,244.5</b>	<b>\$23,496.4</b>	<b>(\$1,748.1)</b>
Science & Technology	\$755.4	\$906.1	\$831.8	(\$74.3)
Total Budget Authority / Obligations	\$22,956.2	\$26,150.6	\$24,328.2	(\$1,822.4)
Total Workyears*	75.3	80.6	69.2	-11.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\*Resources under the program/project were formerly captured under Indoor Air: Asthma, Indoor Air: Environmental Tobacco Smoke Program, and Indoor Air: Schools and Workplace Programs.

**Program Project Description**

In this non-regulatory program, EPA creates voluntary partnerships with non-governmental, government partners and professional organizations to educate and encourage individuals, schools, industry, the health care community, and others to take action to reduce health risks, especially asthma, in indoor environments. EPA also uses technology-transfer to improve the design, operation, and maintenance of buildings – including schools, homes, and workplaces – to promote healthier indoor air. EPA’s technical assistance directly supports state and local governments and public health organizations in designing local programs to promote smoke-free environments for children. EPA’s indoor-air website a resource providing instruction and assistance on a wide range of issues regarding indoor air quality.<sup>1</sup>

**FY 2006 Activities and Performance Highlights**

EPA will build on its national, multi-faceted asthma education and outreach program, in partnership with other Federal and non-profit agencies, to improve and expand the delivery of comprehensive asthma-care programs that emphasize management of environmental asthma triggers such as dust mites, mold, pet dander, cockroaches and pests, secondhand smoke, and nitrogen dioxide. To reach more people more effectively, EPA will foster the adoption of demonstrated best practices to achieve positive health outcomes. EPA will expand efforts to reach populations disproportionately impacted by asthma.

<sup>1</sup> [www.epa.gov/iaq](http://www.epa.gov/iaq), last updated 11/18/2004.

Through public awareness and media campaigns such as the Childhood Asthma “Goldfish” Campaign conducted in partnership with the Ad Council, EPA will continue to build public awareness and knowledge of comprehensive asthma care and the importance of environmental management to reduce exposure to indoor triggers. EPA will also join with the health-insurance industry to encourage reimbursement for asthma prevention through cost-beneficial management of its environmental triggers. In such public-health settings, EPA’s role as environmental steward reinforces families’ trust and acceptance of key risk-avoidance messages.

EPA will continue to build the success of its national Indoor Air Quality Tools for Schools (IAQ TfS) program and extend the program to more schools. EPA will continue to market the *Design Tools for Schools* (DTfS)<sup>2</sup> web-based guidance, assisting school districts to integrate indoor air quality and performance goals into the design, construction, and renovation of school buildings. EPA will also continue partnerships and activities that inform and motivate school officials, nurses, teachers, facility managers and planners, and parents to improve IAQ in schools. EPA will also expand its efforts to address children’s asthma in schools in league with cooperative partners.

EPA will promote the adoption of its current guidance, IAQ Building Education and Assessment Model (I-BEAM), by building owners and operators as well as specific audiences such as the energy efficiency, building insurance, and building financing communities. In addition, EPA will offer training that integrates indoor environmental quality into energy efficiency programs and integrate IAQ with green building practices.

#### **FY 2006 Change from FY 2005**

(-\$2,100 and -10.6 FTE) This reduces the voluntary Environmental Tobacco Smoke (ETS) program.

#### **Statutory Authority**

Clean Air Act Amendments of 1990 (CAA); Title IV of the Superfund Amendments and Re-authorization Act (SARA) of 1986.

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<sup>2</sup> [www.epa.gov/iaq/schooldesign](http://www.epa.gov/iaq/schooldesign) last updated 10/25/2004



**Regional Geographic Initiatives**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Communities; Ecosystems

Total Request for Appropriation EPM: \$8,862.0 (Dollars in Thousands)

**Regional Geographic Initiatives (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$9,902.0</i></b>	<b><i>\$8,799.5</i></b>	<b><i>\$8,862.0</i></b>	<b><i>\$62.5</i></b>
Total Budget Authority / Obligations	\$9,902.0	\$8,799.5	\$8,862.0	\$62.5
Total Workyears*	28.8	16.2	15.3	-0.9

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Multi-media Regional Geographic Initiative funds are available to EPA's Regions to support innovative, geographically-based projects. These funds support priority local and regional environmental projects that protect children's health, restore watersheds, provide for clean air, prevent pollution and foster environmental stewardship. RGI is one of EPA's premiere innovation resources -- spurring local projects that have often become national models (such as school bus diesel retrofits, watershed planning and development of agricultural pollution prevention performance standards for pest management). This initiative has been very cost-effective: every RGI dollar is matched by more than 10 non-EPA dollars from states, localities, non-profit organizations, and the private sector.

**FY 2006 Activities and Performance Highlights**

RGI provides modest funding to support 8-10 environmental and public health projects per Region. These initiatives encourage communities to invest in projects which will yield improved environmental results important to their communities. Among other projects, funding supports:

- Emission reduction demonstration projects for the West Coast Diesel Emission Reduction Collaborative: The Collaborative is a public-private partnership designed to reduce diesel emissions from the most polluting sources in the most affected communities along the West Coast. The Collaborative will apply market-based incentives, innovative technologies and collaborative approaches to reduce air pollution from diesel sources such as ships, railroads, trucks buses, and construction and agricultural equipment. The Collaborative builds upon the Clean Air Suite and will enhance the Regions' ability to meet 1-hour and 8-hour ozone and PM2.5 National Ambient Air Quality Standards.

- Healthy Communities Grant Program: EPA's Region 1 office in Boston, Massachusetts plans to support community based multi-media projects that build institutional and community capacity to reduce environmental risks, protect human health and improve the quality of life in urban areas. RGI funds will support targeted investment areas identified as high priority, including but not limited to sensitive populations, urban development & redevelopment, and community toxics.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Clean Water Act (CWA); Clean Air Act (CAA); Toxic Substances Control Act (TSCA); Comprehensive Environmental Response, Compensation, and Liabilities Act (CERCLA); Safe Drinking Water Act (SDWA); Pollution Prevention Act (PPA); Resource Conservation and Recovery Act (RCRA)

**Regional Science and Technology**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$3,642.8 (Dollars in Thousands)

**Regional Science and Technology (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,612.2</b>	<b>\$3,626.2</b>	<b>\$3,642.8</b>	<b>\$16.6</b>
Total Budget Authority / Obligations	\$2,612.2	\$3,626.2	\$3,642.8	\$16.6
Total Workyears*	0.0	3.0	3.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Regional Science and Technology (RS&T) program supports the purchase of equipment for use by regional laboratories, quality assurance, field investigation teams, and mobile laboratory units. Regional labs have expertise in areas of ambient air monitoring, analytical pollution prevention, environmental biology, environmental microbiology, and environmental chemistry. Centers of Applied Science for specialty work have been established in these areas as well. In recent years, EPA has made significant strides toward improving data collection and analytical capacity to strengthen science based decision making. Funding for necessary equipment is essential for continued progress.

RS&T activities support all of the Agency's national programs and goals, especially enforcement, laboratory analysis, field sampling support, and building tribal capacity for environmental monitoring and assessment. The RS&T program provides in-house expertise and technical capabilities in the generation of data for Agency decisions, not only in the normal course of activities. RS&T organizations support the development of critical and timely environmental data and data review activities in emerging situations.

**FY 2006 Activities and Performance Highlights**

The laboratory equipment will support Regional implementation of the Agency's statutory mandates through: *field operations* for environmental sampling and monitoring; *regional*

*laboratories* for environmental analytical testing; *quality assurance* oversight and data management support; and, *laboratory accreditation*.

The Agency will stay abreast of rapidly changing technologies (i.e., new software and instrumentation) that allow EPA to analyze samples more cost effectively and/or detect lower levels of contaminants, or new and emerging contaminants of concern, like endocrine disrupters, perchlorate, arsenic, MTBE, and mercury. In accordance with new policy directives, including those related to Homeland Security, the Agency will enhance laboratory capacity and capability to ensure that the Agency's laboratories implement critical environmental monitoring and surveillance systems, develop nationwide laboratory networks, and develop enhanced response, recovery and clean-up procedures.

The Agency recognizes the value of accredited labs and EPA continues to work towards all EPA labs being accredited. The National Environmental Laboratory Accreditation Conference/Program ensures continued confidence that our states, local, federal, private and academic environmental testing laboratories are qualified to produce data supporting environmental compliance at all levels within the environmental regulatory community.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Clean Water Act; Clean Air Act; Toxic Substances Control Act; Comprehensive Environmental Response, Compensation, and Liabilities Act; Safe Drinking Water Act; Pollution Prevention Act; Resource Conservation and Recovery Act; Federal Insecticide, Fungicide, and Rodenticide Act

**Regulatory Innovation**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
Objective(s): Communities

Goal: Compliance and Environmental Stewardship  
Objective(s): Improve Environmental Performance through Pollution Prevention and Innovation

Total Request for Appropriation EPM: \$25,021.2 (Dollars in Thousands)

**Regulatory Innovation (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations**</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$19,738.3</b>	<b>\$24,392.2</b>	<b>\$25,021.2</b>	<b>\$629.0</b>
Total Budget Authority / Obligations	\$19,738.3	\$24,392.2	\$25,021.2	\$629.0
Total Workyears*	120.5	120.5	120.7	0.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

\*\*In FY 2004, the Regulatory/Economic Management Analysis program was restructured to more accurately reflect the Agency's activities that are funded by these resources and to include resources in Regulatory Innovation.

**Program Project Description**

A more performance-based system of environmental protection is needed to encourage beyond compliance business operations and stewardship. With resources in this program, EPA will continue to promote new ways to achieve better environmental results. Working with EPA programs and with states, businesses, and communities, EPA seeks to bring about the next generation of environmental protection, one that focuses more on results than process. EPA seeks to create: a performance-oriented regulatory system that allows flexible strategies to achieve measurable results; environmental stewardship in all parts of society that support sustainable development and pollution prevention; and a culture of creative environmental problem solving that has a high capacity for collaborative, results-driven work and the organizational systems to support it. EPA activities can be categorized across six areas:

- Promote innovative leadership through new ideas, creative partnerships, and sound analysis;
- Encourage environmental stewardship in businesses;
- Promote stronger facility-level environmental management, including Environmental Management Systems (EMSs);
- Improve environmental performance of selected business sectors;
- Improve program efficiency through increased evaluation and measurement; and
- Build stronger communities.

## **FY 2006 Activities and Performance Highlights**

Promote innovative leadership: In FY 2006, EPA anticipates up to 20 State Innovation Grant (SIG) awards for proposals that apply innovation to State environmental permitting programs. These projects are vital to the implementation of the National Environmental Performance Track ("Performance Track") program. Other projects include development of industry and community EMSs and expansion of the Environmental Results Program (ERP) model for use by more small business sectors. EPA will also provide training, information and evaluation tools to public involvement practitioners agency-wide.

Encourage environmental stewardship in businesses: Performance Track recognizes and rewards private and public facilities that demonstrate strong environmental performance beyond current requirements. To accomplish this EPA will implement and develop new regulatory incentives at the state level. It will support and leverage state environmental leadership programs by aligning Performance Track with at least 20 state programs and double the measurable environmental improvements achieved to date. Performance Track will also reduce costs to members by 10% while improving their ability to achieve results. In FY 2006 Performance Track will announce the second round of Corporate Leaders in Performance Track. Performance Track will collectively achieve an annual reduction of: 900 million gallons in water use; 7 Million MMBTUs in energy use; 20,000 tons in materials use; 300,000 tons of solid waste; 35,000 tons of air releases; and 10,000 tons in water discharges.

In addition to EPA's work with industry under the Performance Track program, the Agency will provide tools to EPA managers of voluntary programs to improve their ability to deliver effective results. EPA will also work with industry leaders in "lean manufacturing" to ascertain how environmental improvements can enhance business efficiency and competitiveness. Finally, EPA will encourage the development of industry ecology and sustainable development through the creation of U.S. material flow accounts and life cycle inventory techniques.

Promote stronger facility-level environmental management, including Environmental Management Systems (EMS): An EMS is a continual cycle of planning, implementing, reviewing and improving the processes and actions that an organization undertakes to meet its business and environmental goals. Most EMSs are built on the "Plan, Do, Check, Act" model. This model leads to continual improvement. EPA will continue to provide leadership and coordination with states and industry on the use of EMSs to protect the environment. In FY 2006 EPA will support states in experimenting and evaluating innovative permitting models that use EMSs.

Improve the environmental performance of selected business sectors: The Environmental Results Program which is based on a system created by the Massachusetts Department of Environmental Protection, uses an innovative system that integrates compliance assistance, self-certification and performance measurement to give small business owners/operators better knowledge and understanding of their regulatory requirements. EPA is working with the Massachusetts Department of Environmental Protection to transfer this approach to other states and to other environmental applications.

The Sector Strategies Program promotes widespread improvement in environmental performance, with reduced administrative burden, in 12 business sectors: agribusiness, cement

manufacturing, construction, forest products, iron and steel manufacturing, paint and coatings, ports, shipbuilding, metal finishing, die casting and meat processing. Participating sectors are represented by their national associations. In FY 2006 EPA will design major regulatory policy initiatives to establish more flexible, performance-based environmental protection standards for multiple sectors in all media. EPA will also create national EMS implementation programs in all participating sectors, while providing program tools and models to help other sectors expand EMS use. EPA will demonstrate measurable improvements in sector-wide environmental performance and use sector partnerships to help address the Administrator's priority environmental problems. For more information, visit [www.epa.gov/sectors](http://www.epa.gov/sectors).

Improve program efficiency through increased evaluation and measurement: EPA will promote rigorous measurement of environmental performance in collaborative projects with States and industry. In FY 2006 EPA will continue to evaluate selected innovative projects to document environmental benefits and provide guidance to other States seeking to build on these innovations. EPA will provide training for EPA staff, States, and Tribes and conduct program evaluation studies focused on meeting GPRA goals, OMB's Program Assessment Rating Tool (PART), and related to specific innovations in permitting, state grants projects, and other approaches.

**Building Stronger Communities:** The Smart Growth program achieves measurably improved environmental and economic outcomes by working with states, communities, industry leaders, and nonprofit organizations to minimize the environmental impacts of development. EPA provides tools, technical assistance, education, research, and environmental data to help states and communities grow in ways that minimize environmental and health impacts and evaluate environmental consequences of various development patterns. Its programs show community and government leaders how they can meet environmental standards through innovative community design and identify and research new policy initiatives to improve environmental quality by supporting environmentally friendly development patterns. EPA engages the architecture, transportation, construction, residential and commercial real estate, and mortgage lending industries to identify and remove barriers to growth that serves the economy, public health, and the environment.

In FY 2006, EPA plans to build upon its work in outreach and direct implementation assistance. EPA will continue to bring to communities the work it has done at the national level, and it will use its local, on the ground work to inform EPA's national research and policy agenda. EPA has identified four areas as offering the greatest potential for strategic environmental returns: 1) State and Local Governments; 2) Standard-Setting Organizations; 3) Federal Government; and 4) Private Sector

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

As provided in Appropriations Act funding; Clean Water Act, Section 104(b)(3); Clean Air Act, Section 104(b)(3)

## **Regulatory/Economic-Management and Analysis**

Environmental Protection Agency

FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$16,713.3 (Dollars in Thousands)

### **Regulatory/Economic-Management and Analysis (EPM)** (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$15,534.1</i></b>	<b><i>\$16,151.8</i></b>	<b><i>\$16,713.3</i></b>	<b><i>\$561.5</i></b>
Total Budget Authority / Obligations	\$15,534.1	\$16,151.8	\$16,713.3	\$561.5
Total Workyears*	106.8	106.9	103.2	-3.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

### **Program Project Description**

This program is designed to strengthen EPA's policy analysis of key regulatory and non-regulatory actions, improve the economic analysis underlying Agency actions, improve the regulatory and policy action information management system, and ensure that the Administrator and other senior decision makers have sound analysis to make decisions. Resources are used to assist in developing and analyzing innovative and non-regulatory approaches, developing and evaluating policy options, identifying priority problem areas, and targeting specific areas of concern such as small businesses. EPA will expand efforts to improve its economic analysis capacity. This will include reviewing the Regulatory Impact Analyses (RIA) for all economically significant rules, including ensuring that RIAs comply with OMB guidelines. The Regulatory and Economic program works to fill gaps in EPA's ability to quantify the benefits of environmental regulations and policies, including benefits such as valuing health effects (e.g., children, elderly) and ecosystem benefits. Another emphasis is to improve the Agency's internal regulation development tracking system so the Agency will have better managerial accountability. Educational efforts within the programs and in the Regional offices help to ensure Agency personnel understand the impacts of Executive Orders and Congressional mandates on the regulatory and policy development process.

### **FY 2006 Activities and Performance Highlights**

- Support the linking of the natural sciences and social sciences so as to improve risk assessments and benefit-cost analyses. Support efforts to develop Agency-wide



consensus on difficult and controversial policy and risk assessment issues and help ensure that this consensus is incorporated into appropriate Agency guidance.

- EPA will develop priority regulations, policies, and guidance The emphasis will be on advising programs on policy, economic and risk analysis; supporting peer review policies; facilitating data and information quality goals and principles issued by OMB and the Agency; fostering consistency in analysis and decision-making across the agency, serving as a liaison to OMB on regulatory and policy issues; and facilitating consideration of the economic impact of regulations on small businesses by helping implement the Regulatory Flexibility Act.

In FY 2006, the Regulatory Management Program will:

- Provide leadership in environmental decision making as a champion of high quality and timely policy, economic, scientific and legal analysis in decision making. Participate in the development of priority actions and review economic and risk analyses conducted across EPA offices. Revised Economic Analysis Guidelines will complete the anticipated external peer review process conducted by the Science Advisory Board, and dissemination and training on the Guidelines will commence upon its release. The Pollution Abatement Costs and Expenditures Survey (PACE) will be administered and completed so that data collected can be published in early 2007;
- Conduct and support research on methods to integrate ecological and economic models, This project demonstrates approaches to adopt benefits analysis techniques for non-cancer endpoints and nonlinear carcinogens, and extends these concepts further into the assessment of ecological risks used in economic benefits analyses;
- Organize workshops on priority economic issues like benefits valuation, market mechanisms and incentives, and information-based programs;
- Provide training on the Agency's action development process and the Agency's Economic Analysis Guidelines and related requirements (e.g., OMB Circular A-4) to improve the skills of staff working on the Agency's regulatory programs to address uncertainties in economic analysis;
- Prepare and disseminate the Agency's newest risk assessment guidelines, providing critical reviews of forthcoming materials on cancer and non-cancer risks;
- For more information: <http://yosemite.epa.gov/ee/epa/eed.nsf/webpages/Guidelines.html>;  
<http://es.epa.gov/ncer/science/economics/>;  
<http://yosemite.epa.gov/ee/epa/eed.nsf/Webpages/WorkshopSeries.html>.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

TSCA sections 4, 5, and 6 (15 U.S.C. 2603, 2604, and 2605); CWA sections 304 and 308 (33 U.S.C. 1312, 1314, 1318, 1329-1330, 1443); SDWA section 1412 (42 U.S.C. 210, 300g-1) RCRA/HSWA: (33 USC 40(IV)(2761), 42 USC 82(VIII)(6981-6983)); CAA: 42 USC 85(I)(A)(7403, 7412, 7429, 7545, 7612); CERCLA: 42 USC 103(III)(9651); PPA (42 U.S.C. 13101-13109); Federal Technology Transfer Act

**Science Advisory Board**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$4,881.0 (Dollars in Thousands)

**Science Advisory Board (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,820.3</b>	<b>\$4,757.1</b>	<b>\$4,881.0</b>	<b>\$123.9</b>
Total Budget Authority / Obligations	\$4,820.3	\$4,757.1	\$4,881.0	\$123.9
Total Workyears*	25.8	22.4	22.3	-0.1

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Science Advisory Board (SAB) uses non-EPA technical experts to ensure a balanced range of technical views from academia, communities, states, independent research institutions, and industry in peer reviewing EPA's products and technical issues. Others duties include administering three statutorily mandated chartered Federal Advisory Committees: 1) Science Advisory Board (SAB), 2) Clean Air Scientific Advisory Committee (CASAC), and 3) Council on Clean Air Compliance Analysis (COUNCIL). These committees are charged with providing independent advice and peer review to EPA's Administrator on scientific and technical aspects of environmental problems, regulations and research planning.

**FY 2006 Activities and Performance Highlights**

In FY 2006, the SAB will provide scientific and technical advice on about 20 key topical areas related to: 1) the technical bases of EPA national standards for air pollutants and water contaminants; 2) risk assessments of major environmental contaminants; 3) economic benefits analyses of EPA's environmental programs; 4) EPA's research strategies and science plans. The SAB Staff Office will also initiate a program evaluation study, i.e. Program Assessment Rating Tool (PART).

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (+\$123.9) Increase in budget request reflects the increased cost of advisory activities.

## **Statutory Authority**

Environmental Research, Development, and Demonstration Authorization Act, 42 U.S.C. § 4365; Federal Advisory Committee Act, 5 U.S.C. App. C; Clean Air Act Amendments of 1977, see 42 U.S.C. 7409(d)(2); Clean Air Act Amendments of 1990, see 42 U.S.C. 7612

**Science Policy and Biotechnology**  
Environmental Protection Agency  
FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical, Organism, and Pesticide Risks; Enhance Science and Research

Total Request for Appropriation EPM: \$1,751.1 (Dollars in Thousands)

**Science Policy and Biotechnology (EPM)**  
(Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,668.5</i></b>	<b><i>\$1,707.2</i></b>	<b><i>\$1,751.1</i></b>	<b><i>\$43.9</i></b>
Total Budget Authority / Obligations	\$1,668.5	\$1,707.2	\$1,751.1	\$43.9
Total Workyears*	9.1	6.3	6.3	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Agency will continue providing scientific and policy expertise and coordinating EPA interagency and international efforts as well as facilitating the sharing of information related to core science policy issues concerning pesticides and toxic chemicals. Biotechnology is illustrative of the work encompassed by this program. Many different offices within EPA regularly deal with biotechnology issues, and the coordination among affected offices allows for coherent and consistent scientific policy from a broad Agency perspective. The Biotechnology team will respond to requests for scientific input or advice on policy developments within the government, facilitate interagency coordination on biotechnology issues, and serve as a liaison from EPA to other executive branch agencies. Internationally, EPA will continue participating in a variety of activities related to biotechnology and is fully committed to and engaged in international dialogues. The Biotechnology team will continue helping to formulate EPA and United States positions on biotechnology issues including representation on United States delegations to international meetings when needed. Such international activity is coordinated with the Department of State.

The Scientific Advisory Panel (SAP), operating under the rules and regulations of the Federal Advisory Committee Act, will continue to serve as the primary external independent scientific peer review mechanism for EPA's pesticide programs.

**FY 2006 Activities and Performance Highlights**

EPA estimates that the SAP will be asked to complete at least 14 reviews in FY 2006. The specific topics to be placed on the FIFRA SAP agenda are typically confirmed a few months in advance of each session and typically include difficult, new or controversial scientific issues

identified in the course of EPA's pesticide program activities. In FY 2006 it is reasonable to anticipate that topics will likely include issues related to biotechnology, chemical-specific risk assessments, novel exposure and hazard models, and cumulative risk assessment models.

EPA will continue to play a lead role in evaluating the scientific and technical issues associated with plant-incorporated protectants based on plant viral coat proteins. In 2004, EPA convened a SAP meeting to evaluate potential risks and possible mitigation measures associated with these products. In FY 2006, after further analysis and consideration of the report, rule-making may be required to be required to resolve the regulatory status of such products at the Agency.

EPA will also, in conjunction with an interagency workgroup, continue to maintain and further develop the U.S. Regulatory Agencies Unified Biotechnology Website. The site focuses on the laws and regulations governing agricultural products of modern biotechnology and includes a searchable database of genetically engineered crop plants that have completed review for use in the United States.<sup>31</sup>

In addition, a number of international activities will continue to be supported by EPA, including representation on the Organization for Economic Cooperation and Development's Working Group on the Harmonization of Regulatory Oversight in Biotechnology and Task Force on the Safety of Food and Feed.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

#### **Statutory Authority**

Federal Fungicide, Insecticide & Rodenticide Act (FIFRA); Federal Food, Drug & Cosmetic Act (FFDCA); Food Quality Protection Act (FQPA) of 1996; Toxic Substances Control Act (TSCA).

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<sup>31</sup> <http://usbiotechreg.nbio.gov/>

**Small Business Ombudsman**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Innovation

Total Request for Appropriation EPM: \$3,910.6 (Dollars in Thousands)

**Small Business Ombudsman (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,657.1</i></b>	<b><i>\$3,838.7</i></b>	<b><i>\$3,910.6</i></b>	<b><i>\$71.9</i></b>
Total Budget Authority / Obligations	\$1,657.1	\$3,838.7	\$3,910.6	\$71.9
Total Workyears*	7.2	13.0	13.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The Small Business Ombudsman (SBO) serves as EPA’s gateway and leading advocate for small business issues, partnering with Small Business Assistance Programs (SBAPs) in each state and hundreds of small business trade associations to reach out to the small business community. These partnerships provide the information and perspective EPA needs to help small businesses achieve their environmental goals. The SBO outreach and communication services help small businesses learn about new EPA actions and developments and helps EPA to hear and learn about the concerns of small businesses. This is a comprehensive program that provides networks, resources, tools, and forums for education and advocacy on behalf of small businesses.

**FY 2006 Activities and Performance Highlights**

SBO participates in the regulatory development process and program and regional office small business related meetings, operates the Small Business Ombudsman Hotline, and supports internal and external small business activities. SBO provides a service to Agency program and regional offices, and other agencies by disseminating their information, and providing tools and information that SBAPs need to assist small businesses. SBO supports partnerships with and provides training to state SBAPs in order to reach an ever-increasing number of small businesses to assist them with updated and new approaches for improving their environmental performance. SBO provides technical assistance (e.g., tools, workshops, conferences and training forums) designed to help small businesses become better environmental performers and help our partners provide the assistance they need. In FY 2006, SBO will:

- Promote EPA’s Small Business Strategy and coordinate the Agency’s Strategy Implementation Plan activities to bring unity and improved effectiveness to Agency-wide efforts to assist small businesses in improving their environmental performance;
- Strengthen and support partnerships with state SBAPs and trade associations because they have the ability to directly impact improved environmental performance for small businesses;
- Develop practical tools, resources, and training that assist state SBAPs to provide broader assistance to small businesses through environmental management and multi-media approaches;
- Lead Agency efforts to promote a “model multi-media program” for states that can be presented to the National Governors’ Association;
- Work with the Office of Air and Radiation and representatives from the state SBAPs to involve small businesses in the development of the proposed 55 Area Source MACT rules;
- Plan and convene the second National Summit on Small Business;
- Serve as the Agency’s Point of Contact for the Small Business Paperwork Relief Act (SBPRA), working with an established Agency-wide workgroup to address the requirement to “make efforts to further reduce the information collection burden for small business concerns with fewer than 25 employees;”
- Implement EPA’s Small Business Awards Program to recognize state SBAPs, small businesses, and trade associations that have directly impacted the improved environmental performance of small businesses.

**FY 2006 Change from FY 2005 President’s Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Clean Air Act Amendments of 1990, section 507

**Small Minority Business Assistance**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Total Request for Appropriation EPM: \$2,347.8 (Dollars in Thousands)

**Small Minority Business Assistance (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,977.8</b>	<b>\$2,282.0</b>	<b>\$2,347.8</b>	<b>\$65.8</b>
Total Budget Authority / Obligations	\$2,977.8	\$2,282.0	\$2,347.8	\$65.8
Total Workyears*	14.7	11.9	11.8	-0.1

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program provides technical assistance to Headquarters and Regional employees to ensure that small, minority, and women-owned businesses receive a fair share of EPA's procurement dollars. This enhances the ability of small, minority, and women-owned businesses to participate in the protection of public health and the environment. The functions assigned to this area involve ultimate accountability for evaluating and monitoring contracts, grants and cooperative agreements entered into on behalf of offices at EPA's headquarters and regional offices to ensure they further the Federal laws and regulations regarding utilization of small and disadvantaged business in direct procurement acquisitions and indirect procurement assistance.

**FY 2006 Activities and Performance Highlights**

Small and minority business procurement experts will provide assistance to Headquarters and Regional program office personnel, as well as small business owners, to ensure that small, minority, women-owned, Historically Underutilized Business Zone, and Service Disabled Veteran-Owned small businesses receive a fair share of EPA's procurement dollars. This fair share may be received either directly or indirectly through contracts, grants, cooperative agreements, or interagency agreements. EPA has a number of national goals that it negotiates with the Small Business Administration (SBA) every two years. EPA's goals for FY 2004/2005 were based on estimated contract obligations of \$1.2 billion for prime contracts and \$200 million for subcontracts. (See chart.) EPA's goals for FY 2006/2007 will be negotiated with the SBA during the summer of 2005.



***EPA's Current Direct Procurement Goals***

<b>Estimated Obligations</b>	<b>FY2004/2005 Goals</b>	
<b>DIRECT</b>	<b>\$ Value</b>	<b>Goal</b>
Small Businesses	\$324 M	27.0%
8(a) Businesses	\$75M	6.3%
Non 8(a) Small Disadvantaged Businesses	\$36M	3.0%
Women-Owned Small Businesses	\$60M	5.0%
HUBZone Businesses	\$36M	3.0%
Service Disabled Veteran-Owned Small Businesses	\$36M	3.0%
<b>SUBCONTRACT</b>	<b>\$ Value</b>	<b>Goal</b>
Small Businesses	\$100M	50.0%
Small Disadvantaged Businesses	\$40M	20.0%
Women-Owned Small Businesses	\$15M	7.5%
HUBZone Businesses	\$6M	3.0%
Service Disabled Veteran-Owned Small Businesses	\$6M	3.0%

Contract bundling reviews of an increased number of Agency contracts will emphasize ways to 1) eliminate unnecessary contract bundling, and 2) mitigate the effects of bundling on America's small business community. In FY 2006, special emphasis will be placed on working with service-disabled veteran-owned small businesses, as mandated by the White House's October 21, 2004 Executive Order, which requires increased federal contracting opportunities for this group of entrepreneurs. Outreach and in-reach efforts will help EPA meet its 3 percent procurement goal for service-disabled veteran-owned small businesses that was established by the new Executive Order and SBA Regulation ( F.R. Vol. 69, No. 87, May 5, 2004), its 5 percent goal for women-owned small businesses, and 3 percent goal for HUBZones.

Under its Indirect Procurement Program, EPA has a statutory goal of 10 percent utilization of Minority Business Enterprises/Women-Owned Business Enterprises for research conducted under the Clean Air Act Amendments of 1990, as well as a statutory 8 percent goal for all other programs. The Small Minority Business Assistance program encourages the Agency to meet these direct and indirect procurement goals. These efforts will enhance the ability of America's small and disadvantaged businesses to help the Agency protect human health and the environment and, at the same time, create more jobs. As a result of the Supreme Court's decision in *Adarand v. Pena*, 115 S. Ct. 2097 (1995), EPA will finalize a rule for the participation of Disadvantaged Business Enterprises in procurements funded through EPA's assistance agreements in the latter part of 2005. In 2006, the Agency will begin implementing the certification requirements of the final rule.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Small Business Act, sections 8 and 15, as amended; Executive Orders 12073, 12432, and 12138;  
P.L. 106-50

**State and Local Prevention and Preparedness**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$12,327.9 (Dollars in Thousands)

**State and Local Prevention and Preparedness (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,690.0</i></b>	<b><i>\$12,134.8</i></b>	<b><i>\$12,327.9</i></b>	<b><i>\$193.1</i></b>
Total Budget Authority / Obligations	\$11,690.0	\$12,134.8	\$12,327.9	\$193.1
Total Workyears*	54.7	60.2	57.9	-2.3

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA has a responsibility for protecting the public and the environment from the harm associated with catastrophic releases of hazardous substances that occur at chemical handling facilities. Per section 112(r) of the Clean Air Act (CAA), EPA regulations require that facilities handling more than a threshold quantity of certain extremely hazardous substances must implement a risk management program and submit to EPA a Risk Management Plan (RMP). The RMP must also be sent to the state, local planning entity, the Chemical Safety and Hazard Investigation Board, and be made available to the public. The RMP describes key elements of the hazards of the chemicals used by the facility, the potential consequences of worst case and other accidental release scenarios, a five-year accident history, the chemical accident prevention program in place at the site, and the emergency response program used by the site to minimize the impacts on the public or environment should a chemical release occur. Facilities are required to update their first RMP at least every five years, sooner if certain changes are made at the facility.

The Agency works with state and local partners to help them implement their own risk management program through technical assistance grants, technical support, outreach and training. EPA also works with communities to provide chemical risk information on local facilities, as well as assist them in understanding how the chemical risks may affect their citizens. With this information, communities are in a better position to reduce and mitigate releases that may occur.

RMP data has become a valuable source to homeland security analysts for the identification of potential hazards in the chemical sector. EPA assists other Federal agencies by providing updated copies of the RMP database for their vulnerability analyses and responds to interagency inquiries. In addition, EPA provides states and local government entities information and

analysis from the RMP database that may be helpful for homeland security planning related to chemical accidents.

### **FY 2006 Activities and Highlights**

The Agency will continue its efforts to help state and local partners implement the Risk Management program. EPA will continue to refine RMP database analyses, make the data more easily available to appropriate government agencies and improve data utility for security and emergency prevention, preparedness, and response efforts. EPA will also use information generated by the RMP with other Right-to-Know data to develop voluntary initiatives and activities aimed at risk reduction in high-risk facilities, priority industry sectors, and/or specific geographic areas.

The Clean Air Act requires EPA to establish a system to audit RMPs. In an effort to help agencies, states, and prospective third party auditors acquire or improve skills required to conduct audits, EPA has developed and implemented an RMP audit curriculum. This training will be offered extensively throughout the country in FY 2006. The audit system is used to continuously improve the quality of risk management programs as well as check compliance with the requirements. In FY 2006, the EPA and other implementing agencies will perform their audit obligations through a combination of desk audits of RMP plans and on-site facility inspections. A total of 400 audits will be conducted during this period. Additionally in FY 2006, EPA will conduct extensive quality assurance oversight of data collection and reporting procedures in order to ensure that RMP data continues to be accurate and reliable.

In FY 2005 and FY 2006, EPA will transition the RMP submission system to allow complete Internet-based plan submission. Transitioning the system to full internet-based submission capability will reduce facility burden, reduce data processing errors, and result in more timely updates of EPA's RMP\*Info database.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

### **Statutory Authority**

Emergency Planning and Community Right-to-Know Act; Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986; Section 112r, Accidental Release Provisions of the Clean Air Act Amendments of 1990; Chemical Safety Information, Site Security and Fuels Regulatory Relief Act.

**Stratospheric Ozone: Domestic Programs**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Protect the Ozone Layer

Total Request for Appropriation EPM: \$3,969.0 (Dollars in Thousands)

**Stratospheric Ozone: Domestic Programs (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$5,884.2</b>	<b>\$5,839.6</b>	<b>\$3,969.0</b>	<b>(\$1,870.6)</b>
Total Budget Authority / Obligations	\$5,884.2	\$5,839.6	\$3,969.0	(\$1,870.6)
Total Workyears*	28.6	28.2	27.2	-1.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program will protect the earth’s stratospheric ozone layer through the domestic phase-out of ozone depleting substances (ODSs).

The stratospheric ozone layer protects life on earth by preventing harmful UV radiation from reaching the earth’s surface. Scientific evidence amassed over the past 25 years has shown that ODSs used around the world are destroying the stratospheric ozone layer.<sup>1</sup> Increased levels of UV radiation due to ozone depletion may increase incidence of skin cancer, cataracts, and other illnesses.<sup>2</sup>

EPA estimates that, in the United States alone, the worldwide phaseout of ODSs will avoid 299 million cases of fatal and non-fatal skin cancers and 27.5 million cases of cataracts between 1990 and 2165.<sup>3</sup> This estimate is based on the assumption that international ODS phaseout targets will be achieved, allowing the ozone layer to begin recovery by the middle of this century.

EPA’s Domestic Stratospheric Ozone Protection Program will implement the provisions of the Clean Air Act Amendments of 1990 (the Act) which will lead to the reduction and control of ODSs in the U.S. and lower health risks to the American public due to exposure to UV radiation. The Act provides for a phaseout of production and consumption of ODSs and requires controls on various products containing ODSs.

<sup>1</sup> World Meteorological Organization (WMO). “Scientific Assessment of Ozone Depletion: 2002.” WMO: Geneva, Switzerland. February 2003.

<sup>2</sup> World Health Organization. “Solar Radiation and Human Health: Fact Sheet No. 227.” August 1999. Accessed December 30, 2003. Available on the Internet at: [www.who.int/inf-fs/en/fact227.html](http://www.who.int/inf-fs/en/fact227.html).

<sup>3</sup> U.S. Environmental Protection Agency (EPA). The Benefits and Costs of the Clean Air Act 1990-2010: EPA Report to Congress. EPA: Washington, DC. November 1999.

## **FY 2006 Activities and Performance Highlights**

EPA will implement the domestic rulemaking agenda for reduction and control of ODSs and will provide compliance assistance and enforce rules controlling their production, import, and emission. EPA's ozone protection program will combine market-based regulatory approaches with sector-specific technology guidelines, and will facilitate the development and commercialization of alternatives to ODSs.

Pollution prevention is an important element in achieving the ozone protection objective. The National Emission Reduction Program will require recovery and recycling or reclamation of ODSs, primarily in the air-conditioning and refrigeration sectors. Also, under the Significant New Alternatives Policy (SNAP), EPA will review newly developed alternatives to ODSs and, if necessary, will restrict use of alternatives for a given application that are more harmful to human health and the environment on an overall basis.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$2,000) This reduction to the non-payroll resources in the Stratospheric Ozone: Domestic Program reflects efficiency gains, better coordination with regulated community, and completion of methyl bromide rule.
- There are increases for payroll and cost of living for existing FTE.

### **Statutory Authority**

Clean Air Act Amendments of 1990 (CAA), Title I, Parts A and D (42U.S.C. 7401-7434, 7501-7515), Title V (42 U.S.C. 7661-7661f), and Title VI (42 U.S.C. 7671-7671q); The Montreal Protocol on Substances that Deplete the Ozone Layer

**Stratospheric Ozone: Multilateral Fund**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean Air and Global Climate Change  
 Objective(s): Protect the Ozone Layer

Total Request for Appropriation EPM: \$13,500.0 (Dollars in Thousands)

**Stratospheric Ozone: Multilateral Fund (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,863.6</i></b>	<b><i>\$13,500.0</i></b>	<b><i>\$13,500.0</i></b>	<b><i>\$0.0</i></b>
Total Budget Authority / Obligations	\$10,863.6	\$13,500.0	\$13,500.0	\$0.0
Total Workyears*	-1.0	0.0	0.0	0.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program will protect the earth's stratospheric ozone layer through the international phaseout of ozone-depleting substances (ODSs).

The stratospheric ozone layer protects life on earth by preventing harmful UV radiation from reaching the earth's surface. Scientific evidence amassed over the past 25 years has shown that ODSs used around the world are destroying the stratospheric ozone layer.<sup>1</sup> Increased levels of UV radiation due to ozone depletion may increase incidence of health effects such as skin cancer, cataracts, and other illnesses.<sup>2</sup> Skin cancer is the most common type of cancer and accounts for more than 50 percent of all cancers in adults.<sup>3</sup> Increased UV levels have also been associated with other human and non-human risks, including immune suppression and effects on aquatic ecosystems and agricultural crops.

EPA estimates that, in the United States alone, the worldwide phaseout of ODSs will avoid 299 million cases of fatal and non-fatal skin cancers and 27.5 million cases of cataracts between 1990 and 2165.<sup>4</sup> This estimate is based on the assumption that international ODS phaseout targets will be achieved, allowing the ozone layer to begin recovery by the middle of this century.

<sup>1</sup> World Meteorological Organization (WMO). "Scientific Assessment of Ozone Depletion: 2002." WMO: Geneva, Switzerland. February 2003.

<sup>2</sup> World Health Organization. "Solar Radiation and Human Health: Fact Sheet No. 227." August 1999. Accessed December 30, 2003. Available on the Internet at: [www.who.int/inf-fs/en/fact227.html](http://www.who.int/inf-fs/en/fact227.html).

<sup>3</sup> American Cancer Society. "What are the Key Statistics for Melanoma?" Accessed December 30, 2003. Available on the Internet at: [www.cancer.org/docroot/CRI/CRI\\_0.asp](http://www.cancer.org/docroot/CRI/CRI_0.asp).

<sup>4</sup> U.S. Environmental Protection Agency (EPA). The Benefits and Costs of the Clean Air Act 1990-2010: EPA Report to Congress. EPA: Washington, DC. November 1999.

Under the Montreal Protocol on Substances that Deplete the Ozone Layer, the U.S. and other developed countries contribute to the Multilateral Fund to support projects and activities that eliminate the production and use of Ozone Depleting Substances (ODSs) in developing countries. Currently, the United States and 187 other countries are parties to the Montreal Protocol. The United States has repeatedly affirmed its commitment to this international treaty and to demonstrating world leadership by phasing out domestic production of ODSs, as well as helping other countries find suitable alternatives. The Protocol makes developing country compliance contingent on support from the Multilateral Fund, and continued support for the Fund is critical if we are to ensure restoration and protection of the ozone layer.

In addition, the fund has reached long-term agreements to dismantle all developing country CFC and halon production capacity. Final closure of facilities depends on continued annual funding for these agreements.

### **FY 2006 Activities and Performance Highlights**

EPA's contributions to the Multilateral Fund in FY 2006 will help the Fund support cost-effective projects designed to build capacity and eliminate ODS production and consumption in over 60 developing countries.

The fund has supported over 4,480 activities in 134 countries that, when fully implemented, will prevent annual emissions of more than 174,000 metric tons of ODSs. Over 60% of project activities have been implemented to date, and the remaining work is expected to be fully implemented by 2009.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- No changes from FY 2005 to FY 2006

### **Statutory Authority**

Clean Air Act Amendments of 1990 (CAA), Title I, Parts A and D (42U.S.C. 7401-7434, 7501-7515), Title V (42 U.S.C. 7661-7661f), and Title VI (42 U.S.C. 7671-7671q); The Montreal Protocol on Substances that Deplete the Ozone Layer.



**Surface Water Protection**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Clean and Safe Water

Objective(s): Protect Water Quality; Enhance Science and Research

Total Request for Appropriation EPM: \$194,801.5 (Dollars in Thousands)

**Surface Water Protection (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$177,600.2</i></b>	<b><i>\$191,796.6</i></b>	<b><i>\$194,801.5</i></b>	<b><i>\$3,004.9</i></b>
Total Budget Authority / Obligations	\$177,600.2	\$191,796.6	\$194,801.5	\$3,004.9
Total Workyears*	1,112.6	1,146.1	1,115.4	-30.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The EPA Surface Water Protection Program, under the Clean Water Act, directly supports efforts to restore and improve the quality of rivers, lakes, and streams. EPA works with States to make continued progress toward the clean water goals identified in the Strategic Plan by: implementing core clean water programs, including innovations that apply programs on a watershed basis, and accelerating efforts to improve water quality on a watershed basis.

EPA focuses its work with States, interstate agencies, Tribes and others in key areas, including: water quality criteria and standards, effluent guidelines, cooling water intake regulations, analytical methods, water quality assessment and monitoring, national water quality data systems, watershed management planning, total maximum daily loads (TMDLs), National Pollutant Discharge Elimination System (NPDES), nonpoint pollutant sources, and effectively managing infrastructure assistance programs. EPA IS also responsible for producing the Clean Water needs survey, management and oversight of the Clean Water State Revolving Fund (CWSRF).

**FY 2006 Activities and Performance Highlights**

Water Quality Standards provide the regulatory and scientific foundation for water quality protection programs under the Clean Water Act (CWA). They are used to define what waters are clean and what waters are impaired, and thereby, serve as benchmarks for decisions about allowable pollutant loadings into waterways. (For more information see <http://www.epa.gov/waterscience/>)

In FY 2006, EPA will continue to implement the *Strategy for Water Quality Standards and Criteria*, developed in cooperation with States. Water quality standards and criteria program will focus on directly supporting regional offices, States and Tribes to: continue to develop ambient water quality criteria for chemical pollutants and pathogens; reduce the backlog of water quality standards actions; establish the highest attainable uses in water quality standards; and strengthen the scientific foundation on which to manage the water quality standards program. In FY 2006, EPA requests additional funding in Section 106 grants to States to continue the monitoring initiative, which began in FY 2005. These funds will be used to continue the monitoring network established to obtain statistically valid characterization of water quality conditions at the national level for all water types. It builds on the 2004 Condition Report and the ongoing Wadeable Streams Study, with a report on baseline conditions due at the end of 2005. In 2006, the focus will be on lakes. The intent is that surveys will be repeated periodically so that trends can be tracked, giving decision makers and the public the information they need to determine effectiveness of our investments in water quality protection.

In 2006 EPA will continue working with States, interstate agencies, and Tribes to foster a “watershed approach” as the guiding principle of clean water programs. In watersheds where quality standards are not attained, States will be developing TMDLs, a critical tool for meeting water restoration goals. Watershed plans and TMDLs will focus pollution control efforts for impaired waters on a range of pollution sources, including runoff from nonpoint sources. States and EPA have made significant progress in the development and approval of TMDLs (10,800 completed in FY 2001-2004) and expect to maintain the current pace of more than 3,000 TMDLs per year. During 2006 EPA incorporate technical improvements and new science into Better Assessment Science Integrating Point and Nonpoint Source (BASINS), a multipurpose environmental analysis system for performing watershed and water quality based studies.

Protection of water quality on a watershed basis requires a careful assessment of the sources of pollution, their location and setting within the watershed, their relative influence on water quality, and their amenability to preventive or control methods. In its implementation of the national nonpoint source program, which is the key program for addressing most of the remaining water quality problems, in FY 2006 EPA will support efforts of States, Tribes, other Federal agencies, and local communities to develop and implement watershed-based plans that successfully address all of these factors to enable impaired waters to be restored. In 2006 EPA will provide program leadership and technical support in the following key areas:

- Creating, supporting, and promoting technical tools that are needed by States to accurately assess water quality problems, sources, and causes; analyze potential solutions; and implement those solutions;
- Creating web-based solutions that integrate existing and newly-developed tools within a decision-support framework to solve watershed problems;
- Enhancing accountability for results in improving water quality by completing a new Oracle-based GRTS tracking system for the 319 grants program which will track successful remediation of impaired waters; and
- Preventing new nonpoint sources of pollution by developing and broadly disseminating technical and programmatic tools that support Low Impact Development (LID).

- Working with the U.S. Department of Agriculture to ensure that Federal resources, including grants under Section 319 and Farm Bill funds, are managed in a coordinated way to maximize water quality improvement in impaired waters and protection in all others.

The NPDES program requires point source dischargers to be permitted and pretreatment programs to control discharges from industrial and other facilities to the Nation's wastewater treatment plants. This program provides a management framework for the protection of the Nation's waters through the control of billions of pounds of pollutants. In 2006 EPA focus on six key strategic objectives for the program:

- Assure effective management of the permit program and focus on permits that have the greatest benefit for water quality;
- Implement wet weather point source controls, including the storm water program;
- Implement the newly developed program for permits at Concentrated Animal Feeding Operations (CAFO);
- Advance program innovations, such as watershed permitting and trading;
- Develop national industrial regulations for industries where the risk to waterbodies supports a national regulation; and
- Provide rural and small communities and special populations with the information and tools they need to sustain themselves as healthy and successful communities.
- Also in 2006, EPA will implement the "*Permitting for Environmental Results Strategy*" to address concern for the workload in permit issuance and the health of State NPDES programs, focusing limited resources on the most critical environmental problems.

New rules have been finalized for discharges from CAFOs and EPA will work with States to assure that permits cover most CAFOs by 2008. In addition, EPA expects that 100% of NPDES programs will have issued general permits requiring storm water management programs for Phase II municipal separate storm sewer systems (MS4s) and requiring storm water pollution prevention plans for construction sites covered by Phase II of the storm water program by 2008.

The Agency will continue to work with its partners to facilitate the voluntary adoption of best management practices in wastewater asset management, innovations, and efficiency with the long-term goal of sustainable wastewater utilities that are able to maximize the value of clean water by improving system performance at the lowest possible cost. We will continue efforts towards developing a water efficiency market enhancement program, which will give consumers a reference tool to identify and select water-efficient products. The intent of the program is to reduce national water and wastewater infrastructure needs by reducing projected water demand and wastewater flows allowing deferral or downsizing of capital projects.

#### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$1,700.0) This reduction is a result of reduced needs in the surface water protection programs, like: effluent guidelines development due to fewer rulemaking starts than in prior years and the Construction Grants program due to progress in the completion and closeout of construction grants.

- (-30.7 FTE) The reduction in accordance with the Agency workforce adjustment described in the overview section. This represents a reduction to the total number of Agency authorized positions, but not to over all Agency FTE utilization.
- There are increases for payroll and cost of living for existing FTE.

**Statutory Authority**

Clean Water Act

**Toxic Substances: Chemical Risk Management**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$9,057.7 (Dollars in Thousands)

**Toxic Substances: Chemical Risk Management (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,897.9</i></b>	<b><i>\$9,514.2</i></b>	<b><i>\$9,057.7</i></b>	<b><i>(\$456.5)</i></b>
Total Budget Authority / Obligations	\$10,897.9	\$9,514.2	\$9,057.7	(\$456.5)
Total Workyears*	57.7	54.5	53.8	-0.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program/Project Description**

EPA has established national programs to promote reductions in use, safe removal, disposal and containment of certain prevalent, high-risk chemicals that were introduced into the environment before their risks were known. These chemicals include polychlorinated biphenyls (PCBs), dioxin, mercury, asbestos/fibers, and persistent, bioaccumulative and toxic (PBT) chemicals generally.

**FY 2006 Activities and Performance Highlights**

Hospitals for a Healthy Environment (H2E)

EPA will continue to assist the healthcare sector in reducing the use and disposal of mercury by up to 10 tons, while continuing to recruit new H2E Partner hospitals with a goal of enlisting 3,500 facilities. EPA will begin a collaborative partnership with the Joint Commission for the Accreditation of Healthcare Organizations (JCAHO) to promote environmental compliance and pollution prevention, promote “blanket purchase agreements” among Group Purchasing Organizations (GPOs) to encourage the healthcare sector to purchase environmentally preferable products, and provide the elderly and their caregivers with a “Guide to Choosing an Environmentally Friendly Care Facility.”

Polychlorinated Biphenyls (PCBs)

EPA will continue to implement a national voluntary phase-out of PCB Large Capacitors and PCB Transformers by 2025 as required by the Stockholm Convention, focusing on major Federal and private owners and operators of electrical equipment. Priorities include the

identification of opportunities for replacement of older, less efficient equipment with newer more efficient equipment and the accelerated phase-out of PCB-containing electrical equipment as supplemental environmental projects.

EPA will continue to work with the Maritime Administration (MARAD) in order to dispose of its fleet of obsolete ships which contain equipment using PCBs. In addition, the Agency will continue to work with the Department of Defense to approve the disposal via incineration of PCBs in nerve agent rockets. The focus of activity in 2006 will shift to monitoring compliance with the conditions of the PCB disposal approvals.

EPA will continue to ensure that PCB waste is properly stored and disposed of, that PCB remediation sites are cleaned up correctly, and that reductions are achieved in the number of PCB transformers and capacitors still in use. Specific activities include advising the regulated community on PCB remediation, reviewing and acting on PCB disposal applications, and overseeing PCB permitted storage and disposal facilities.

### Dioxin

EPA will continue to be part of an interagency effort to assess potential dioxin risks to the public, focusing on identifying and better quantifying the link between sources of dioxin-like compounds and potential human exposures. Results from the Agency's Dioxin Exposure Initiative (DEI) have already resulted in the identification of additional sources, and the establishment of baseline measurements of dioxins in food and air.

On the international level, EPA will continue to provide the lead for U.S. participation and development of a draft Phase I North American Regional Action Plan for Dioxins and Furans, and Hexachlorobenzene.

### Mercury

EPA will use both voluntary and regulatory tools, as appropriate, to reduce the quantity of mercury in products and the associated municipal waste streams. For enhancing mercury risk communication, the Agency will develop tools for educating different audiences about the risks of eating mercury-contaminated fish and wildlife.

### Asbestos/Fibers

EPA will continue its scientific research on asbestos including examining results from its studies into the potential for exposure to asbestos fibers from vermiculite in building insulation materials. The Agency will continue its public awareness efforts aimed at asbestos-contaminated vermiculite attic insulation and its outreach and technical assistance for the asbestos program for schools, in coordination with other Federal agencies, States, the National Parent-Teachers Association, and the National Education Association.

EPA will continue to provide oversight and regulatory interpretation to delegated state and local asbestos demolition and renovation programs, respond to tips and complaints regarding

the Asbestos-in-Schools Rule, respond to public requests for assistance, and help asbestos training providers to comply with the Model Accreditation Plan requirements.

For more information, visit [www.epa.gov/oppt](http://www.epa.gov/oppt).

FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)

- (-\$718.0) This decrease in resources reflects: 1) completion of certain activities, including the dioxin exposure reassessment, associated with review of Dioxin-related health and environmental risks; and 2) savings in administration of the Hospitals for a Healthy Environment (H2E) Program due to increased support from private sector partners.
- There are increases for payroll and cost-of-living for existing FTE.

### **Statutory Authority**

Toxic Substances Control Act (TSCA); Asbestos School Hazard Abatement Act (ASHAA); Asbestos Hazard Emergency Response Act (AHERA); Asbestos Information Act.

**Toxic Substances: Chemical Risk Review and Reduction**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$44,523.1 (Dollars in Thousands)

**Toxic Substances: Chemical Risk Review and Reduction (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$46,031.2</i></b>	<b><i>\$45,878.8</i></b>	<b><i>\$44,523.1</i></b>	<b><i>(\$1,355.7)</i></b>
Total Budget Authority / Obligations	\$46,031.2	\$45,878.8	\$44,523.1	(\$1,355.7)
Total Workyears*	256.8	247.0	245.0	-2.0

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

This program spans the full range of EPA activities dealing with review of new and existing chemicals, including the High Production Volume Challenge (HPV) and Voluntary Children's Chemical Evaluation (VCCEP) Programs. These activities focus on reviewing and, as necessary, reducing the health and environmental risks of new chemicals introduced into the United States (U.S.) marketplace as well as chemicals already in commerce.

EPA has developed long-term (2008) strategic targets for a variety of critical activities under this program, including: preventing unreasonable risks from new chemicals; reducing chronic human health risks from industrial releases; managing risks of HPV chemicals; completing risk assessments for VCCEP chemicals; and, increasing the efficiency of risk reduction efforts.

**2006 Activities and Performance Highlights**

**New Chemicals Program**

In FY 2006, EPA plans to continue its successful record of preventing the entry of chemicals that pose unreasonable risk of injury to human health or the environment into U.S. commerce. Each year EPA's New Chemicals Program reviews and manages the potential risks from approximately 1,800 new chemicals and 40 products of biotechnology that enter the marketplace.

EPA has made encouraging progress in regard to its strategic target of increasing program efficiency by training chemical designers to use EPA's risk screening tools early in research and development, so that the Agency receives at least 40 pre-screened PreManufacture Notices (PMNs) per year. FY 2004 results exceeded this target, with 159 new chemical submissions



containing some amount of self-audit data. Of these, 71 were detailed analyses meeting the full pre-screening requirement of the strategic target.

### **Existing Chemicals Program**

The TSCA Inventory Update Rule (IUR) has recently been amended to include inorganic chemicals beginning in 2006, and will include manufacturing exposure-related information in all reports. Processing and use information will be collected on about 4,000 organic chemicals in 2006. Inventory Update Rule data are often the first sources searched when EPA investigates a chemical and the data are used in a variety of ways. The Agency will continue its outreach and training efforts to ensure that submitters provide the best possible information and will continue to develop the database to house the collected information.

In FY 2006, EPA will continue its efforts to assess and, if indicated, manage risks associated with brominated flame retardants (BFRs), which are used in some furniture, fabrics, plastics, consumer electronics and wire insulation. The Agency will also continue its ongoing efforts to assess the potential risks of newly-developed BFR substitutes. EPA has developed an effort to engage interested stakeholders in a cooperative process to evaluate the efficacy and potential risks of developing flame retardants, in order to assure that lower risk products are available to meet the important public safety need for flame retardant products. EPA will also evaluate and implement perfluorooctanoic acid (PFOA) risk management actions, as indicated by the results of ongoing risk assessment and testing under enforceable consent agreements.

### **High Production Volume (HPV) Challenge Program**

In FY 2006, EPA will focus its HPV resources on making test data more accessible to the public through more efficient data systems that meet specific identified stakeholder needs and through technical guidance. EPA will also begin to screen submitted data and identify chemicals of potential concern that may require additional work, currently anticipated to involve 5 to 10 percent of screened chemicals.

EPA will continue its participation in the International Organization for Economic Cooperation and Development (OECD) Screening Information Data Set (SIDS) program along with other OECD member countries. EPA plans to complete the review of 50 chemicals and initiate review on at least 15 more.

### **Voluntary Children's Chemical Evaluation Program (VCCEP)**

In FY 2006, EPA will continue its review of chemicals that may pose risks to children and finish its initial assessment of the VCCEP pilot program.

### **Acute Exposure Guideline Levels (AEGLs)**

In FY 2006, EPA's Acute Exposure Guideline Level (AEGLs) program plans to develop Proposed AEGL values at the rate of 24 additional chemicals per year. This program is discussed in more detail in EPM Homeland Security: Preparedness, Response and Recovery.

For more information, please visit [www.epa.gov/oppt](http://www.epa.gov/oppt).

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$2,150.0) This decrease reflects savings due to: 1) completion of major elements of the High Production Volume Information System (HPVIS) through which chemical risk screening data obtained through the High Production Volume (HPV) Challenge Program will be made more readily available to, and usable by, the public; and 2) efficiencies achieved in providing information services support to the New and Existing Chemicals Programs.
- (-\$850.0) The reduction in resources for the HPV Challenge Program reflects a redirection from data screening and prioritization to higher priority activities. This will not affect EPA's progress in making such data available to the public.
- There are increases for payroll and cost-of-living for existing FTE.

**Statutory Authority**

Toxic Substances Control Act (TSCA).

**Toxic Substances: Lead Risk Reduction Program**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$10,548.9 (Dollars in Thousands)

**Toxic Substances: Lead Risk Reduction Program (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,831.1</i></b>	<b><i>\$11,082.6</i></b>	<b><i>\$10,548.9</i></b>	<b><i>(\$533.7)</i></b>
Total Budget Authority / Obligations	\$11,831.1	\$11,082.6	\$10,548.9	(\$533.7)
Total Workyears*	77.7	91.4	83.6	-7.8

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program/Project Description**

EPA’s Lead Risk Reduction Program consists of several efforts aimed at alleviating the threat to human health – particularly to young children – posed by exposure to lead-based paint and other sources of lead in the environment. The Agency is working to maintain a national infrastructure of trained and certified lead remediation professionals; establish hazard control methods and standards to ensure that homeowners and others have access to safe, reliable and effective methods to reduce lead exposure; and provide information to housing occupants so they can make informed decisions about lead hazards in their homes.

EPA’s *2003-2008 Strategic Plan* includes a strategic target for reducing the number of childhood lead poisoning cases to 90,000 by 2008, from approximately 400,000 cases in 1999/2000.

**FY 2006 Activities and Performance Highlights**

EPA will continue to provide support for the National Lead Information Center to disseminate information primarily in electronic form. Limited mailing of hardcopy documents will continue to be supported.

The Agency will continue to conduct limited education and outreach to the public on the hazards of lead-contaminated paint, dust and soil; implement existing lead hazard reduction regulations; and provide technical and policy assistance to states, Tribes, and other Federal agencies.

The Lead Risk Reduction Program has a companion STAG program, “Lead Categorical Grant.” The grant program focuses specifically on EPA assistance to states, territories and the District of Columbia, for purposes including training of lead remediation professionals and contractor

certification. See the relevant program fact sheet for more information. Taken together, these programs contribute to common strategic targets and annual performance goals.

For more information, visit [www.epa.gov/oppt](http://www.epa.gov/oppt).

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-533,700 and -7.8 FTE) This reduction is the result of the Agency wide plan to reduce FTE and a shift in resources to priority activity.
- There are increases for payroll and cost-of living for existing FTE.

**Statutory Authorities**

Toxic Substances Control Act (TSCA); Residential Lead-Based Paint Hazard Reduction Act of 1992 (which is designated as Title IV of TSCA).

**TRI / Right to Know**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Chemical, Organism, and Pesticide Risks

Total Request for Appropriation EPM: \$14,753.7 (Dollars in Thousands)

**TRI / Right to Know (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$14,144.7</i></b>	<b><i>\$15,940.9</i></b>	<b><i>\$14,753.7</i></b>	<b><i>(\$1,187.2)</i></b>
Science & Technology	\$89.5	\$0.0	\$0.0	\$0.0
Total Budget Authority / Obligations	\$14,234.2	\$15,940.9	\$14,753.7	(\$1,187.2)
Total Workyears*	51.7	44.2	44.0	-0.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The TRI program provides the public with information on the releases and other waste management of toxic chemicals. The program: collects information on listed toxic chemicals from certain industries and makes the information available to the public through a variety of means, including a publicly accessible national database; operates and maintains the TRI (TRIS), TRI-Explorer and TRI-Made Easy (TRI-ME) systems to facilitate the program's data collection and reporting requirements; and, provides TRI program compliance assistance through extensive outreach efforts including workshops and telephone hotlines.

**FY 2006 Activities and Performance Highlights**

EPA will continue its effort to reduce the TRI reporting burden on industry and improve TRI data quality by developing and implementing regulations to reduce reporting requirements without compromising the utility of the data; improving and distributing its software data collection tool, *TRI-Made Easy*, including the development of a web-based application; and re-engineering the TRI data processing flow (i.e., from collection through dissemination) in an effort to align with EPA's Enterprise Architecture.

Key FY 2006 Program Activities
<ul style="list-style-type: none"> <li>✓ Develop and implement regulations to reduce reporting requirements</li> <li>✓ Improve and distribute its software data collection tool; and</li> <li>✓ Re-engineer the TRI data processing flow</li> </ul>

In addition, EPA will continue to provide TRI facilities with compliance assistance through workshops and a telephone hotline. EPA also will increase the percentage of TRI chemical forms

that are submitted in electronic format via EPA's Central Data Exchange (CDX) (i.e., Internet reporting).

The TRI program works closely with the Exchange Network program to coordinate more efficient and effective data collection and system access using EPA's CDX node on the Exchange Network. Data collection and reporting efforts use data standards and reporting requirements outlined in the IT/Data Management program closely linking the programs and to ensure appropriate information security, the TRI program implements information security measures outlined by the Information Security program.

**FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- (-\$1,187.2, -0.2 FTE) The reduction in resources represents a combination of efficiencies gained in moving the TRI systems into a maintenance mode and building a web-based interface (TRI-Explorer) to simplify reporting and resource shifts within the program to support better information access and additional compliance assistance activities.

**Statutory Authority**

Federal Advisory Committee Act; Government Information Security Reform Action; CERCLA; SARA; Emergency Planning and Community Right-to-Know; Clean Air Act and amendments; Clean Water Act and amendments; Safe Drinking Water Act and amendments; Toxic Substance Control Act; Federal Insecticide, Fungicide, and Rodenticide Act; Food Quality Protection Act; Federal Food, Drug and Cosmetic Act; Environmental Research, Development, and Demonstration Act; Government Performance and Results Act; Government Management Reform Act; Clinger-Cohen Act; Paperwork Reduction Act; Freedom of Information Act; Computer Security Act; Privacy Act; Electronic Freedom of Information Act; Pollution Prevention Act.

**Tribal - Capacity Building**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Compliance and Environmental Stewardship  
 Objective(s): Build Tribal Capacity

Total Request for Appropriation EPM: \$11,049.0 (Dollars in Thousands)

**Tribal - Capacity Building (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,188.0</i></b>	<b><i>\$10,641.7</i></b>	<b><i>\$11,049.0</i></b>	<b><i>\$407.3</i></b>
Total Budget Authority / Obligations	\$10,188.0	\$10,641.7	\$11,049.0	\$407.3
Total Workyears*	74.6	72.1	73.3	1.2

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

Under Federal environmental statutes, the Agency has responsibility for assuring human health and environmental protection in Indian Country. EPA has worked to establish the internal infrastructure and organize its activities in order to meet this responsibility. Since adoption of the EPA Indian Policy in 1984, EPA has worked with Tribes on a government-to-government basis that affirms the Federal trust responsibility that EPA has with each federally recognized tribal government. The creation of EPA's American Indian Environmental Office (AIEO) in 1994 took responsibility for such efforts and was a further step in ensuring environmental protection in Indian Country.

EPA's strategy for building tribal capacity has three major components. First, work with Tribes to create an environmental presence for each federally recognized Tribe (discussed under STAG appropriation). Second, provide the information needed by the Tribe to meet EPA and tribal environmental priorities. At the same time, ensure EPA has the ability to view and analyze the conditions on Indian lands and the effects of EPA and tribal actions and programs on the environmental conditions. Third, provide the opportunity for implementation of tribal environmental programs by Tribes, or directly by EPA, as necessary.

**FY 2006 Activities and Performance Highlights**

EPA continues to construct an information technology infrastructure that organizes environmental data on a tribal basis, enabling a clear, up-to-date picture of environmental activities in Indian Country. The Tribal Program Enterprise Architecture includes access to a wide variety of data and information from several agencies and numerous sources within those agencies. The components of the Tribal Program Enterprise Architecture create a broad,

multiple-variant view of the environmental conditions and programs in Indian Country. It also includes several applications that perform analysis of information on environmental performance in Indian Country for a wide variety of specific purposes.

EPA continues, in FY 2006, to take advantage of new technology to establish direct links with other Federal agency data systems (including the U.S. Geological Service, Bureau of Reclamation, and Indian Health Service) to further develop an integrated, comprehensive, multi-agency Tribal Enterprise Architecture. The Agency continues to formalize interagency data standards and protocols to ensure quality information is collected and reported consistently among the Federal agencies. To this end, EPA has adopted Tribal Identifier codes that will enable data systems to identify tribal sources of information. In FY 2006, EPA will integrate 10 agency data systems and assist other agencies to adopt these common codes.

The ability to comprehensively and accurately examine conditions and make assessments will provide a blueprint for planning future activities through the development of tribal/EPA Environmental Agreements (TEAs) or similar tribal environmental plans to address and support priority environmental multi-media concerns in Indian Country. Vital to the EPA Indian Policy are the principles that the Agency has a government-to-government relationship with Tribes and that “EPA recognizes Tribes as the primary parties for setting standards, making environmental policy decisions and managing programs for reservations, consistent with agency standards and regulations.” To that end, EPA “encourage[s] and assist[s] Tribes in assuming regulatory and program management responsibilities,” primarily through the Treatment in the Same Manner as a State (TAS) processes available under several environmental statutes.

EPA’s policy has been, and continues to be, that Tribes develop the capability to implement federal programs themselves. However, in working with Tribes, EPA has realized that TAS may not suit the needs of all Tribes. Some Tribes with acute pollution sources and other environmental problems may be too small to support fully delegated or approved environmental programs. Other Tribes are wary of seeking TAS status because it may lead to costly litigation that may in turn lead to a diminishment of tribal sovereignty. In the absence of EPA-approved tribal programs, EPA generally faces practical challenges in implementing the Federal programs in Indian Country. EPA will continue to encourage and work with Tribes to develop their capability to implement Federal environmental programs.

EPA is again proposing language that would allow EPA to award cooperative agreements to federally recognized Indian Tribes or qualified Intertribal Consortia to assist the Administrator in implementing Federal environmental programs for Indian Country.

#### **FY 2006 Change from FY 2005 President’s Budget (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

Indian Environmental General Assistance Program Act of 1992 as amended



**US Mexico Border**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Communities

Total Request for Appropriation EPM: \$5,975.3 (Dollars in Thousands)

**US Mexico Border (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,680.1</i></b>	<b><i>\$5,784.8</i></b>	<b><i>\$5,975.3</i></b>	<b><i>\$190.5</i></b>
Total Budget Authority / Obligations	\$4,680.1	\$5,784.8	\$5,975.3	\$190.5
Total Workyears*	19.4	29.9	24.2	-5.7

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

The U.S.-Mexico 2,000 mile border is one of the most complex and dynamic regions in the world. This region accounts for 3 of the 10 poorest counties in the U.S., having an unemployment rate 250 - 300 percent higher than the rest of the U.S., and 432,000 of the 14 million people live in 1,200 colonias, which are unincorporated communities characterized by substandard housing and unsafe drinking water.

The U.S.-Mexico Border 2012 Program is a joint effort between the U.S. and Mexican governments. The two governments work with the 10 Border States and with local communities under a framework to protect the environment and public health along the U.S.-Mexico border region, consistent with the principles of sustainable development. The results achieved to date are extraordinary and include: (1) implementation of the first air quality improvement plan in Mexico; (2) implementation of an economically sustainable plan to virtually eliminate used scrap tire piles along the U.S.-Mexico border by 2010 (there are 15-20 million scrap tires in existence in the border); (3) the removal of 300 tons of hazardous waste to protect a local, economically disadvantaged residential community; (4) improvements to drinking water and waste water infrastructure systems that will benefit approximately 1.5 million residents; and (5) implementation of emergency response plans to better protect residents throughout the border region in the event of accidental chemical releases or acts of terrorism.

## **FY 2006 Activities and Performance Highlights**

The key areas of focus for the Border 2012 Program in FY 2006 will include: (1) the improvement of water quality in the region; (2) the clean up of abandoned hazardous waste sites; and (3) measures to protect and improve air quality along the 2000 mile border region.

Border residents suffer disproportionately from hepatitis A and other water-borne diseases because of inadequate drinking water and sewage treatment facilities. By increasing the number of connections to potable water systems by 25% by 2012, EPA and its partners will reduce health risks to residents who may currently lack access to safe drinking water. Similarly, by increasing the number of homes with access to basic sanitation, EPA and its partners will reduce the discharge of untreated domestic wastewater into surface and ground water. In FY 2006, the Border 2012 Program will establish a new baseline for the continued improvement of water quality in the border region.

As a result of regional environmental degradation, some border residents suffer from pollutant-related health problems. These problems can be related to improper management of hazardous wastes and solid wastes. In FY 2006 the Border 2012 Program will develop a bi-national policy to clean up and restore to productive use four abandoned sites contaminated with hazardous waste or materials along the length of the border, in accordance with the laws of each country. This policy will identify four priority sites to be cleaned in the border area by 2012, the first to be done in 2007.

More than a third of Mexico's disease burden is the result of environmental factors, the most serious of which is air pollution. A recent CEC study found that respiratory ailments related to air pollution were the cause of death for at least half of the more than 2,800 minors who died in the northern border city of Ciudad Juarez.<sup>1</sup> In FY 2006, based on results obtained from defining air emission baselines and scenarios in 2005, EPA and its partners will identify specific emission reductions strategies and air quality and exposure objectives for the border region. The Border 2012 Program will also continue efforts to define along the border the impact of emissions on air quality and human exposure.

### **FY 2006 Change from FY 2005 President's Budget (Dollars in Thousands)**

- There are increases for payroll and cost-of-living for existing FTE.

### **Statutory Authority**

Clean Water Act; Clean Air Act; Toxic Substances Control Act; Resource Conservation and Recovery Act; Pollution Prevention Act; Federal Insecticide, Fungicide, and Rodenticide Act; Annual Appropriation Acts

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<sup>1</sup> Romieu, Isabelle, et al., Health Impacts of Air Pollution on Morbidity and Mortality Among Children of Ciudad Juarez, Chihuahua, Mexico. Commission for Environmental Cooperation. Montreal. November 2003.

**Wetlands**  
 Environmental Protection Agency  
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Healthy Communities and Ecosystems  
 Objective(s): Ecosystems

Total Request for Appropriation EPM: \$20,374.5 (Dollars in Thousands)

**Wetlands (EPM)**  
 (Dollars in Thousands)

	<b>FY 2004 Obligations</b>	<b>FY 2005 Pres. Bud.</b>	<b>FY 2006 Request</b>	<b>FY 2006 Request v. FY 2005 Pres. Bud.</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$18,282.0</i></b>	<b><i>\$19,752.8</i></b>	<b><i>\$20,374.5</i></b>	<b><i>\$621.7</i></b>
Total Budget Authority / Obligations	\$18,282.0	\$19,752.8	\$20,374.5	\$621.7
Total Workyears*	143.8	150.1	147.7	-2.4

\*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

**Program Project Description**

EPA's Wetlands Protection Program relies on partnerships with other programs within EPA, other Federal agencies, State, tribal, and local governments, private landowners, and the general public to improve protection of our nation's valuable wetlands resources. Working with other Federal agencies and directly with States, Tribes, and local programs, EPA ensures a sound and consistent approach to wetlands protection. Major activities of the Wetlands Protection Program include administration of EPA's role in the Clean Water Act (CWA) Section 404 program; development and dissemination of rules, guidance, informational materials, and scientific tools to improve management and public understanding of wetlands programs and legal requirements; and managing financial assistance to States and Tribes to support development of strong wetlands protection programs. EPA works with other Federal agencies to implement the provisions of Section 404 of the CWA to protect wetlands, free-flowing streams and shallow waters. EPA also works in partnership with State, tribal, and local agencies and non-governmental organizations to conserve and restore wetlands and associated river corridors through watershed planning approaches, voluntary and incentive-based programs, improved scientific methods, information and education, and building the capacity of State and local programs. For more information, visit <http://www.epa.gov/owow/wetlands/>.

**FY 2006 Activities and Performance Highlights**

The Administration has set the stage for a growing commitment to a regulatory program aimed at no net loss of wetlands. Approaches include public and private, regulatory and non-regulatory initiatives and partnerships to restore, improve and protect of the Nation's wetlands. In December 2003, the Administrator of EPA and the Assistant Secretary of the Army reaffirmed the Administration's commitment to the goal of "no net loss" of wetlands under the Clean Water

Act section 404 regulatory program that the two agencies administer. In his 2004 Earth Day address, the President announced a renewed effort to move beyond a policy of no-net loss to achieve an overall increase in the Nation's wetland resources over the next five years. To achieve this goal, the Administration will work through six Federal agencies to restore, improve and protect at least three million acres of wetlands by 2009.

In FY 2006, EPA will work with its State and tribal partners to develop and implement broad-based and integrated monitoring and assessment programs that improve data for decision-making within the watersheds, address significant stressors, and report on condition as well as geo-locating wetlands on the landscape. EPA will work to achieve national gains in wetlands acreage by implementing an innovative partner-based wetlands and stream corridor restoration program. The Agency, working with the Army Corps of Engineers, and other partners, will continue to implement the Administration's Mitigation Action Plan and to build our capacity to measure wetland function and condition, in addition to measuring wetland acreage. EPA's support will help avoid or minimize wetland losses, and provide for full compensation for unavoidable losses of wetland functions. Wetlands and stream corridor restoration will remain a focus for regaining lost aquatic resources as is strengthening State and tribal wetland program to protect vulnerable wetland resources. EPA will continue working to strengthen the EPA/ Army Corps of Engineers Partnership and to work with its Federal partners to implement the elements of the National Mitigation Action Plan. In addition, EPA will continue to administer Wetlands Program Development Grants, with a focus starting in 2005 on State/tribal Wetlands Environmental Outcomes.

#### **FY 2006 Changes from FY 2005 President's Request (Dollars in Thousands)**

- There are increases for payroll and cost of living for existing FTE.

#### **Statutory Authority**

1990 Great Lakes Critical Programs Act; Great Lakes and Lake Champlain Act; Clean Water Act; 2002 Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; Water Resources Development Act (WRDA); 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement (GLWQA); 1987 Great Lakes Water Quality Agreement; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Binational Toxics Strategy; and US-Canada Agreements.

## Index – Environmental Program and Management

Acquisition Management.....	1, 2, 5
Administrative Law .....	1, 2, 7
Alternative Dispute Resolution.....	1, 2, 9
Beach / Fish Programs .....	1, 2, 10
Brownfields.....	1, 2, 13, 14
Central Planning, Budgeting, and Finance	1, 2, 15
Civil Enforcement.....	1, 2, 19, 20, 35, 37, 39, 42, 46, 53, 57, 122
Civil Rights / Title VI Compliance...	1, 2, 22
Clean Air Allowance Trading Programs	1, 2, 25
Clean School Bus Initiative .....	1, 2, 28
Climate Protection Program.....	1, 2, 29
Commission for Environmental Cooperation .....	1, 2, 33, 133, 192
Compliance Assistance and Centers .	1, 2, 35
Compliance Incentives... 1, 2, 19, 35, 37, 38,	39
Compliance Monitoring. 1, 2, 19, 35, 36, 37,	39, 40
Congressional, Intergovernmental, External Relations .....	1, 2, 41
Congressionally Mandated Projects.....	2
Criminal Enforcement.....	1, 2, 20, 45, 46, 53
Drinking Water Programs .....	1, 2, 47
Endocrine Disruptors .....	1, 2, 51
Enforcement Training .....	1, 2, 45, 46, 53
Environment and Trade.....	1, 2, 55
Environmental Education.....	2
Environmental Justice.....	1, 2, 57, 58, 123
Exchange Network..... 1, 2, 59, 60, 103, 108,	109, 111, 188
Facilities Infrastructure and Operations. 1, 2,	61
Federal Stationary Source Regulations.. 1, 2,	63
Federal Support for Air Quality Management.....	1, 2, 66
Federal Support for Air Toxics Program	1, 2, 69
Federal Vehicle and Fuels Standards and Certification .....	2
Financial Assistance Grants / IAG Management.....	1, 2, 71
Forensics Support.....	20
Geographic Program	
Chesapeake Bay .....	1, 2, 73
Great Lakes .....	1, 3, 75
Gulf of Mexico.....	1, 3, 79
Lake Champlain .....	1, 3, 81
Long Island Sound .....	1, 3, 83
Other .....	1, 3, 85
Great Lakes Legacy Act.....	1, 3, 78, 88, 89
Homeland Security	
Communication and Information..	1, 3, 90
Critical Infrastructure Protection ..	1, 3, 92
Preparedness, Response, and Recovery .	1, 3, 94
Protection of EPA Personnel and Infrastructure.....	2, 3, 96
Human Resources Management .....	2, 3, 98
Indoor Air	
Radon Program .....	2, 3, 100
Schools and Workplace Program.....	149
Information Security ..	2, 3, 60, 91, 102, 103, 111, 188
International Capacity Building.....	2, 3, 104
IT / Data Management .....	2, 3, 108
Legal Advice	
Environmental Program .....	2, 3, 112
Support Program .....	2, 3, 113
LUST / UST.....	2, 3, 114
Marine Pollution .....	2, 3, 116, 118
National Estuary Program / Coastal Waterways.....	2, 3, 120
NEPA Implementation.....	2, 3, 122, 123
Pesticides	
Field Programs .....	2, 3, 124
Registration of New Pesticides ...	2, 3, 127
Review / Reregistration of Existing Pesticides.....	2, 3, 129
Pollution Prevention Program. 2, 3, 132, 134	
POPs Implementation .....	2, 3, 135
Radiation	
Protection .....	2, 3, 137
Response Preparedness .....	2, 3, 139

RCRA

Corrective Action..... 2, 3, 141  
Waste Management..... 2, 3, 143  
Waste Minimization & Recycling ..... 2, 3,  
146  
Regional Geographic Initiatives ..... 2, 3, 151  
Regional Science and Technology.. 2, 3, 153  
Regulatory Innovation ..... 2, 3, 155  
Regulatory/Economic-Management and  
Analysis..... 2, 4, 158  
Science Advisory Board ..... 2, 4, 159, 160  
Science Policy and Biotechnology.. 2, 4, 162  
Small Business Ombudsman..... 2, 4, 164  
Small Minority Business Assistance..... 2, 4,  
166, 167

State and Local Prevention and

Preparedness ..... 2, 4, 169  
Stratospheric Ozone  
Domestic Programs..... 2, 4, 171  
Multilateral Fund ..... 2, 4, 173  
Surface Water Protection ..... 2, 4, 126, 175  
Toxic Substances  
Chemical Risk Management ..... 2, 4, 179  
Chemical Risk Review and Reduction .. 2,  
4, 182  
Lead Risk Reduction Program .... 2, 4, 185  
TRI / Right to Know ..... 2, 4, 187  
Tribal - Capacity Building ..... 2, 4, 189  
US Mexico Border ..... 2, 4, 191  
Wetlands .... 2, 4, 78, 82, 84, 85, 86, 89, 121,  
193, 194