

## **Environmental Protection Agency**

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(DOE) to access research conducted by DOE's National Laboratories, as well as to obtain data related to radioactive materials.

In addition to these major collaborations, the NHSRC has relationships with numerous other Federal agencies, including the U.S. Air Force, U.S. Navy, the Food and Drug Administration, the U.S. Geological Survey, and the National Institute of Standards and Technology. Also, the NHSRC is working with state and local emergency response personnel to understand better their needs and build relationships, which will enable the quick deployment of NHSRC products. In the water infrastructure arena, the NHSRC is providing information to the Water Information Sharing and Analysis Center (WaterISAC) operated by the Association of Metropolitan Water Agencies (AMWA).

#### **Goal 5-Compliance and Environmental Stewardship**

##### ***Objective: Improve Compliance***

The Enforcement and Compliance Assurance Program coordinates closely with the Department of Justice (DOJ) on all enforcement matters. In addition, the program coordinates with other agencies on specific environmental issues as described herein.

The Office of Enforcement and Compliance Assurance coordinates with the Chemical Safety and Accident Investigation Board, the Occupational Safety and Health Administration, and Agency for Toxic Substances and Disease Registry in preventing and responding to accidental releases and endangerment situations, with the Bureau of Indian Affairs on tribal issues relative to compliance with environmental laws on Tribal Lands, and with the Small Business Administration on the implementation of the Small Business Regulatory Enforcement Fairness Act (SBREFA). OECA also shares information with the Internal Revenue Service (IRS) on cases which require defendants to pay civil penalties, thereby assisting the IRS in assuring compliance with tax laws. In addition, it coordinates with the Small Business Administration and a number of other federal agencies in implementing the Business Compliance One-Stop Project, an "E-Government" project that is part of the President's Regulatory Management Agenda. The Office of Enforcement and Compliance Assurance also works with a variety of federal agencies including the Department of Labor and the Internal Revenue Service to organize a Federal Compliance Assistance Roundtable to address cross cutting compliance assistance issues. Coordination also occurs with the U.S. Army Corps of Engineers on wetlands.

Due to changes in the Food Security Act, the U.S. Department of Agriculture/Natural Resources Conservation Service (USDA/NRCS) has a major role in determining whether areas on agricultural lands meet the definition of wetlands and are therefore regulated under the Clean Water Act. Civil Enforcement coordinates with USDA/NRCS on these issues also. The program coordinates closely with the Department of Agriculture on the implementation of the Unified National Strategy for Animal Feedlot Operations. EPA's Enforcement and Compliance Assurance program also coordinates with USDA on food safety issues arising from the misuse of pesticides, and shares joint jurisdiction with Federal Trade Commission (FTC) on pesticide labeling and advertising. Coordination also occurs with Customs on pesticide imports. EPA and

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the Food and Drug Administration (FDA) share jurisdiction over general-purpose disinfectants used on non-critical surfaces and some dental and medical equipment surfaces (e.g., wheelchairs). The Agency has entered into a Memorandum of Understanding with the Department of Housing and Urban Development concerning lead poisoning.

The Criminal Enforcement program coordinates with other federal law enforcement agencies (i.e. FBI, Customs, U.S. Department of Labor, U.S. Treasury, U.S. Coast Guard, DOJ) and with state and local law enforcement organizations in the investigation and prosecution of environmental crimes. EPA also actively works with DOJ to establish task forces that bring together federal, state and local law enforcement organizations to address environmental crimes. In addition, the National Enforcement Training Institute has an Interagency Agreement with the Department of Treasury to provide specialized criminal environmental training to federal, state, local, and tribal law enforcement personnel at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA.

Under Executive Order 12088, EPA is directed to provide technical assistance to other Federal agencies to help ensure their compliance with all environmental laws. The Federal Facility Enforcement Program coordinates with other Federal agencies, states, local, and tribal governments to ensure compliance by federal agencies with all environmental laws.

The Office of Enforcement and Compliance Assurance collaborates with the states and tribes. States perform the vast majority of inspections, direct compliance assistance, and enforcement actions. Most EPA statutes envision a partnership between EPA and the states under which EPA develops national standards and policies and the states implement the program under authority delegated by EPA. If a state does not seek approval of a program, EPA must implement that program in the state. Historically, the level of state approvals has increased as programs mature and state capacity expands, with many of the key environmental programs approaching approval in nearly all states. EPA will increase its effort to coordinate with states on training, compliance assistance, capacity building and enforcement. EPA will continue to enhance the network of state and tribal compliance assistance providers.

EPA works directly with Canada and Mexico bilaterally and in the trilateral Commission for Environmental Cooperation (CEC). EPA's border activities require close coordination with the Bureau of Customs and Border Protection, the Fish and Wildlife Service, the Department of Justice, and the States of Arizona, California, New Mexico, and Texas.

#### ***Objective: Build Tribal Capacity***

EPA is involved in a broad range of pollution prevention (P2) activities which can yield reductions in waste generation and energy consumption in both the public and private sectors. For example, the EPP initiative, which implements Executive Orders 12873 and 13101, promotes the use of cleaner products by Federal agencies. This is aimed at stimulating demand for the development of such products by industry.

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This effort includes a number of demonstration projects with other Federal Departments and Agencies, such as the National Park Service (to use Green Purchasing as a tool to achieve the sustainability goals of the parks), Department of Defense (use of environmentally preferable construction materials), and Defense Logistics Agency (identification of environmental attributes for products in its purchasing system). The program is also working within EPA to “green” its own operations. The program also works with the National Institute for Standards and Technology to develop a life-cycle based decision support tool for purchasers.

Under the Suppliers’ Partnership for the Environment program and its umbrella program, the GSN, EPA’s P2 Program is working closely with the National Institute of Standards and Technology and its Manufacturing Extension Partnership Program to provide technical assistance to the process of “greening” industry supply chains. The EPA is also working with the Department of Energy’s Industrial Technologies Program to provide energy audits and technical assistance to these supply chains.

The Agency is required to review environmental impact statements and other major actions impacting the environment and public health proposed by all federal agencies, and make recommendations to the proposing federal agency on how to remedy/mitigate those impacts. Although EPA is required under § 309 of the Clean Air Act (CAA) to review and comment on proposed federal actions, neither the National Environmental Policy Act nor § 309 CAA require a federal agency to modify its proposal to accommodate EPA’s concerns. EPA does have authority under these statutes to refer major disagreements with other federal agencies to the Council on Environmental Quality. Accordingly, many of the beneficial environmental changes or mitigation that EPA recommends must be negotiated with the other federal agency. The majority of the actions EPA reviews are proposed by the Forest Service, Department of Transportation (including Federal Highway Administration and Federal Aviation Administration), Army Corps of Engineers, Department of the Interior (including Bureau of Land Management, Minerals Management Service and National Park Service), Department of Energy (including Federal Regulatory Commission), and Department of Defense

EPA and the Department of Interior are coordinating an Interagency Tribal Information Steering Committee that includes the Bureau of Reclamation, Department of Energy, Department of Housing and Urban Development, U.S. Geological Survey, Federal Geographic Data Committee, Bureau of Indian Affairs, Indian Health Service, Department of the Treasury, and Department of Justice. This Interagency effort is aimed to coordinate the exchange of selected sets of environmental, resource, and programmatic information pertaining to Indian Country among Federal agencies in a “dynamic” information management system that is continuously and automatically updated and refreshed, to be shared equally among partners and other constituents.

Under a two-party interagency agreement, EPA works extensively with the Indian Health Service to cooperatively address the drinking water and wastewater infrastructure needs of Indian tribes. EPA is developing protocols with the Indian Health Service Sanitation Facilities Construction Program for integration of databases of the two agencies, within the framework of the Tribal Enterprise Architecture.

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EPA has organized a Tribal Data Working Group under the Federal Geographic Data Committee, and, along with BIA, is the co-chair of this group. EPA will play a lead role in establishing common geographic data and metadata standards for Tribal data, and in establishing protocols for exchange of information among Federal, non-Federal and Tribal cooperating partners.

EPA is developing protocols with the Bureau of Reclamation, Native American Program, for integration of databases of the two agencies, within the framework of the Tribal Enterprise Architecture. EPA is also developing agreements to share information with the Alaska District, U.S. Army Corps of Engineers.

#### ***Objective: Enhance Science and Research***

The forensic program works with the state, local and tribal agencies, providing technical assistance, and on-site investigation and inspection activities in support of the Agency's civil program. The program also coordinates with the Department of Justice and other federal, state and local law enforcement organizations in support of criminal investigations.

As part of its pollution prevention research, EPA joined with USDA, DOC, DOD, DOE, NASA, NIH's National Institute of General Medical Sciences (NIGMS), and NSF on a metabolic engineering research solicitation. EPA is also coordinating with DOD's Strategic Environmental Research and Development Program (SERDP) in an ongoing partnership, especially in the areas of pollution prevention research and incorporation of materials lifecycle analysis into the manufacturing process for weapons and military equipment. The agency has also made contact with USDA regarding lifecycle analysis of biologically- and genetically-altered products. EPA and the Army Corps of Engineers will address the costs and benefits associated with new engineering projects and technologies in order to respond to the economic impacts of environmental innovation.

EPA co-funds performance evaluation of ballast water treatment technologies and mercury continuous emission monitors through memoranda of agreement with the Coast Guard and the State of Massachusetts. The agency also coordinates technology verifications with NOAA (multiparameter water quality probes); DOE (mercury continuous emission monitors); DOD (explosives monitors, PCB detectors, dust suppressants); USDA (ambient ammonia monitors); Alaska and Pennsylvania (arsenic removal); Georgia, Kentucky, and Michigan (storm water treatment); and Colorado and New York (waste-to-energy technologies).