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

**APPROPRIATION: Leaking Underground Storage Tanks
Resource Summary Table**

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Leaking Underground Storage Tanks				
Budget Authority / Obligations	\$73,372.4	\$72,545.0	\$73,027.0	\$482.0
Total Workyears	74.2	79.3	77.4	-1.9

BILL LANGUAGE: LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$85,000 per project, [\$70,000,000] \$73,027,000, to remain available until expended. (*Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2005.*)

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

Program Project	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Acquisition Management	\$347.9	\$366.7	\$346.5	(\$20.2)
Central Planning, Budgeting, and Finance	\$723.6	\$950.4	\$935.9	(\$14.5)
Compliance Assistance and Centers	\$463.5	\$585.3	\$773.6	\$188.3
Facilities Infrastructure and Operations	\$862.1	\$883.9	\$883.9	\$0.0
Financial Assistance Grants / IAG Management *	\$24.5	\$0.0	\$0.0	\$0.0
Human Resources Management	\$4.0	\$3.0	\$3.0	\$0.0
IT / Data Management	\$109.3	\$177.6	\$177.6	\$0.0
LUST / UST	\$9,473.6	\$10,499.6	\$10,583.7	\$84.1
LUST Cooperative Agreements	\$60,736.8	\$58,450.0	\$58,676.6	\$226.6
Research: Land Protection and Restoration	\$627.1	\$628.5	\$646.2	\$17.7

* 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 LUST: \$346.5 (Dollars in Thousands)

Acquisition Management (LUST)
(Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$23,081.3	\$24,264.3	\$23,054.6	(\$1,209.7)
<i>Leaking Underground Storage Tanks</i>	<i>\$347.9</i>	<i>\$366.7</i>	<i>\$346.5</i>	<i>(\$20.2)</i>
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 LUST 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)¹. Contract actions will be sent to the Federal Procurement Data System – Next Generation (FPDS-NG)² as required by the Federal Acquisition Regulation. The Agency will work to eliminate paper-processing in the acquisition process and manage acquisition records electronically.

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

² 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

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 LUST: \$935.9 (Dollars in Thousands)

Central Planning, Budgeting, and Finance (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$62,360.2	\$64,486.8	\$72,790.2	\$8,303.4
<i>Leaking Underground Storage Tanks</i>	\$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 support the management of integrated planning, budgeting, financial management, performance and accountability processes and systems to ensure effective stewardship of LUST resources.

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 and effectiveness in the support of LUST resources.

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)

- No change in funding.

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 The Prompt Payment Act (1982); Title 5 United States Code. Information Act; Inspector General Act of 1978 and Amendments of 1988; Paperwork Reduction Act; Privacy Act; The Chief Financial Officers Act (1990); GPRA (1993)

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

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

Total Request for Appropriation LUST: \$773.6 (Dollars in Thousands)

Compliance Assistance and Centers (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$27,177.2	\$28,574.5	\$29,097.1	\$522.6
<i>Leaking Underground Storage Tanks</i>	\$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.

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 protect our Nation's groundwater and drinking water from petroleum releases from underground storage tanks, EPA will continue to provide compliance assistance tools, technical assistance, and training to promote and enforce UST systems compliance. 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 Special Analysis Section. For more information, visit: <http://www.epa.gov/swerust1/cat/index.htm>.

FY 2006 Activities and Performance Highlights

During FY 2006 the Agency will continue its work to obtain states' commitments to increase their inspection and enforcement presence, where state-specific UST compliance goals are not met. The Agency and states will use innovative compliance approaches, along with outreach and education tools, to bring more underground storage tanks into compliance. The Agency will also continue to provide guidance to foster the use of new technology to enhance compliance.

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

PPA; CERFA; NEPA; AEA; UMTRLWA

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 LUST: \$883.9 (Dollars in Thousands)

Facilities Infrastructure and Operations (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$299,417.3	\$326,793.8	\$358,045.6	\$31,251.8
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)
<i>Leaking Underground Storage Tanks</i>	<i>\$862.1</i>	<i>\$883.9</i>	<i>\$883.9</i>	<i>\$0.0</i>
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

LUST resources in the Facilities Infrastructure and Operations program are used to 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

EPA will provide transit subsidy to eligible applicants as directed by Executive Order (EO) 13150³ "Federal Workforce Transportation."

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

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.

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

- No change in funding.

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)

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 LUST: \$3.0 (Dollars in Thousands)

Human Resources Management (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$41,725.0	\$44,139.5	\$38,871.6	(\$5,267.9)
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 relate to the provision of human resources management services pursuant to the LUST appropriation. 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

In FY 2006, EPA will continue to meet Department of Labor requirements for distributing workmen's compensation.

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

- No change in funding.

Statutory Authority

Title 5 United States Code

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 LUST: \$177.6 (Dollars in Thousands)

IT / Data Management (LUST)
(Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$101,091.2	\$108,359.4	\$105,999.0	(\$2,360.4)
Science & Technology	\$4,611.0	\$4,821.4	\$4,250.9	(\$570.5)
<i>Leaking Underground Storage Tanks</i>	\$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

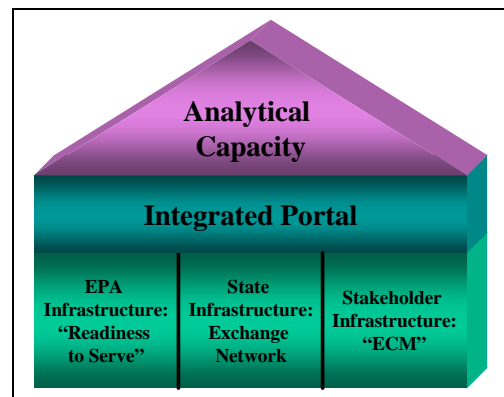
*Agency Authorized FTE levels are being aligned with actual utilization. See overview section.

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), 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.

In FY 2006 the IT/Data Management LUST resources continue to support EPA's 'Readiness to Serve' infrastructure program. This 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).

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

- No change in funding.

Statutory Authority

Federal Advisory Committee Act; Government Information Security Reform Act; 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 Reauthorization 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

LUST Cooperative Agreements
 Environmental Protection Agency
 FY 2006 Annual Performance Plan and Congressional Justification

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

Total Request for Appropriation LUST: \$58,676.6 (Dollars in Thousands)

LUST Cooperative Agreements (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
<i>Leaking Underground Storage Tanks</i>	\$60,736.8	\$58,450.0	\$58,676.6	\$226.6
Total Budget Authority / Obligations	\$60,736.8	\$58,450.0	\$58,676.6	\$226.6
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:

The Leaking Underground Storage Tanks (LUST) program promotes rapid and effective responses to releases from federally regulated underground storage tanks (USTs) containing petroleum by enhancing state, local, and tribal enforcement and response capability. EPA provides resources to 50 States, the District of Columbia, and five territories (Puerto Rico, Virgin Islands, the Northern Mariana Islands, American Samoa, and Guam) through cooperative agreements for the oversight and cleanup of petroleum releases from underground storage tanks (USTs). These states and territories have the authority to respond to petroleum releases from USTs using Leaking Underground Storage Tanks (LUST) Trust funds where owners and operators are unknown, unwilling, or unable to take corrective actions themselves (see <http://www.epa.gov/swerust1/20clenup.htm>). States and territories use the LUST Trust Fund to administer their corrective action programs, oversee cleanups by responsible parties, undertake necessary enforcement actions, and pay for cleanups in cases where a responsible party cannot be found or is unwilling or unable to pay for a cleanup. States and territories may also oversee and enforce responsible party cleanups and cost recover from responsible parties who are unwilling to pay for cleanups. When the LUST Trust Fund is used, tank owners/operators are liable to the state for costs incurred and are subject to cost recovery actions.

EPA, with few exceptions, does not perform the cleanup of leaking underground storage tanks. More than 40 states have their own cleanup funds to pay for the majority of owners' and operators' cleanup costs. The vast majority of LUST cleanups are paid for by state LUST cleanup funds and not by private parties; state funds are separate from the Federal LUST Trust Fund. The Agency has primary responsibility for implementing the LUST program in Indian Country, and uses a portion of its LUST funding to implement the LUST program in Indian

Country (including, but not limited to cleanup activities and enforcement). This program was included in the Leaking Underground Storage Tanks PART review for 2006 which received an overall rating of adequate; more information is included in the Special Analysis Section.

FY 2006 Activities and Performance Highlights:

In FY 2006 EPA will continue to make incremental improvements in reducing the national backlog of confirmed releases yet to be cleaned up. At the end of FY 2004, the backlog of sites requiring remedial action was 129,828 sites, a five percent decrease from FY 2003. EPA will continue to work with the States to achieve more cleanups completed each year, thus reducing the backlog. At the FY 2006 request level the Agency will provide approximately 84% of LUST appropriated funds to States and Tribes.

Concerns about the use of fuel oxygenates (e.g., methyl tertiary butyl ether, or MTBE) in gasoline further underscores EPA's and the states' programmatic emphasis on better oversight and quicker action to reduce the costs of cleaning up MTBE contamination, which can increase cleanup costs by 25% to more than 100%. For example, states face multi-million dollar cleanup costs at sites with widespread MTBE contamination such as Santa Monica, CA, Long Island, NY, Pascoag, RI and Hopkins, SC.

LUST funding in Indian Country is used to educate owners and operators about the requirements for addressing leaking USTs; oversee and conduct site assessments, site investigations, and remediation in Indian Country; enforce against responsible parties; perform cleanup of soil and/or groundwater; provide alternate water supplies and cost recovery against UST owners and operators in Indian Country; provide technical expertise and assistance by utilizing in-house personnel, contractors and grants/cooperative agreements to tribal entities using P.L. 105-276 and to non-state entities using RCRA 8001; conduct response activities in very limited circumstances; oversee responsible party lead cleanups in Indian Country at the regional level; and provide direction, support and assistance to tribal governments as well as negotiate and monitor their cooperative agreements at the regional level.

In FY 2004, the LUST Program received an overall rating of "adequate" from OMB's PART review. To achieve this rating, the LUST Program created two long-term performance measures that focus on environmental outcomes related to the backlog of cleanups in states and Indian Country.

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

- (+\$226.6) Increases the funds for cooperative agreements for States and Tribes.

Statutory Authority

States: Solid Waste Disposal Act (SWDA) of 1976, as amended, Section 9003(h); Section 8001(a). Tribal Grants: P.L. 105-276

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 LUST: \$10,583.7 (Dollars in Thousands)

LUST / UST (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Environmental Program & Management	\$6,833.7	\$7,094.5	\$7,719.4	\$624.9
<i>Leaking Underground Storage Tanks</i>	<i>\$9,473.6</i>	<i>\$10,499.6</i>	<i>\$10,583.7</i>	<i>\$84.1</i>
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:

The Leaking Underground Storage Tanks (LUST) program promotes rapid and effective responses to releases from federally regulated underground storage tanks (USTs) containing petroleum by enhancing State, local, and tribal enforcement and response capability. EPA provides technical information, forums for information exchange and training opportunities to States, Tribes and Intertribal Consortia to encourage program development and/or implementation of the Leaking Underground Storage Tanks (LUST) program and helps to address groundwater and drinking water contamination from oxygenates. For more information, visit <http://www.epa.gov/swerust1/20clenup.htm>.

EPA works with state UST programs to clean up LUST sites by measuring and evaluating performance, works with other cleanup programs to streamline the remediation process, and promotes innovative approaches to corrective action. EPA works with its partners in making progress in assessing, cleaning up and reusing abandoned gas stations and other sites with underground storage tanks while exploring ways to encourage public and private partnerships to leverage financial, technical, and managerial resources to advance the cleanup and reuse of abandoned gas station sites. The Agency has primary responsibility for implementing the LUST program in Indian Country, and uses a portion of its LUST funding to implement the program in Indian Country (including, but not limited to cleanup activities and enforcement). This program was included in the Leaking Underground Storage Tanks PART review for 2006 which received an overall rating of adequate; more information is included in the Special Analysis Section.

FY 2006 Activities and Performance Highlights:

EPA continues to make incremental improvements in reducing the national backlog of confirmed releases yet to be cleaned up. At the end of FY 2004, the backlog of sites requiring remedial action was 129,828 sites, a five percent decrease from FY 2003. EPA will continue to work with the States and the Tribes to achieve more cleanups completed each year. EPA's LUST Program priorities continue to focus on cleaning up LUST sites; addressing contamination from oxygenates; and promoting the continued use, reuse, and long-term management of LUST sites.

EPA will also identify how to improve the long-term management of LUST sites, and continue to measure program performance. In FY 2006, EPA will continue to improve methods of tracking and analyzing LUST program performance, e.g., projecting cleanup goals, analyzing trends, looking at new and existing performance measures and their definitions, and developing diagnostic tools to help EPA and state managers improve strategies for expediting cleanups. EPA will continue working with states to improve performance reporting and tracking.

EPA will continue coordinating with Agency task forces on groundwater cleanup, site assessment decision-making, and long-term site stewardship. LUST program-specific projects include developing information about long-term site management and a strategy for evaluating the impact of vapor intrusion at LUST sites, and working with others to optimize the use of cleanup technologies.

EPA will continue to perform its oversight responsibilities, strengthen partnerships among stakeholders, and provide technical assistance and training to improve and expedite corrective action at LUST sites. To help state and EPA regulators respond to releases and sites in a proactive manner, EPA will continue to provide a national LUST web-based training module that addresses topics such as basic hydrogeology, source control, sampling techniques, remediation technologies, and performance monitoring. This module is one element of a national UST/LUST training effort initiated in FY 2003 by a state and EPA work group.

In FY 2006, EPA will continue to encourage the use of multi-site cleanup approaches to expedite the cleanup, identifying ways to optimize traditional cleanup methods, and use performance-based contracting to achieve LUST program objectives. UST owners and operators undertake nearly all cleanups under the supervision of state or local agencies.

To educate owners and operators about the requirements for addressing leaking USTs in Indian Country EPA will continue to provide support for; site assessments, investigations and remediation; enforcement against responsible parties; cleanup of soil and/or groundwater; alternate water supplies and cost recovery against UST owners and operators; technical expertise and assistance by utilizing in-house personnel, contractors and grants/cooperative agreements to Tribal entities; response activities; oversight of responsible party lead cleanups; and support and assistance to tribal governments. The Agency estimates that cleaning up all known and yet-to-be-discovered releases in Indian Country will take several years.

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: P.L. 105-276

Research: Land Protection and Restoration
 Environmental Protection Agency
 FY 2006 Annual Performance Plan and Congressional Justification

Goal: Land Preservation and Restoration
 Objective(s): Enhance Science and Research

Total Request for Appropriation LUST: \$646.2 (Dollars in Thousands)

Research: Land Protection and Restoration (LUST)
 (Dollars in Thousands)

	FY 2004 Obligations	FY 2005 Pres. Bud.	FY 2006 Request	FY 2006 Request v. FY 2005 Pres. Bud.
Science & Technology	\$10,230.3	\$8,841.9	\$13,696.5	\$4,854.6
Leaking Underground Storage Tanks	\$627.1	\$628.5	\$646.2	\$17.7
Oil Spill Response	\$928.2	\$917.8	\$905.7	(\$12.1)
Hazardous Substance Superfund	\$32,264.8	\$22,671.1	\$23,098.7	\$427.6
Total Budget Authority / Obligations	\$44,050.4	\$33,059.3	\$38,347.1	\$5,287.8
Total Workyears*	142.4	136.8	135.6	-1.2

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

Program Project Description

Research applicable to leaking underground storage tanks (LUSTs) addresses assessment and cleanup for fuels and fuel additives, including methyl tertiary butyl ether (MTBE). Assessment is focused on development of source, term, and transport modeling modules that can be applied by state project managers. Remediation research addresses multiple remediation approaches applicable to spilled fuels, with or without oxygenates. Specific human health risk and exposure assessments and methods and site specific risk characterizations are discussed and conducted under the Superfund Human Health Risk Assessment Program- Project.

FY 2006 Activities and Performance Highlights

Leaking underground storage tanks (LUST) assessment research will focus on the development of online transport models that can be used by state project managers.

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

SWDA; HSWA; SARA; CERCLA; RCRA; OPA; BRERA

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