

**ENVIRONMENTAL PROTECTION AGENCY
2010 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency
FY 2010 Annual Performance Plan and Congressional Justification**

GOAL, APPROPRIATION SUMMARY

Budget Authority
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud
Clean Air and Global Climate Change	\$984,806.8	\$1,037,151.9	\$1,069,772.9
Environmental Program & Management	\$457,849.3	\$453,274.0	\$488,859.8
Science & Technology	\$224,788.0	\$234,932.7	\$255,662.4
Building and Facilities	\$8,124.2	\$7,882.6	\$8,343.2
State and Tribal Assistance Grants	\$284,897.9	\$330,454.0	\$307,954.0
Inspector General	\$5,990.8	\$7,050.9	\$4,815.4
Hazardous Substance Superfund	\$3,156.5	\$3,557.7	\$4,138.0
Clean and Safe Water	\$3,119,201.2	\$2,879,615.5	\$5,137,301.6
Environmental Program & Management	\$476,274.1	\$478,249.3	\$480,611.6
Science & Technology	\$152,683.6	\$148,259.3	\$157,653.4
Building and Facilities	\$5,535.1	\$5,185.8	\$5,463.6
State and Tribal Assistance Grants	\$2,463,043.0	\$2,225,802.0	\$4,466,612.0
Inspector General	\$21,665.5	\$22,119.1	\$26,961.0
Land Preservation and Restoration	\$1,852,645.6	\$1,732,403.0	\$1,761,418.6
Environmental Program & Management	\$216,201.3	\$214,034.7	\$224,776.6
Science & Technology	\$12,722.3	\$15,477.9	\$15,645.6
Building and Facilities	\$4,257.0	\$4,456.7	\$4,607.8
State and Tribal Assistance Grants	\$108,294.1	\$111,846.0	\$108,846.0
Leaking Underground Storage Tanks	\$108,093.9	\$112,577.0	\$113,101.0
Oil Spill Response	\$17,325.3	\$17,687.0	\$18,379.0
Inspector General	\$2,742.8	\$3,114.4	\$2,089.0
Hazardous Substance Superfund	\$1,383,008.8	\$1,253,209.2	\$1,273,973.7
Healthy Communities and Ecosystems	\$1,296,975.2	\$1,254,336.0	\$1,738,429.6
Environmental Program & Management	\$650,795.3	\$666,029.9	\$1,131,330.2
Science & Technology	\$330,187.3	\$349,835.1	\$373,222.5
Building and Facilities	\$13,211.1	\$12,183.8	\$12,926.2

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud
State and Tribal Assistance Grants	\$276,548.2	\$209,859.0	\$204,409.0
Inspector General	\$7,594.7	\$8,153.6	\$7,877.8
Hazardous Substance Superfund	\$18,638.5	\$8,274.5	\$8,663.8
Compliance and Environmental Stewardship	\$739,446.2	\$750,167.6	\$789,077.2
Environmental Program & Management	\$561,371.2	\$580,491.0	\$614,985.7
Science & Technology	\$43,061.0	\$41,545.9	\$40,165.2
Building and Facilities	\$5,179.9	\$5,292.1	\$5,660.1
State and Tribal Assistance Grants	\$105,146.5	\$98,503.0	\$103,453.0
Inspector General	\$3,902.6	\$4,353.0	\$3,047.7
Hazardous Substance Superfund	\$20,785.0	\$19,982.6	\$21,765.5
<i>Sub-Total</i>	\$7,993,075.1	\$7,653,674.0	\$10,496,000.0
Rescission of Prior Year Funds	(\$5000.0.0)	(\$10,000.0)	(\$10,000.0)
Total	\$7,988,075.1	\$7,643,674.0	\$10,486,000.0

(Totals may not sum due to rounding)

**Environmental Protection Agency
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GOAL, APPROPRIATION SUMMARY

Authorized Full-time Equivalents (FTE)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud
Clean Air and Global Climate Change	2,607.3	2,675.2	2,673.1
Environmental Program & Management	1,856.8	1,856.2	1,865.3
Science & Technology	672.1	724.6	724.6
Inspector General	32.1	42.7	31.8
Hazardous Substance Superfund	15.3	18.2	18.5
Envir. Program & Mgmt - Reim	3.1	0.0	0.0
Science and Tech. - Reim	1.4	3.0	3.0
FEMA - Reim	0.7	0.0	0.0
WCF-REIMB	25.8	30.5	30.0
Clean and Safe Water	2,815.1	2,878.7	2,892.7
Environmental Program & Management	2,182.1	2,239.1	2,209.7
Science & Technology	494.8	484.4	484.3
Inspector General	116.1	134.0	178.2
Envir. Program & Mgmt - Reim	3.6	0.0	0.0
WCF-REIMB	18.5	21.2	20.5
Land Preservation and Restoration	4,448.9	4,576.1	4,564.8
Environmental Program & Management	1,162.5	1,157.2	1,160.4
Science & Technology	49.3	59.2	59.2
Leaking Underground Storage Tanks	65.6	75.3	75.3
Oil Spill Response	92.1	102.2	102.2
Inspector General	14.7	18.9	13.8
Hazardous Substance Superfund	2,932.4	3,071.5	3,062.6
Envir. Program & Mgmt - Reim	11.8	0.0	0.0
Oil Spill Response - Reim	9.3	0.0	0.0
FEMA - Reim	0.8	0.0	0.0
Superfund Reimbursables	97.8	75.5	75.5
WCF-REIMB	12.6	16.3	15.8

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud
Healthy Communities and Ecosystems	3,750.0	3,719.4	3,846.9
Environmental Program & Management	2,400.2	2,426.7	2,539.0
Science & Technology	1,035.2	1,001.9	1,011.9
Inspector General	40.7	49.4	52.1
Rereg. & Exped. Proc. Rev Fund	136.9	167.8	167.8
Hazardous Substance Superfund	28.0	27.0	27.3
Envir. Program & Mgmt - Reim	9.8	0.0	0.0
Science and Tech. - Reim	0.4	0.0	0.0
Pesticide Registration Fund	57.7	0.0	0.0
WCF-REIMB	41.1	46.7	48.7
Compliance and Environmental Stewardship	3,295.1	3,402.8	3,406.8
Environmental Program & Management	3,003.7	3,107.1	3,118.2
Science & Technology	156.5	162.5	162.5
Inspector General	20.9	26.4	20.1
Hazardous Substance Superfund	90.7	85.4	84.9
Envir. Program & Mgmt - Reim	6.2	0.0	0.0
WCF-REIMB	17.2	21.4	21.1
Total	16,916.4	17,252.1	17,384.3

(Totals may not sum due to rounding)

**Environmental Protection Agency
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Clean Air and Global Climate Change

Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas emissions by enhancing partnerships with businesses and other sectors.

STRATEGIC OBJECTIVES:

- Through 2014, working with partners, protect human health and the environment by attaining and maintaining health-based air-quality standards and reducing the risk from toxic air pollutants.
- Through 2014, working with partners, reduce human health risks by reducing exposure to indoor air contaminants through the promotion of voluntary actions by the public.
- Through 2014, continue efforts to restore the earth’s stratospheric ozone layer and protect the public from the harmful effects of UV radiation.
- Through 2014, working with partners, minimize unnecessary releases of radiation and be prepared to minimize impacts to human health and the environment should unwanted releases occur.
- Through 2014, continue to reduce greenhouse gas emissions through voluntary climate protection programs that accelerate the adoption of cost-effective greenhouse gas reducing technologies and practices.
- By 2013, meet or exceed expectations of an independent expert review assessment of the utility of EPA research for protecting the air and reducing risks to human health.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Clean Air and Global Climate Change	\$984,806.8	\$1,037,151.9	\$1,069,772.9	\$32,621.0
Healthier Outdoor Air	\$646,703.1	\$689,404.9	\$703,302.3	\$13,897.4
Healthier Indoor Air	\$49,839.8	\$44,530.4	\$45,607.3	\$1,076.9
Protect the Ozone Layer	\$17,456.1	\$18,224.9	\$18,729.8	\$504.9
Radiation	\$40,234.9	\$41,463.0	\$43,582.6	\$2,119.6
Reduce Greenhouse Gas Emissions	\$137,117.3	\$143,511.1	\$155,750.7	\$12,239.6
Enhance Science and Research	\$93,455.6	\$100,017.7	\$102,800.1	\$2,782.4
Total Authorized Workyears	2,607.3	2,675.2	2,673.1	-2.1

Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas emissions by enhancing partnerships with businesses and other organizations across all sectors of the economy.

EPA implements the Clean Air and Global Climate Change goal through national, state, Tribal, local and Regional programs designed to provide healthier outdoor and indoor air for all Americans, reduce greenhouse gases, protect the stratospheric ozone layer, minimize the risks from radiation releases, and enhance science and research. These programs are all founded on several common principles: using health and environmental risks to set priorities, streamlining programs through regulatory reforms; encouraging market-based approaches; facilitating deployment of cost-effective technologies; promoting energy efficiency and clean energy supply; using sound science, and maintaining partnerships with states, tribes, local governments, non-governmental organizations, and industry.

EPA's key clean air programs – including those addressing six common “criteria” pollutants: particulate matter, ozone, lead, sulfur dioxide, nitrogen dioxide, and carbon monoxide; acid rain; air toxics; indoor air; radiation and stratospheric ozone depletion – focus on some of the highest health and environmental risks faced by the Agency. These programs have achieved results. Every year, state and Federal air pollution programs, established under the Clean Air Act, prevent tens of thousands of premature mortalities, millions of incidences of chronic and acute illness, tens of thousands of hospitalizations and emergency room visits, and millions of lost work days.

Clean Air

Cleaner cars, industries and consumer products have contributed to cleaner air for much of the U.S. Since 1990, nationwide air quality for the six criteria air pollutants, for which there are national ambient air quality standards, has improved significantly. Despite this progress, millions of Americans still live in areas that exceed one or more of the national standards. Ground-level ozone and particle pollution still present challenges in many areas of the country. In 2008, EPA promulgated more protective standards for ozone and lead. In FY 2010, the Agency will continue to work with state agencies to ensure active progress toward meeting these new standards. In FY 2010, EPA will promulgate nitrogen dioxide and sulfur dioxide primary standards and propose secondary standards for those criteria pollutants, and the Agency will consider further strengthening the standards for particle pollution.

EPA's NO_x SIP Call, Clean Air Interstate Rule, and Acid Rain Program have contributed to significant improvements in air quality and environmental health. The required reductions in sulfur dioxide and oxides of nitrogen have reduced ozone and particle pollution, improved visibility in our treasured national parks, and led to significant decreases in atmospheric deposition. The decreases in deposition have contributed to improved water quality in lakes and streams. Specifically, between the 1989-1991 and 2005-2007 time periods, wet sulfate deposition decreased by more than 30 percent and wet inorganic nitrogen decreased by approximately 15 percent in the eastern U.S. Scientists have observed measurable improvements and signs of recovery in a number of water bodies. Lake and stream water acidity is decreasing in three of the four acid-sensitive regions being monitored. A critical load analysis shows that emission reductions achieved by the Acid Rain Program have resulted in improved environmental conditions and increased ecosystem protection in the Adirondack Mountain region.

From 1990 to 2005, emissions of air toxics declined by 42 percent – the result of a number of regulations on industrial and transportation sources. EPA has issued 96 industrial air toxics standards, affecting 174 categories of industry. When fully implemented, these standards will reduce 1.7 million tons of air toxics every year. In FY 2010, EPA will continue to review and revise, as necessary, stationary air toxic standards to address any legal deficiencies within these rules, as well as address risk and technology developments. EPA will complete initial air toxics monitoring and analysis work at 50-100 schools nationwide. In FY 2010, EPA will analyze the initial results from this assessment and determine how best to proceed, which could involve additional monitoring.

EPA also will continue efforts, begun in 2009, to set air toxic standards for utilities, in light of the 2008 vacature of the Clean Air Mercury Rule. EPA also will continue to fulfill its obligation to set toxic standards for area sources. To date, EPA has promulgated rules for 51 of the 70 listed area source categories. EPA estimates that in 2030 the Mobile Source Air Toxics Rule would reduce total emissions of mobile source air toxics from vehicles and fuels by 330 thousand tons and VOC emissions (precursors to ozone and PM_{2.5}) by over 1 million tons. In FY 2010, EPA will continue its ongoing program to review and revise, as necessary, new source performance standards (NSPS) for criteria pollutant emissions from stationary sources.

In FY 2010, EPA will promulgate more stringent nitrogen oxide and particulate matter emission standards for ocean-going vessels. The designation of U.S. coastal areas as Emission Control Areas (ECA) pursuant to MARPOL Annex VI fuel sulfur provisions also will be critical to achieving particulate matter reductions from ocean-going vessels. In FY 2010, EPA will establish standards for U.S. emissions control areas while working with the International Maritime Organization (IMO).

In FY 2010, EPA also will continue to implement comprehensive certification and compliance programs for existing vehicle, engine, and fuel regulations including the Tier II light-duty (LD) vehicle program, the Mobile Sources Air Toxics (MSAT) programs, the 2007-2010 Clean Heavy-Duty (HD) Diesel standards, and the Clean Non-Road Diesel Tier 4 standards (and earlier nonroad standards) in order to ensure the public health and environmental benefits of these clean air programs.

Climate Protection

For more than a decade, businesses and other organizations have partnered with EPA, through voluntary climate protection programs, to pursue common sense approaches to reducing greenhouse gas emissions. Voluntary programs, such as Energy Star and SmartWay Transport, have increased the use of energy-efficient products and practices, spurred investment in clean energy development, and reduced emissions of carbon dioxide, methane, and other greenhouse gases with very high global warming potentials. The Agency's Clean Automotive Technology program develops cost-effective advanced clean and low greenhouse gas emitting engines and hybrid technologies. Through this program, EPA transfers innovations and know-how to automotive and truck companies wanting to commercialize significant elements of these practical low-GHG innovations. These partnership programs break down market barriers and promote the deployment of cost-effective technologies and processes designed to yield greenhouse gas reductions over the life of the investment.

In FY 2010, EPA will complete development of the Greenhouse Gas mandatory reporting rule and start the implementation activities necessary for the rule. The purpose of the rule is to collect accurate and comprehensive emissions data to inform future policy decisions. In addition, funding also is included to allow for work on the necessary steps to address greenhouse gases under the Clean Air Act and toward implementing a comprehensive climate bill.

Energy

EPA, under the Energy Independence and Security Act (EISA) of 2007, is responsible for implementing regulations to ensure that gasoline sold in the United States contains a minimum volume of renewable fuel. In FY 2010, EPA will continue work on establishing new Renewable Fuel Standards (RFS2) and will implement several other actions required by the Energy Policy Act (EPAct) of 2005 and EISA. The RFS2 program aims to increase the volume of renewable fuel required to be blended into gasoline from 9 billion gallons in 2008 to 36 billion gallons by 2022. In FY 2010, EPA will invest increased resources to upgrade its vehicle and fuel testing capability at the National Vehicle and Fuel Emissions Laboratory (NVFEL) to certify and assess the emissions and fuel economy performance of vehicles and engines using increased volumes of renewable fuel. EPA also will invest resources in other EISA implementation activities, including information technology to establish and manage a renewable fuels credit trading system. EPA estimates that the RFS program could cut petroleum use by up to 3.9 billion gallons and greenhouse gas emissions by up to 13.1 million metric tons annually by 2012—the equivalent of eliminating the greenhouse gas emissions of 2.3 million cars.

Reduce Risks to Indoor Air and Radon Programs

The Indoor Air Program characterizes the risks of indoor air pollutants to human health, develops techniques for reducing those risks, and educates the public about those techniques and other actions they can take to reduce their risks from indoor air. Through voluntary partnerships with non-governmental and professional organizations, EPA educates and encourages individuals, schools, industry, the health-care community, and others to take action to reduce health risks in indoor environments using a variety of approaches, including national public awareness and media campaigns, as well as community-based outreach and education. 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 also carries out a national radon program that encourages and facilitates voluntary national, regional, state, and Tribal programs and activities that support initiatives targeted to radon testing and mitigation, as well as to radon resistant new construction. Radon is second only to smoking as a cause of lung cancer.

Stratospheric Ozone – Domestic and Montreal Protocol

In FY 2010, EPA's Stratospheric Ozone Protection Program will continue to implement the provisions of the Clean Air Act and the Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol), and contribute to the reduction and control of ozone-depleting substances (ODS) in the U.S. EPA will continue to lower health risks to the American public associated with exposure to UV radiation, including preventing an estimated 6.3 million cases of fatal skin cancer in the U.S. In addition, through the Multilateral Fund of the Montreal Protocol,

EPA will invest in cost-effective projects that are designed to build capacity and eliminate ODS production and consumption in over 60 developing countries. The Multilateral Fund continues to support over six thousand activities in 148 countries, and when fully implemented, will prevent annual emissions of more than 431 thousand metric tons of ODS. Additional projects will be considered and approved in accordance with Multilateral Fund guidelines.

Radiation

In FY 2010, EPA will continue upgrading the national radiation monitoring system to expand the population and geographic areas covered, and to increase the speed at which the system samples the air, analyzes the measurements, and transmits the results. Deployable monitors will be maintained in ready condition so that during emergencies or unusual events they can be quickly transported to monitor radiation levels at locations near and downwind from the initial point of release. The Agency will continue to upgrade laboratory response capacity and capability for radiological incidents. EPA also will continue to improve the readiness of the Radiological Emergency Response Team (RERT) to support Federal response and recovery operations.

Research

EPA, in accordance with the Administration's policy of scientific integrity, conducts research to provide a scientific foundation for the Agency's actions to protect the air all Americans breathe. The Agency's air research program supports implementation of the Clean Air Act, especially the National Ambient Air Quality Standards (NAAQS), which sets limits on how much tropospheric ozone, particulate matter, carbon monoxide, sulfur dioxide, nitrogen oxides, and lead, are allowed in the atmosphere. EPA also conducts research on hazardous air pollutants, also known as air toxics.

In FY 2010, the Agency's air research program will continue research to understand the sources and composition of air pollution; develop methods for controlling sources' emissions; study atmospheric chemistry and model U.S. air quality; investigate Americans' exposure to air pollution; and conduct epidemiological, clinical, and toxicological studies of air pollution's health effects. In FY 2010, the program will continue to focus on the effects of air pollution near roads on human health, as well as the development and evaluation of effective mitigation strategies. The Agency also will fund research grants to universities and nonprofits to study topics such as the relationship between long-term exposure to fine particles and air pollution mixtures in the atmosphere and the frequency and progression of pulmonary and cardiovascular diseases. In FY 2010, EPA requests \$83.2 million for the Clean Air Research program to continue studying Americans' exposure to air pollution, and the links between sources of pollution and health outcomes.

Climate Change Research is discussed in the Goal 4 overview section.

**Environmental Protection Agency
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Clean and Safe Water

Ensure drinking water is safe. Restore and maintain oceans, watersheds, and their aquatic ecosystems to protect human health, support economic and recreational activities, and provide healthy habitat for fish, plants, and wildlife.

STRATEGIC OBJECTIVES:

- Protect human health by reducing exposure to contaminants in drinking water (including protecting source waters), in fish and shellfish, and in recreational waters.
- Protect the quality of rivers, lakes, and streams on a watershed basis and protect coastal and ocean waters.
- By 2014, conduct leading-edge, sound scientific research to support the protection of human health through the reduction of human exposure to contaminants in drinking water, fish and shellfish, and recreational waters and to support the protection of aquatic ecosystems-specifically, the quality of rivers, lakes, and streams, and coastal and ocean waters.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Clean and Safe Water	\$3,119,201.2	\$2,879,615.5	\$5,137,301.6	\$2,257,686.1
Protect Human Health	\$1,329,226.1	\$1,192,479.9	\$1,827,503.2	\$635,023.3
Protect Water Quality	\$1,658,310.4	\$1,546,946.2	\$3,168,933.8	\$1,621,987.6
Enhance Science and Research	\$131,664.7	\$140,189.5	\$140,864.7	\$675.2
Total Authorized Workyears	2,815.1	2,878.7	2,892.7	14.0

EPA achieves its Clean and Safe Water goal through programs designed to secure our national drinking water and to protect and improve surface waters, such as our rivers, lakes, and coastal waters. In FY 2010, EPA will collaborate with states and tribes to achieve clean and safe water objectives. The Agency also will support additional water initiatives, including carbon sequestration, water security, and sustainable infrastructure.

In FY 2010, EPA has increased its commitment toward upgrading drinking water and wastewater infrastructure with a substantial combined investment of \$3.9 billion for the Clean Water and Drinking Water State Revolving Fund programs. This investment will both facilitate continued

progress toward drinking water and clean water goals, and result in increased job opportunities at the local level. In conjunction with this investment, EPA will develop a sustainability policy including management and pricing to encourage conservation and adequate long-term funding for future capital needs.

The National Water Program will continue to place emphasis on sustainable infrastructure, watershed stewardship, full cost pricing, watershed based approaches, water efficiencies, and best practices through Environmental Management Systems. EPA will specifically focus on innovative financing and leveraging for infrastructure sustainability, green infrastructure, banking for wetlands conservation, and trading among point sources and non-point sources for water quality upgrades. In FY 2010, the Agency will continue advancing the water quality monitoring initiative and a water quality standards strategy under the Clean Water Act, as well as, important rules and activities under the Safe Drinking Water Act. Related efforts to improve monitoring and surveillance will help advance water security nationwide.

Drinking Water

During FY 2010, EPA, the states and community water systems will build on past successes while working toward the FY 2010 goal of assuring that 90 percent of the population served by community water systems receives drinking water that meets all applicable health-based standards. To promote compliance with drinking water standards, states carry out a variety of activities, such as conducting onsite sanitary surveys of water systems and working with small systems to improve their capabilities. EPA will work to improve compliance rates by providing guidance, training, and technical assistance; ensuring proper certification of water system operators; promoting consumer awareness of drinking water safety; maintaining the rate of system sanitary surveys and onsite reviews; and taking appropriate action for noncompliance. In FY 2010, states and EPA will process Underground Injection Control permit applications for experimental carbon sequestration and gather information from these pilots to facilitate the permitting of large-scale commercial carbon sequestration in the future. To help ensure that water is safe to drink, EPA provides \$1.5 billion, nearly doubling prior year funding, for the Drinking Water State Revolving Fund.

Clean Water

In FY 2010, EPA will continue to collaborate with states and tribes to make progress toward EPA's clean water goals. EPA will implement core clean water programs and apply promising innovations on a watershed basis to accelerate water quality improvements. Building on 30 years of clean water successes, EPA, in conjunction with states and tribes, will implement the Clean Water Act by focusing on: TMDLs and NPDES permits built upon scientifically sound water quality standards, effective water monitoring, strong programs for controlling nonpoint sources of pollution, stringent discharge permit programs, and revolving fund capitalization grants to our partners to build, revive, and "green" our aging infrastructure. Green infrastructure research will be expanded to assess, develop and compile scientifically rigorous tools and models that will be used by OW, States, and municipalities.

The Agency's FY 2010 request continues the monitoring initiative begun in 2005 to strengthen the nationwide monitoring network and complete the baseline water quality assessment of the nation's waters. These efforts are resulting in scientifically defensible water quality data and information essential for cleaning up and protecting the nation's waters. Progress in improving coastal and ocean waters, documented in the National Coastal Condition Report, will be maintained by focusing on: assessing coastal conditions, reducing vessel discharges, implementing coastal nonpoint source pollution programs, managing dredged material, and supporting international marine pollution control. EPA will continue to provide annual capitalization to the Clean Water State Revolving Fund (CWSRF) to enable EPA partners to improve wastewater treatment, non-point sources of pollution, and estuary revitalization. Realizing the long-term benefits derived from CWSRF, EPA is roughly tripling its CWSRF commitment to \$2.4 billion in FY 2010.

Nutrients

Monitoring data shows that excessive nutrients (nitrogen and phosphorous) remain one of the top causes of water quality impairment in the U.S. This request includes a \$5.0 million increase to accelerate the development and adoption of numeric nutrient standards by delegated states/tribes water quality programs, thereby boosting the efficiency and effectiveness of both point source techniques (NPDES permitting and TMDL development) and non-point source plans using watershed-based strategies.

Developing numeric water quality criteria and effectively translating them into TMDLs and NPDES permits is critical to preventing and remediating hypoxia and other problems caused by excessive nutrients. Current narrative nutrient standards are more difficult to interpret and implement. While states are charged with developing water quality criteria for achieving and maintaining designated beneficial uses of surface water, twenty-five states do not have numeric standards. The remaining twenty-five states have very limited numeric standards. Recent litigation and the resulting determination by EPA to craft numeric nutrient standards for the State of Florida underscores the importance of this FY 2010 request.

Homeland Security

EPA has a major role in supporting the protection of the nation's critical water infrastructure from terrorist threats. In FY 2010, EPA will continue to support the Water Security Initiative (WSI) pilot program and water sector-specific agency responsibilities, including the Water Alliance for Threat Reduction (WATR), to protect the nation's critical water infrastructure. The FY 2010 budget request provides \$31.5 million for water security efforts. This includes a request of \$22.4 million for WSI and \$1.3 million for WATR which will continue efforts to demonstrate the concept of an effective contamination warning system that drinking water utilities in high threat cities of all sizes and characteristics could adopt. In FY 2010, there will be increased training and outreach exercises for Regional Water Emergency Response/Technical Assistance Team members, consistent with the National Approach to Response. Also, the Agency, in collaboration with our water sector security stakeholders, will continue efforts to develop, implement and initiate tracking of national measures related to homeland security critical infrastructure protection activities.

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Land Preservation and Restoration

Preserve and restore the land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances.

STRATEGIC OBJECTIVES:

- By 2014, reduce adverse effects to land by reducing waste generation, increasing recycling, and ensuring proper management of waste and petroleum products at facilities in ways that prevent releases.
- By 2014, control the risks to human health and the environment by mitigating the impact of accidental or intentional releases and by cleaning up and restoring contaminated sites or properties to appropriate levels.
- Through 2014, provide and apply sound science for protecting and restoring land by conducting leading-edge research, which through collaboration, leads to preferred environmental outcomes.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Land Preservation and Restoration	\$1,852,645.6	\$1,732,403.0	\$1,761,418.6	\$29,015.6
Preserve Land	\$208,260.7	\$241,275.0	\$251,575.5	\$10,300.5
Restore Land	\$1,597,505.0	\$1,437,803.4	\$1,453,867.6	\$16,064.2
Enhance Science and Research	\$46,880.0	\$53,324.5	\$55,975.5	\$2,651.0
Total Authorized Workyears	4,448.9	4,576.1	4,564.8	-11.3

Land is one of America’s most valuable resources. Hazardous and non-hazardous wastes on the land can migrate to the air, groundwater, and surface water, contaminating drinking water supplies, causing acute illnesses or chronic diseases, and threatening healthy ecosystems in urban, rural, and suburban areas. To protect the land, human health and the environment, EPA implements the Land Preservation and Restoration goal with the following approaches—prevention, protection, and response activities to address risks posed by releases of harmful substances on land; emergency preparedness, response and homeland security to address immediate risks to human health and the environment; enforcement and compliance assistance to determine what needs to be done and who should pay; and sound science and research to address risk factors and new, innovative solutions. EPA’s Land Research program, in accordance with

the Agency's policy of scientific integrity¹, provides the scientific foundation for actions to protect America's land.

Prevention, Protection, and Response Activities

EPA leads the country's activities to prevent and reduce the risks posed by releases of harmful substances and to preserve and restore land with effective waste management and cleanup methods. In FY 2010, the Agency requests \$1,705.4 million to continue to apply the most effective approach to preserve and restore land by developing and implementing prevention programs, improving response capabilities, and maximizing the effectiveness of response and cleanup actions. This approach will help ensure that human health and the environment are protected and that land is returned to beneficial use.

In FY 2010, EPA also will continue to use a hierarchy of approaches to protect the land: reducing waste at its source, recycling waste, managing waste effectively by preventing spills and releases of toxic materials, and cleaning up contaminated properties. The Agency especially is concerned about threats to our most sensitive populations, such as children, the elderly, and individuals with chronic diseases, and prioritizes cleanups accordingly.²

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), known as Superfund, and the Resource Conservation and Recovery Act (RCRA) provide legal authority for EPA's work to restore and protect the land. The Agency and its partners use Superfund authority to clean up uncontrolled or abandoned hazardous waste sites, allowing land to be returned to productive use. Under RCRA, EPA works in partnership with states and tribes to address risks associated with leaking underground storage tanks and with the generation and management of hazardous and non-hazardous waste.

In addition, EPA uses authorities provided under the Clean Air Act, Clean Water Act, and Oil Pollution Act of 1990 to protect against spills and releases of hazardous materials. Controlling the many risks posed by accidental and intentional releases of harmful substances presents a significant challenge. In FY 2010, EPA will continue to ensure that it is adequately prepared to minimize contamination and harm to the environment from spills and releases of hazardous materials by improving its readiness to respond to emergencies through training as well as maintaining a highly skilled, well-trained, and equipped response workforce.

The following themes characterize EPA's land program activities under Goal 3 in FY 2010: Revitalization; Recycling, Waste Minimization and Energy Recovery; and implementation of the Energy Policy Act of 2005 (EPAct).

- **Revitalization**: All of EPA's cleanup programs (Superfund Remedial, Superfund Federal Facilities Response, Superfund Emergency Response and Removal, RCRA Corrective

¹ For more information, see http://www.whitehouse.gov/the_press_office/Memorandum-for-the-Heads-of-Executive-Departments-and-Agencies-3-9-09/.

² Additional information on these programs can be found at: <http://www.epa.gov/superfund/>, http://www.epa.gov/oem/content/er_cleanup.htm, <http://www.epa.gov/epaoswer/hazwaste/ca/>, <http://www.epa.gov/swerst1/>, <http://www.epa.gov/swerffir/> and <http://www.epa.gov/swerrims/landrevitalization/>.

Action, and Underground Storage Tanks) and their partners are taking proactive steps to facilitate the cleanup and revitalization of contaminated properties. In FY 2010, the Agency requests \$943.3 million to help communities revitalize these once productive properties by removing blight, satisfying the growing demand for land, helping limit urban sprawl, fostering ecologic habitat enhancements, enabling economic development, and maintaining or improving quality of life. In reflection of the high priority the Agency has placed on land revitalization, EPA has adopted a series of acres-based, cross-program revitalization measures (CPRMs) to help document progress in cleaning up and promoting the productive and protective use of previously contaminated land. Building upon its successful land revitalization and reuse efforts, in FY 2008 EPA launched the RE-Powering America's Land initiative³ and partnered with the Department of Energy to develop an interactive Google Earth Mapping application that shows the potential of thousands of environmentally impaired properties across the country to host solar, wind, or biomass energy facilities. These sites offer appropriate location, existing infrastructure, such as transmission lines and roads and rail, and are often zoned for this type of development. Finding suitable environmentally impaired lands to site renewable energy facilities is one significant way EPA and the States can help the Administration meet its goals of 10 percent renewable energy by 2010 and 25 percent by 2025.

- Recycling, Waste Minimization and Energy Recovery: EPA requests \$10.6 million in FY 2010 to support EPA's strategy for reducing waste generation and increasing recycling. EPA's strategy will continue to be based on: (1) establishing and expanding partnerships with businesses, industries, tribes, states, communities, and consumers; (2) stimulating infrastructure development and environmentally responsible behavior by product manufacturers, users, and disposers; and (3) helping businesses, government, institutions, and consumers reduce waste generation and increase recycling through education, outreach, training, and technical assistance. In FY 2010, EPA will continue the Resource Conservation Challenge (RCC) as a major national effort to find flexible, yet more protective ways to conserve our valuable natural resources through waste reduction, energy recovery, and recycling. Through RCC, the Agency also will pursue the advancement of alternative domestic energy sources as well as clean energy, which power our economy and drive our environmental successes.
- Implementing the EPOAct: The EPOAct⁴ contains numerous provisions that significantly affect Federal and state underground storage tank (UST) programs and requires that EPA and states strengthen tank release and prevention programs. In FY 2007, working with its tank partners, EPA developed grant guidelines⁵ which implement the UST provisions of the EPOAct. In FY 2010, EPA requests \$49.4 million to provide assistance to states to help them meet their EPOAct responsibilities, which include: (1) mandatory inspections every three years for all underground storage tanks; (2) operator training; (3) prohibition

³ Additional information on this initiative can be found on <http://www.epa.gov/renewableenergyland/>.

⁴ For more information, refer to http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ058.109.pdf (scroll to Title XV - Ethanol And Motor Fuels, Subtitle B – Underground Storage Tank Compliance, on pages 500-513 of the pdf file).

⁵ For more information, refer to <http://www.epa.gov/OUST/>.

of delivery for non-complying facilities⁶; and (4) secondary containment or financial responsibility for tank manufacturers and installers.

In addition to these themes, EPA's Homeland Security and Enforcement work are important components of the Agency's prevention, protection, and response activities.

Homeland Security

EPA will continue to improve its emergency preparedness and response capability, including homeland security capabilities. In FY 2010, the Agency requests \$51.5 million to improve its capability to respond effectively to incidents that may involve harmful chemical, biological, and radiological substances. The Agency will provide training to build the cadre of volunteers in the Response Support Corps (RSC) and members of an Incident Management Team (IMT), and will continue to participate in multi-agency training and exercises.

In FY 2010, EPA will continue to operate and expand the Environmental Response Laboratory Network (ERLN). Activities include the improvement of an electronic data deliverable (EDD) for use by all ERLN laboratories. The EDD enables laboratories to report analytical data electronically rather than manually via hard copy reports, which will support and potentially expedite decision-making. EPA also will continue to maximize the effectiveness of its involvement in national security events through pre-deployments of assets such as emergency response personnel and field detection equipment.

EPA also will continue to maintain and improve the Emergency Management Portal (EMP). EPA will continue to manage, collect, and validate new information for new and existing Weapons of Mass Destruction (WMD) agents as decontamination techniques are developed or as other information emerges from the scientific community.

Enforcement

EPA's Superfund enforcement program ensures prompt site cleanup and uses an "enforcement first" approach that maximizes the participation of liable and viable parties in performing and paying for cleanups in both remedial and removal programs. The Superfund enforcement program includes nationally significant or precedential civil, judicial and administrative site remediation cases, and provides legal and technical enforcement support on Superfund enforcement actions and emerging issues. The Superfund enforcement program also develops waste cleanup enforcement policies, and provides guidance and tools that clarify potential environmental cleanup liability, with specific attention to the reuse and revitalization of contaminated properties, including Brownfield properties.

Enforcement authorities play a unique role under the Superfund program: they are used to leverage private-party resources to conduct a majority of the cleanup actions and to reimburse the Federal government for cleanups financed by appropriations. In FY 2010, the Agency requests \$183.6 million to support enforcement activities at Federal and non-Federal Superfund

⁶ Refer to *Grant Guidelines to States for Implementing the Delivery Prohibition Provision of the Energy Policy Act of 2005*, August 2006, EPA-510-R-06-003, http://www.epa.gov/oust/fedlaws/epact_05.htm#Final.

sites. EPA's "enforcement first" approach ensures that sites with financially viable potentially responsible parties (PRPs) are cleaned up by those parties, allowing EPA to focus appropriated resources on sites where viable PRPs either do not exist or lack funds or capabilities needed to conduct the cleanup. In tandem with this approach, various reforms have been implemented to increase fairness, reduce transaction costs, promote economic development, and make sites available for appropriate reuse.⁷ The Department of Justice supports EPA's Superfund Enforcement program through negotiations and judicial actions to compel PRP cleanup and litigation to recover Trust Fund monies spent. In FY 2008, the Superfund Enforcement program secured private party commitments that exceeded \$1.8 billion. Of this amount, PRPs have committed to future response work with an estimated value of approximately \$1,575 million; PRPs have agreed to reimburse the Agency for more than \$232 million in past costs; and PRPs have been billed by the EPA for approximately \$75 million in oversight costs. These results can be directly linked to Goal 3. EPA also works to ensure that required legally enforceable institutional controls and financial assurance instruments are in place and adhered to at Superfund sites and at facilities subject to RCRA Corrective Action to ensure the long-term protectiveness of cleanup actions.

In FY 2010, the Agency will negotiate remedial design/remedial action cleanup agreements and removal agreements at contaminated properties. Where negotiations fail, the Agency will either take unilateral enforcement actions to require PRP cleanup or use appropriated dollars to remediate sites (or both). When appropriated dollars are used to clean up sites, the program will recover the associated cleanup costs from the PRPs. If future work remains at a site, recovered funds could be placed in a site-specific special account. Special accounts are sub-accounts within the Trust Fund which segregate funds obtained from responsible parties who enter into settlement agreements with EPA. These funds act as an incentive for other PRPs to perform cleanup work and can be used by the Agency to fund cleanup at that site. The Agency also will continue its efforts to establish and use special accounts to facilitate cleanup, improve tracking and plan the use of special account funds. Through the end of FY 2008, more than 860 site-specific special accounts have been established and over \$2.7 billion have been deposited into special accounts (including earned interest). Approximately \$1.4 billion from special accounts has been used by EPA for site response actions.

EPA has ongoing cleanup and property transfer responsibilities at some of the Nation's most contaminated Federal properties, which range from realigning and closing military installations and former military properties containing unexploded ordnance, solvents, and other industrial chemicals to Department of Energy sites containing nuclear waste. EPA's Superfund Federal Facilities Response and Enforcement program helps Federal and local governments, tribes, states, redevelopment authorities and the affected communities ensure contamination at Federal or former Federal properties is addressed in a manner that protects human health and the environment.⁸ In addition, EPA ensures that Federal entities are held accountable for the commitments made in Federal Facility Agreements. EPA also is evaluating the enforcement approach for formerly-utilized Defense sites and mine sites with Federal ownership.

⁷ For more information regarding EPA's enforcement program and its various components, please refer to <http://www.epa.gov/compliance/cleanup/superfund/>.

⁸ For more information on the Superfund Federal Facilities Response and Enforcement program, please refer to <http://www.epa.gov/fedfac/>.

Enhancing Science and Research to Restore and Preserve Land

EPA's Land Research program, in accordance with the Administration's policy of scientific integrity⁹, provides the scientific foundation for the Agency's actions to protect America's land. The FY 2010 Land Research program supports the Agency's objective of reducing or controlling potential risks to human health and the environment at contaminated waste sites by providing the science to accelerate scientifically defensible and cost-effective decisions for cleanup at complex sites in accordance with CERCLA.

In FY 2010, EPA requests \$55.9 million in support of EPA's efforts to enhance science and research for land preservation and restoration. Research activities in FY 2010 will focus on materials management, land reuse and revitalization issues, emerging research topics, contaminated sediments, ground water contamination, multi-media, and site-specific technical support. Research will advance EPA's ability to accurately characterize the risks posed by contaminated sediments and to determine the range and scientific foundation for remedy selection options. In addition, research aimed at developing data to support dosimetric and toxicologic assessment of amphibole asbestos fiber-containing material from Libby, Montana, will continue. Groundwater research will focus on the transport of contaminants in that medium and the subsequent intrusion of contaminant vapors into buildings, as well as the development of applications for permeable reactive barriers.

Oil spill remediation research will continue on physical, chemical, and biological risk management methods for petroleum and non-petroleum oil spills in freshwater and marine environments as well as development of a protocol for testing solidifiers and treating oil. Underground storage tank research will address the development of online transport models that can be used by state project managers. Research areas such as resource conservation, corrective action, multi-media modeling, leaching, containment systems, and landfill bioreactors will constitute the major areas of research and support for RCRA activities in FY 2010. EPA also will continue to develop a site-specific management approach of brownfields sites, develop validated acceptable practices for land revitalization, collaborate with the private sector to conduct field sampling, and work with the states to optimize operations and monitoring of several landfill bioreactors and to determine their potential to provide alternative energy in the form of landfill gas while increasing the nation's landfill capacity.

In FY 2010, research will continue in the area of nanotechnology fate and transport as part of the Land Research program efforts to address emerging issues and strategic EPA issues. The goal of this research is to lead the Federal government in addressing key science questions on the persistence and movement of nanomaterials in the environment.

⁹ For more information, see http://www.whitehouse.gov/the_press_office/Memorandum-for-the-Heads-of-Executive-Departments-and-Agencies-3-9-09/.

**Environmental Protection Agency
FY 2010 Annual Performance Plan and Congressional Justification**

Healthy Communities and Ecosystems

Protect, sustain, or restore the health of people, communities, and ecosystems using integrated and comprehensive approaches and partnerships.

STRATEGIC OBJECTIVES:

- By 2014, prevent and reduce pesticide and industrial chemical risks to humans, communities, and ecosystems.
- Sustain, clean up, and restore communities and the ecological systems that support them.
- Protect, sustain, and restore the health of critical natural habitats and ecosystems.
- Through 2014, identify and synthesize the best available scientific information, models, methods, and analyses to support Agency guidance and policy decisions related to the health of people, communities, and ecosystems. Focus research on pesticides and chemical toxicology; global change; and comprehensive, cross-cutting studies of human, community, and ecosystem health.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Healthy Communities and Ecosystems	\$1,296,975.2	\$1,254,336.0	\$1,738,429.6	\$484,093.6
Chemical and Pesticide Risks	\$394,785.0	\$394,141.0	\$420,544.6	\$26,403.6
Communities	\$305,252.4	\$246,550.7	\$245,987.1	(\$563.6)
Restore and Protect Critical Ecosystems	\$224,338.0	\$225,395.4	\$659,037.0	\$433,641.6
Enhance Science and Research	\$372,599.7	\$388,248.9	\$412,860.9	\$24,612.0
Total Authorized Workyears	3,750.0	3,719.4	3,846.9	127.5

In FY 2010, the Environmental Protection Agency will protect, sustain or restore the health of communities and ecosystems by bringing together a variety of programs, tools, approaches and resources, including partnerships with stakeholders and Federal, state, Tribal, and local government agencies. EPA manages environmental risks to watersheds, communities, homes, and workplaces to protect human health and the environmental integrity of ecosystems. The Agency has a responsibility to ensure that efforts to reduce these potential environmental risks are based on the best available scientific information.

The Agency employs a mix of regulatory programs and partnership approaches to achieve results in ways that are efficient, innovative, and sustainable. Ideally, EPA can implement a strategy of preventing pollution at the source; however, where programs to prevent pollution or ecosystem damage are not viable, EPA promotes waste minimization, avoidance of impact on habitat, safe disposal, and remediation. Continuing Environmental Justice (EJ) efforts address the environmental and public health concerns of minority, low income, Tribal, and other disproportionately burdened communities and focus on improving environmental and public health protection in these communities. The Agency's efforts ensure that EPA actions do not unfairly burden these or other communities facing disproportionate environmental or public health challenges.

In managing risk and in ensuring that environmental rules protect all Americans, EPA directs its efforts toward identifying and mitigating exposures and other factors in our communities, homes, and workplaces that might negatively impact human health and environmental quality. To do so, EPA conducts research to understand both how specific groups of people may differ in their inherent biological susceptibility to adverse impacts of pollutants and whether certain groups may be disproportionately exposed based on where they live and how they behave. For example, in comparison with adults, children may be disproportionately exposed to certain contaminants because of their unique behavior patterns such as crawling on the floor and putting things into their mouths and because of their unique diets.

Children and older Americans may be inherently more sensitive to certain exposures. For children, sensitivity can be based on developmental stage, which can determine how they metabolize (absorb and detoxify) chemicals. People living in communities near certain industrial sources of pollution and/or roadways with high traffic volume may be disproportionately impacted. And Native Americans, or other Americans who rely on traditional sources of food, may consume more fish or other locally gathered foods and may be disproportionately exposed to contaminants in those foods.

Pesticides Programs

A key component of protecting the health of people, communities, and ecosystems is identifying, assessing, and reducing the risks presented by the thousands of chemicals on which our society and economy have come to depend. Toward that end, EPA is investing \$137.5 million in Pesticides Licensing programs in FY 2010. Chemical and biological pesticides help meet national and global demands for food; provide effective pest control for homes, schools, gardens, highways, utility lines, hospitals, and drinking water treatment facilities; and control animal vectors of disease.

During FY 2010, 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 Renewal Act (PRIA 2) timeframes. EPA will continue to process these registration requests, with special consideration given to susceptible populations, especially children. Specifically, EPA will focus special attention on the foods commonly eaten by children to reduce their pesticide exposure where the science identifies potential concerns.

Reduced concentrations of pesticides in water sources indicate the efficacy of EPA's risk assessment, management, mitigation, and communication activities. Using sampling data, collected under the U.S. Geological Survey (USGS) National Water Quality Assessment program for urban watersheds, EPA will monitor the impact of our regulatory decisions for four pesticides of concern—diazinon, chlorpyrifos, malathion, and cabaryl—and consider whether any additional action is necessary.¹⁰ In FY 2010, the Agency will continue to work with USGS to develop sampling plans and refine goals, and the Agency will ask USGS to add additional insecticides to sampling protocols and establish baselines for newer products that are replacing organophosphates, such as synthetic pyrethroids.

EPA's statutory and regulatory functions include registration, Reregistration Eligibility Decisions implementation, registration review, risk reduction implementation, rulemaking and program management. Many of these actions involve reduced-risk pesticides which, once registered, will result in increased societal benefits. Working together with the affected user communities through programs such as the Pesticide Environmental Stewardship program and the Strategic Agricultural Initiative, the Agency will find ways to accelerate the adoption of these lower-risk products.

Along with assessing the risks that pesticides pose to human health, EPA conducts ecological risk assessments, under the Endangered Species Act (ESA), to determine potential effects on plants, animals, and ecosystems. To ensure unreasonable risks are avoided, EPA may impose risk mitigation measures such as modifying use rates or application methods, restricting uses, or denying uses. EPA must ensure that pesticide regulatory decisions will not adversely modify critical habitat or jeopardize the continued existence of species listed by the U.S. Fish and Wildlife Service or National Marine Fisheries Service as threatened or endangered.

In the biodefense arena, EPA will continue work to develop and validate methods to evaluate the efficacy of antimicrobial products against bioterrorism agents, expanding this work to address unique formulations, additional surface types, and additional bioterrorism agents and emerging pathogens. The Agency will address critical gaps in efficacy test methodology and knowledge of microbial resistance. In addition to vegetative bacteria, in FY 2010, EPA will address threatening viruses and other emerging pathogens in environmental media. EPA will continue to invest in the development and evaluation of efficacy test protocols for products designed to control viruses in the environment during decontamination. The development of "decon toolboxes" for specific bioterrorism agents or classes of bacteria/viruses will continue into FY 2010.

In order to improve the Agency's ability to respond to events involving bioterror agents, EPA will increase the number of standardized and validated methods for evaluating the efficacy of decontamination agents. EPA will continue to seek independent third-party analysis for method validation efforts through recognized standard setting organizations. As new methods are developed, statistical modeling for various biodefense scenarios will be critical to the development of science-based performance standards. Microbial persistence, resistance to

¹⁰ Gilliom, R.J., et al. 2006. *The Quality of Our Nation's Waters: Pesticides in the Nation's Streams and Ground Water, 1992–2001*. Reston, Virginia: U.S. Geological Survey Circular 1291. 171p. Available on the internet at: <http://pubs.usgs.gov/circ/2005/1291/>.

antimicrobial agents, and an understanding of biofilm environments are also key factors in evaluating the efficacy of decontamination tools. This work is taking place in the Homeland Security: Preparedness, Response and Recovery program. The FY 2010 request level for this area is \$5.7 million.

Toxics Programs

EPA programs under this goal have many direct and many indirect benefits. For example, each year the Toxic Substances Control Act (TSCA) New Chemicals program reviews and manages the potential risks from approximately 1,500 new chemicals and 40 products of biotechnology, and new chemical nanoscale materials prior to their entry into the marketplace. This new chemical review process not only protects the public from the possible immediate threats of harmful chemicals, but it also has contributed to changing the behavior of the chemical industry, making industry more aware and responsible for the impact these chemicals have on human health and the environment.

The Acute Exposure Guideline Levels (AEGLs) program was designed by EPA to provide scientifically credible data to directly support chemical emergency planning, response, and prevention programs mandated by Congress. Emergency workers and first responders addressing accidental or intentional chemical releases need to know how dangerous a chemical contaminant may be to breathe or touch, and how long it may remain dangerous. The program develops short-term exposure limits applicable to the general population for a wide range of extremely hazardous substances and has assigned values to 246 chemicals to date.

In addressing chemicals that have entered the market before the inception of the New Chemical Review program, EPA is revising and strengthening its chemicals management and risk assessment programs investing \$8 million in FY 2010 to accelerate assessing the safety of thousands of un-reviewed existing chemicals and deploying the full arsenal of TSCA regulatory authorities to quickly and effectively eliminate or significantly reduce identified risks. The enhanced toxics program draws on chemical hazard data developed through the High Production Volume (HPV) Chemicals program for approximately 2,100 HPV chemicals in conjunction with new exposure data obtained through the expanded TSCA Inventory Update Rule to produce Risk-Based Prioritizations (RBPs) that will guide subsequent risk management actions such as TSCA Section 6 use prohibitions and Significant New Use Rules. The program also will expand on EPA's work on HPV chemicals to assess approximately 3,900 moderate production volume chemicals (those chemicals produced or imported in excess of 25 thousand pounds per year), for which Hazard-Based Prioritizations (HBPs) will be developed.

In FY 2010 EPA expects to bring the pilot phase of the Voluntary Children's Chemical Evaluation program (VCCEP) to a conclusion by ensuring that data needs decisions for the 20 pilot chemicals are completed. Most were completed by the end of FY 2008. Future VCCEP chemicals will be identified through the RBPs and HBPs, and the VCCEP framework will become an integral component of the enhanced chemical risk management strategy. The Agency also will continue to manage its programs to address specific chemicals and toxics of concern, including lead; mineral fibers; mercury; polychlorinated biphenyls (PCBs); perfluorooctanoic acid (PFOA); and persistent, bioaccumulative and toxic (PBT) chemicals.

The lead program is focusing efforts on reducing lead hazards, and in FY 2010, will implement a final regulation and a comprehensive program to address lead hazards created by renovation, repair and painting activities in homes with lead-based paint. In FY 2010 the EPA is requesting an increase of \$1 million for lead grants to accelerate the program's certification and training of contractors to provide additional support for the Department of Housing and Urban Development's work under the Lead Hazard Reduction Program provided in the American Recovery and Reinvestment Act of 2009. The program also will continue to improve methods to reach vulnerable populations and communities with a high concentration of children with elevated blood-lead levels and emphasize grant-supported activities such as state-implemented lead-based paint training and certification programs.

Water Programs

EPA's ecosystem protection programs encompass a wide range of approaches that address specific at-risk regional areas and larger categories of threatened systems, such as estuaries and wetlands. Locally generated pollution, combined with pollution carried by rivers and streams and through air deposition, can accumulate in these ecosystems and degrade them over time. Large water bodies, such as the Gulf of Mexico, the Great Lakes, and the Chesapeake Bay, have been exposed to substantial pollution over many years. Coastal estuaries and wetlands are also vulnerable. As the populations in coastal regions grow, the challenges to preserve and protect these important ecosystems increase. Working with stakeholders, EPA has established special programs to protect and restore these unique resources.

In FY 2010, EPA will lead the implementation of a new Great Lakes Restoration Initiative. The Initiative identifies \$475 million for programs and projects strategically chosen to target the most significant environmental problems in the Great Lakes ecosystem. EPA will collaborate closely with its federal partners in the Great Lakes Interagency Task Force to implement the Initiative. The Initiative will use outcome-oriented performance goals and measures to direct Great Lakes protection and restoration funding to the following areas:

- Toxic Substances and Areas of Concern
- Invasive Species
- Nearshore Health and Nonpoint Source
- Habitat and Wildlife Protection and Restoration
- Accountability, Monitoring, Evaluation, Communication, and Partnerships

Funds will be used to strategically implement both federal projects and prioritized/competitive grants. These funds will not be directed toward water infrastructure programs that are addressed under the Clean Water or Drinking Water State Revolving Fund program. Funding will be distributed directly by EPA or through the transfer of funds to other federal agencies for subsequent use and distribution.

In FY 2010, EPA will continue cooperation with Federal, state and Tribal governments and other stakeholders toward achieving the national goal of an overall increase in the acreage and condition of wetlands. FY 2010 funding supports and monitors all 28 National Estuary programs (NEPs) in implementing approved Comprehensive Conservation and Management Plans

(CCMPs), which identify more than 2,000 priority actions needed to protect and restore the estuaries. The FY 2010 budget for NEPs and coastal watersheds is \$26.6 million.

The \$35.1 million Chesapeake Bay program FY 2010 budget request will enable EPA to continue work with program partners to accelerate implementation of pollution reduction and aquatic habitat restoration efforts and ensure that water quality objectives are achieved as soon as possible. EPA is committed to its ambitious long-term goals of 100 percent attainment of dissolved oxygen standards in waters of the Chesapeake Bay and 185 thousand acres of submerged aquatic vegetation (SAV). The FY 2010 request will bring the Agency closer to addressing key priority coastal and ocean issues in the Gulf of Mexico, such as coastal restoration, water quality for healthy beaches and shellfish beds through improved detection and forecasting of harmful algal blooms and microbial source tracking methodologies, and reduction of nutrient inputs to coastal ecosystems.

In conducting special initiatives and planning activities, in FY 2010, EPA is investing \$2.2 million in the South Florida program to assist with coordinating and facilitating the ongoing implementation of the Water Quality Protection program for the Florida Keys National Marine Sanctuary (FKNMS), conduct studies to determine cause and effect relationships among pollutants and biological resources, implement wastewater and storm water master plans, and provide public education and outreach activities.

The strategic targets for the South Florida program, in the 2009-2014 Strategic Plan, address important environmental markers such as stony coral cover, health and functionality of seagrass beds, water quality in the FKNMS, phosphorus levels throughout the Everglades Protection Area and effluent limits for all discharges, including storm water treatment areas.

Community Action for a Renewed Environment (CARE)

CARE is a competitive grant program that offers an innovative way for communities to take action to reduce toxic pollution. Through CARE, communities create local collaborative partnerships that implement local solutions to minimize exposure to toxic pollutants and reduce their release. In FY 2010, the Agency is investing \$2.4 million in the program to award approximately 14 new grants, provide technical resources and training to approximately 89 communities, and work with other federal agencies to coordinate support for communities.

Brownfields

EPA works collaboratively with state, Tribal, and local partners to promote the assessment, cleanup, and sustainable reuse of brownfields and other contaminated properties. EPA's enforcement program plays an essential role in supporting the Agency's land reuse priorities by clarifying potential environmental cleanup liability and providing greater certainty for parties seeking to reuse contaminated properties.

Improving a community's ability to make decisions that affect its environment is at the heart of EPA's community-centered work. EPA shares information and builds community capacity to consider the many aspects of planned development or redevelopment. EPA encourages

community development by providing funds to assist communities with inventory, assessment, and clean up of the contaminated properties that lie abandoned or unused. In addition, the Smart Growth program works with stakeholders to create an improved economic and institutional climate for brownfields redevelopment. Addressing these challenges requires combining innovative and community-based approaches with national guidelines and interagency coordination to achieve results.

International Activities

EPA leads efforts to address global environmental issues. To sustain and enhance domestic and international environmental progress, EPA enlists the cooperation of other nations and international organizations to help predict, understand, and solve environmental problems of mutual concern. EPA assists in the coordination of its international and domestic environmental policies in order that U.S. international obligations are informed by domestic policy and expertise, that domestic programs fulfill international obligations, and that actions by other countries needed to reach domestic goals are catalyzed and promoted. By assisting developing countries to manage their natural resources and protect the health of their citizens, EPA also helps to protect human health and the environment in the U.S.

The Agency also works to include environmental protection provisions and commitments, by all parties, to effectively enforce environmental laws and regulations in all international trade agreements negotiated by the United States. As an example, EPA contributes to the associated environmental reviews of all trade agreements by providing information regarding potential domestic and transboundary environmental effects resulting from trade liberalization. In addition, the Agency helps negotiate environmental cooperation mechanisms to advance the objectives of each trade agreement, and provide technical expertise to implement these cooperation mechanisms.

Addressing local pollution and infrastructure deficiencies along the U.S.-Mexico border are also priorities for Mexico and the United States under the Border 2012 Agreement. The key to sustaining and enhancing progress, both domestically and internationally, is the collaborative efforts of national, Tribal, state, and local governments, international organizations, the private sector, and concerned citizens.

Environmental Justice

EPA is committed to addressing the environmental and public health concerns of communities disproportionately burdened by environmental harms and risks by focusing on efforts to improve environmental and public health protection for these communities. These efforts will ensure that EPA actions do not adversely affect these or other communities facing disproportionate environmental or public health burdens.

Toward that end, the Agency continues to integrate Environmental Justice (EJ) in its programs, policies, and activities to improve environmental and public health protection for minority, low income, Tribal, and other disproportionately burdened communities. Environmental justice activities will continue to focus on eight national priorities including the following:

- Reducing asthma attacks,
- Reducing exposure to air toxics,
- Reducing incidence of elevated blood lead levels,
- Ensuring that fish and shellfish are safe to eat,
- Ensuring that water is safe to drink,
- Revitalizing brownfields and contaminated sites, and
- Using collaborative problem-solving to address environmental and public health concerns.

In addition, the Agency will focus efforts to make a tangible difference in enabling access of communities to green jobs. The Agency supports proactive and meaningful approaches to encouraging informed public participation particularly among traditionally underrepresented groups in EPA's decision-making process. EPA provides financial and technical assistance to build the long-term capacity for communities to protect and improve the conditions in their own environments. Finally, the Agency will continue to provide leadership and assistance to other Federal agencies to support their efforts to integrate environmental justice and to leverage opportunities to foster economic, environmental, public health and safety and other benefits to communities disproportionately burdened.

Research

EPA has a responsibility to ensure that efforts to reduce potential environmental risks are based on the best available scientific information. Strong science allows for identification of the most important sources of risk to human health and the environment, as well as the best means to detect, abate, and avoid possible environmental problems, and thereby guides our priorities, policies, and deployment of resources.

To accelerate the pace of environmental protection for healthy people, communities, and ecosystems, EPA will engage in high-priority, cutting-edge, multidisciplinary research efforts in areas related to human health, ecosystems, mercury, global change, pesticides and toxics, endocrine disruptors, computational toxicology, nanotechnology, human health risk assessment, and homeland security. EPA also conducts research through its Science to Achieve Results (STAR) grants program, which is competitive and peer-reviewed and is integrated with EPA's overall research efforts. The Agency proposes \$10.9 million for the Fellowships research program in FY 2010 which will allow EPA to award approximately 131 new fellowships.

In FY 2010, the Human Health Research program is working to maintain its success with characterizing and reducing uncertainties in exposure and risk assessment as well as developing improved tools for predicting the safety of chemicals and products. The program is orienting this work toward understanding linkages along the source-exposure-effects-disease continuum and demonstrating reductions in human risk. This strategic shift is designed to include research that addresses limitations, gaps, and health-related challenges articulated in the health chapter of the EPA Report on the Environment (2007). Research includes development of sensitive and predictive methods to identify viable bio-indicators of exposure, susceptibility, and effect that could be applied to evaluate public health impacts at various geospatial and temporal scales. The Agency is requesting \$82 million in FY 2010 for Human Health research.

In FY 2010, the Agency's Human Health Risk Assessment (HHRA) program will continue to implement a process to identify, compile, characterize, and prioritize new scientific studies into Integrated Science Assessments (ISAs) of criteria air pollutants to assist EPA's air and radiation programs in determining the National Ambient Air Quality Standards (NAAQS). The program will deliver final ISAs for particulate matter and carbon monoxide and release external review draft ISAs for ozone and lead. In addition, the HHRA research program will complete multiple human health assessments of high priority chemicals for interagency review or external peer review and post several completed human health assessments in the integrated risk information system. In FY 2010, EPA requests \$45 million for the Human Health Risk Assessment program, which includes an increase of \$5.0 million and 10 work years to allow the Integrated Risk Information System (IRIS) program to increase the annual output of new IRIS assessments and updates of existing assessments.

In order to assess the benefits of ecosystem services to human and ecological well-being, it is important to define ecosystem services and their implications, to measure, monitor and map those services at multiple scales over time, to develop predictive models for quantifying the changes in ecosystem services, and to develop decision platforms for decision makers to protect and restore ecosystem services through informed decision making. The Agency is requesting a total of \$76 million in FY 2010 to support Ecosystems research. The Ecosystem Services research program has transitioned to focus on advancing the science of ecosystems services and its application to decision making. For FY 2010, the program will focus on the following:

- Defining ecosystem services and their implications for human well-being and economic valuation;
- Measuring, monitoring and mapping ecosystem services at multiple scales over time;
- Developing predictive models for quantifying and forecasting the changes in ecosystem services under alternative management scenarios; and
- Developing a decision support framework that enables decision makers to integrate, visualize, and maximize diverse data, models and tools.

Over the last decade, the endocrine disruptor research program conducted the underlying research, developed and standardized protocols, prepared background materials for transfer to EPA's Office of Prevention, Pesticides, and Toxic Substances and the Organization for Economic Cooperation and Development, briefed Agency advisory committees, participated on international committees on harmonization of protocols, and participated in the validation of 19 different *in vitro* and/or *in vivo* assays for the development and implementation of the Agency's two-tiered Endocrine Disruptors Screening program (EDSP). In FY 2010, EPA is requesting \$11.4 million for the continued development, evaluation, and application of innovative tools for endocrine disrupting chemicals. Research efforts will continue to achieve the following:

- Develop novel *in vitro* assays as improved alternatives that may further reduce the quantity of animals used;
- Finalize the Tier 2 amphibian developmental/reproductive assay and the fish 2 generation study for validation;
- Provide the underlying science that will help in the interpretation of studies submitted to the Agency under EDSP; and

- Determine the impact of EDCs on the environment and develop methods for preventing and mitigating exposures.

In FY 2010, the National Center for Computational Toxicology (NCCT) will play a critical role in coordinating and implementing these activities across the Agency. In addition, greater emphasis will be placed on using systems biology-based approaches to advance health-based assessments. In FY 2010, EPA is requesting \$19.6 million to support application of mathematical and computer models to help assess chemical risk to human health and the environment. The computational toxicology research program's strategic direction is guided by three long term goals:

- Improving the linkages in the source-outcome paradigm;
- Providing tools for screening and prioritizing of chemicals under regulatory review; and
- Enhancing quantitative risk assessment.

In FY 2010, continued pesticides and toxics research will focus on characterizing toxicity and pharmacokinetic profiles of perfluoroalkyl chemicals, examining the potential for selected perfluorinated telomers to degrade to perfluorooctanoic acid or its precursors, and developing methods and models to forecast the fate of pesticides and byproducts from source waters through drinking water treatment systems and ultimately to the U.S. population. The program also will conduct research to develop spatially-explicit probabilistic models for ecological assessments and evaluate the potential environmental and human health impacts of genetically engineered crops. In FY 2010, EPA requests \$27.8 million for continued pesticides and toxics research to support the scientific foundation for addressing the risks of exposure to pesticides and toxic chemicals in humans and wildlife.

EPA will continue to investigate nanotechnology's environmental, health, and safety implications in FY 2010. This research will examine which processes govern the environmental fate of nanomaterials and what data are available and needed to enable nanomaterial risk assessment. Research will continue to improve our measurement, understanding, and control of mercury, with a research focus on the fate and transport of mercury and mercury compounds. The Agency also will cultivate the next generation of environmental scientists by awarding fellowships to pursue higher education in environmentally-related fields and by hosting recent graduates at its facilities. EPA is requesting \$17.8 million for the Nanomaterials Research program in FY 2010 to expand the availability of information to ensure the safe development, use, recycling and disposal of products that contain nanoscale materials.

EPA will continue research to better understand how global change (*e.g.*, climate change) will affect the environment, including the environmental and human health implications of greenhouse gas adaptation and mitigation strategies, and the implications of climate change for the Agency's fulfillment of its statutory, regulatory and programmatic requirements. The Agency's climate change research also includes the development of decision support tools to help resource managers adapt to changing climate conditions. In FY 2010, EPA requests \$20.9 million for the Global Change Research program to enhance understanding of the effects of global change on the environment.

In FY 2010, the Agency will continue to enhance the nation's preparedness, response and recovery capabilities for homeland security incidents through research, development, and technical support activities in the areas of decontamination, water infrastructure protection, and safe buildings. The FY 2010 request level for this area is \$35.6 million.

**Environmental Protection Agency
FY 2010 Annual Performance Plan and Congressional Justification**

Compliance and Environmental Stewardship

Protect human health and the environment through ensuring compliance with environmental requirements by enforcing environmental statutes, preventing pollution, and promoting environmental stewardship. Encourage innovation and provide incentives for governments, businesses, and the public that promote environmental stewardship and long-term sustainable outcomes.

STRATEGIC OBJECTIVES:

- Address environmental problems, promote compliance and deter violations, by achieving goals for national priorities and programs including those with potential environmental justice concerns and those in Indian country.
- Enhance public health and environmental protection and increase conservation of natural resources by promoting pollution prevention and the adoption of other stewardship practices by companies, communities, governmental organizations, and individuals.
- Protect human health and the environment on tribal lands by assisting federally-recognized tribes to build environmental management capacity, assess environmental conditions and measure results, and implement environmental programs in Indian country.
- Conduct leading-edge, sound scientific research on pollution prevention, new technology development, and sustainable systems. The products of this research will provide critical and key evidence in informing Agency policies and decisions and solving complex multimedia problems for the Agency and its partners and stakeholders.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Compliance and Environmental Stewardship	\$739,446.2	\$750,167.6	\$789,077.2	\$38,909.6
Achieve Environmental Protection through Improved Compliance	\$496,562.3	\$512,260.5	\$539,951.0	\$27,690.5
Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices	\$112,770.5	\$110,361.6	\$116,834.5	\$6,472.9
Improve Human Health and the Environment in Indian Country	\$76,996.6	\$75,824.5	\$81,551.1	\$5,726.6
Enhance Societies Capacity for	\$53,116.9	\$51,720.9	\$50,740.6	(\$980.3)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Sustainability through Science and Research				
Total Authorized Workyears	3,295.1	3,402.8	3,406.8	4.0

(Totals may not sum due to rounding)

Protecting the public and the environment from risks posed by violations of environmental regulations is central to the Environmental Protection Agency’s mission. Many of America’s historic environmental improvements are attributable to a strong set of environmental laws and an assurance of compliance with those laws. EPA’s strong and aggressive enforcement program has been the centerpiece of efforts to ensure compliance, and has achieved significant improvements in the protection of human health and the environment. To help the Agency meet its mission, EPA will employ a mixture of effective monitoring, enforcement and compliance strategies, provide leadership and support for pollution prevention and sustainable practices, reduce regulatory barriers, and refine and apply results-based, innovative, and multi-media approaches to environmental stewardship and safeguarding human health.

In addition, EPA will assist Federally-recognized tribes in assessing environmental conditions in Indian country, and will help build their capacity to implement environmental programs. EPA also will strengthen the scientific evidence and research supporting environmental policies and decisions on compliance, pollution prevention, and environmental stewardship.

Improving Compliance with Environmental Laws

To be effective, EPA requires a strong enforcement and compliance program, one which: identifies and reduces noncompliance problems, assists the regulated community in understanding environmental laws and regulations, responds to complaints from the public, strives to secure a level economic playing field for law-abiding companies, and deters future violations. In order to meet the Agency’s goals, the program employs an integrated, common-sense approach to problem-solving and decision-making. An appropriate mix of data collection and analysis, compliance monitoring, assistance and incentives, civil and criminal enforcement efforts, and innovative problem-solving approaches address significant environmental issues and achieve environmentally beneficial outcomes. The total proposed FY 2010 budget to support compliance and environmental stewardship is \$789.1 million.

EPA’s enforcement and compliance program uses compliance assistance to educate the regulated community and promote compliance with regulatory requirements to reduce adverse public health and environmental problems. To achieve compliance, the regulated community must first understand its obligations and how to comply with regulatory obligations. The Compliance Assistance program is especially important for small businesses and other entities that might not have substantial expertise in the area of environmental compliance. In FY 2010, the Compliance Assistance and Centers program’s proposed budget is \$26.1 million.

The Agency’s Compliance Monitoring program reviews and evaluates the activities of the regulated community to determine compliance with applicable laws, regulations, permit

conditions and settlement agreements, and to determine whether conditions presenting imminent and substantial endangerment exist. FY 2010 Compliance Monitoring activities will be both environmental media- and sector-based. The traditional media-based inspections complement those performed by states and tribes, and are a key part of our strategy for meeting the long-term and annual goals established for the air, water, pesticides, toxic substances, and hazardous waste. To ensure that wastes are properly handled in accordance with international agreements and Resource Conservation and Recovery Act regulations, the Agency reviews and responds to 100 percent of the notices for trans-boundary movement of hazardous waste. In FY 2010, the Compliance Monitoring program's proposed budget is \$101.1 million.

Maximum compliance requires the active efforts of the regulated community. EPA provides a series of compliance incentives to complement its enforcement of environmental violations. 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. Evaluation of the results of violations disclosed through self-reporting will occur in order to understand the effectiveness and accuracy of such self-reporting. Throughout FY 2010, EPA will continue to investigate options for encouraging self-directed audits and disclosures with particular emphasis on companies in the process of mergers and/or acquisitions. In FY 2010, the Compliance Incentives program's proposed budget is \$10.7 million.

The Enforcement program addresses violations to ensure that violators come into compliance with Federal laws and regulations and reduce pollution. In FY 2010, the program will achieve these environmental goals through consistent, fair, and focused enforcement of all environmental statutes. EPA will continue to implement its national compliance and enforcement priorities, which address the most widespread types of violations that also pose the most substantive health and environmental risks. In FY 2010, we will continue to build upon our achievements. Our enforcement cases have resulted in commitments to reduce, treat, or eliminate over 8.6 billion pounds of pollutants from 2002 to 2008. Also in FY 2010, EPA will continue to develop meaningful measures to assess the impact of enforcement and compliance activities and target areas that pose the greatest risks to human health or the environment, display patterns of noncompliance, or include disproportionately exposed populations.

A strong 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 seeks to level the economic playing field by ensuring that violators do not realize an economic benefit from noncompliance, and to deter future violations. The Civil Enforcement program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws. In FY 2010, the Agency will aggressively implement its core Civil Enforcement program, as well as the National Compliance and Enforcement Priorities established for calendar years 2008-2010. The nation's top priorities for enforcement include Clean Water Act "Wet Weather" discharges (water contamination resulting from sewer overflows, contaminated storm water runoff, and runoff from concentrated animal feeding operations), violations of the Clean Air Act New Source Review/Prevention of Significant

Deterioration requirements and Air Toxics regulations, Resource Conservation and Recovery Act (RCRA) violations at Mineral Processing facilities, violations of Financial Responsibility requirements for the RCRA, Safe Drinking Water Act, and Toxic Substances Control Act programs, and ensuring compliance in Indian Country. The Civil Enforcement program also will support the Environmental Justice program by focusing enforcement actions on industries that have repeatedly violated environmental laws in communities that may be disproportionately exposed to risks and harms from the environment, including minority and/or low-income areas. In FY 2010, the Civil Enforcement program's proposed budget is \$145.2 million.

EPA's Criminal Enforcement program investigates and helps prosecute environmental violations which seriously threaten public health and the environment and which involve intentional, deliberate, or criminal behavior on the part of the violator. The Criminal Enforcement program deters violations of environmental laws and regulations by demonstrating that the regulated community will be held accountable, through jail sentences and criminal fines, for such violations. Bringing criminal cases sends a strong message for potential violators, enhancing aggregate compliance with laws and regulations. In FY 2010, the criminal enforcement program will continue to expand its identification and investigation of cases with significant environmental, human health, and deterrence impact while balancing its overall case load of "core" cases across all pollution statutes (e.g., traditional cases involving wastewater; hazardous waste; the Federal Insecticide, Fungicide, and Rodenticide Act; the Toxic Substances Control Act, etc.). The program will increase the number of agents to complete its three-year hiring strategy of raising its special agent workforce to 200 criminal investigators. With these resources, the program will expand its capacity in supporting efforts to address complex environmental cases. In FY 2010, the Criminal Enforcement program's proposed budget is \$57.7 million.

NEPA Federal Review

EPA fulfills its uniquely Federal responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act by reviewing and commenting on other Federal agency Environmental Impact Statements (EISs), making the comments available to the public, and allowing public input. NEPA requires that Federal agencies prepare and submit EISs to identify potential environmental consequences of major proposed activities, and develop plans to mitigate or eliminate adverse impacts. A focal point in the near term will be implementing the Agency's NEPA responsibilities with respect to projects funded under the American Recovery and Reinvestment Act (ARRA). In FY 2010, additional personnel resources will enable EPA to meet these increased environmental review responsibilities, which will help with the expeditious approval and implementation of Federal economic stimulus projects. EPA will continue to work with other Federal agencies to streamline and to improve their NEPA processes. Work also will focus on a number of key areas such as review and comment on on-shore and off-shore liquid natural gas facilities, coal bed methane development and other energy-related projects, nuclear power/hydro-power plant licensing/re-licensing, highway and airport expansion, military base realignment/redevelopment, flood control and port development, and management of national forests and public lands. In FY 2010, the NEPA program's proposed budget is \$18.3 million.

Improving Environmental Performance through Innovation and Pollution Prevention and Stewardship

In FY 2010, with a budget of approximately \$23.8 million, the Pollution Prevention program will continue being one of the Agency's primary tools for minimizing and preventing adverse environmental impacts by preventing the generation of pollution at the source. Through pollution prevention integration, EPA will work to bring about a performance-oriented regulatory system that develops innovative, flexible strategies to achieve measurable results; promotes environmental stewardship in all parts of society; supports sustainable development and pollution prevention; and fosters a culture of creative environmental problem-solving.

- **Partnering with Businesses and Consumers:** In FY 2010, through the Pollution Prevention (P2) program, EPA will promote technology transfer and technical assistance and to spur development of greener chemicals, processes and products through eight programs: Green Chemistry, Design for the Environment, Green Suppliers Network, Regional Grants, Pollution Prevention Resource Exchange, Partnership for Sustainable Healthcare, Green Engineering, and Environmentally Preferable Purchasing. Also in FY 2010, EPA will continue to encourage, empower, and assist government and business to adopt source reduction practices and promote strong collaboration among Regions to promote geographically specific approaches to address unique local problems. P2 grants to states and tribes enable them to provide technical assistance, education, and outreach to assist businesses.

In FY 2010, through the Environmentally Preferable Purchasing Program (EPP), the Agency also will implement the Federal Electronics Challenge and promote the use of the Electronic Product Environmental Assessment Tool (EPEAT), a procurement tool designed to help institutional purchasers compare and select desktop computers, laptops, and monitors based on environmental attributes. In addition, EPA's innovative Green Suppliers Network Program works with large manufacturers to engage their small and medium-sized suppliers in low-cost technical reviews that focus on process improvements and waste reduction. Finally, through the Green Chemistry and Design for the Environment Program (DfE), EPA works to promote and recognize greener chemicals, synthetic pathways, and formulations. DfE has incorporated green formulations into over 1,000 recognized products to date.

- **Promoting Innovation and Stewardship:** In FY 2010, EPA will work to bring about a performance-oriented regulatory system that develops innovative, flexible strategies to achieve measurable results, promotes environmental stewardship in all parts of society, supports sustainable development and pollution prevention, and fosters a culture of creative environmental problem-solving.

In FY 2010, through an annual Program Evaluation Competition managed by the National Center for Environmental Innovation, resources will be provided to EPA programs and Regional offices to conduct rigorous evaluations. Specific consideration will be given to evaluations that support the Government Performance and Results Act, provide evidence-based assessments of

performance and outcomes for a wide range of current EPA programs, and allow EPA to improve and invest in promising environmental program innovations.

The Sector Strategies program will engage industry, non governmental organizations, state, and Federal stakeholders in policy dialogue and strategic planning, including a dialogue with states on data templates and climate analysis. In addition, EPA plans to initiate discussions with states on the design and implementation of sector-specific strategies and performance improvement projects that will address GHG reductions (sectors represent 29 percent of total GHG emissions), toxic air emissions (34 percent of national releases), hazardous waste (80 percent of hazardous waste releases), and water impact issues.

In FY 2010, the Smart Growth program plans to build upon its work in outreach and direct implementation assistance. EPA will provide national best practices to communities and use its local, on-the-ground work to communicate its national research and policy agenda.

Improve Human Health and the Environment in Indian Country

Since adopting the EPA Indian Policy in 1984, EPA has worked with Federally recognized tribes on a government-to-government basis, in recognition of the Federal government's trust responsibility to Federally recognized tribes. Under Federal environmental statutes, the Agency is responsible for protecting human health and the environment in Indian country. EPA's American Indian Environmental Office (AIEO) leads an Agency wide effort to work with tribes, Alaska Native Villages, and inter-tribal consortia to fulfill this responsibility. EPA's strategy for achieving this objective has three major components:

- **Establish an Environmental Presence in Indian Country:** The Agency will continue to provide funding through the Indian General Assistance Program (GAP) so each federally-recognized tribe can establish an environmental presence.
- **Provide Access to Environmental Information:** EPA will provide the information tribes need to meet EPA and Tribal environmental priorities, as well as characterize the environmental and public health improvements that result from joint actions.
- **Implementation of Environmental Goals:** The Agency will provide opportunities for the implementation of Tribal environmental programs by tribes, or directly by EPA, as necessary.

In FY 2010, EPA will provide \$62.9 million in GAP grants to help build Tribal environmental capacity to assess environmental conditions, utilize available information, and build an environmental program tailored to tribes' needs. The grants will develop environmental education and outreach programs, develop and implement integrated solid waste management plans, and alert EPA to serious conditions that pose immediate public health and ecological threats. Through GAP program guidance, EPA emphasizes outcome based results.

Research

The Agency proposes \$24.1 million to enhance capacity for sustainability through science and research. EPA has developed and evaluated tools and technologies to monitor, prevent, control, and clean up pollution throughout its history. EPA's Science and Technology for Sustainability (STS) research program, in accordance with the Agency's policy of scientific integrity,¹¹ provides the scientific foundation for the Agency's actions for the integrated management of air, water, and land resources, as well as changes in traditional methods of creating and distributing goods and services. Since the Pollution Prevention Act of 1990, the Agency has increasingly focused on preventative and sustainable approaches to health and environmental problems. EPA's efforts in this area support research specifically designed to address the issue of advancing sustainability goals.

Sustainable approaches require: innovative design and production techniques that minimize or eliminate environmental liabilities; integrated management of air, water, and land resources; and changes in the traditional methods of creating and distributing goods and services. And in addition to conducting research related to human health and environmental threats, EPA is committed to promoting sustainability—achieving economic prosperity while protecting natural systems and quality of life for the long term.

The FY 2010 EPA budget request includes a \$5.0 million increase for a biofuels research initiative to help decision-makers better understand the risk tradeoffs associated with biofuels production and use. The work will inform the life-cycle analysis and mandatory reporting requirements contained in the Energy Independence and Security Act.

EPA's STS research program will continue efforts aimed at creating a suite of science-based sustainability metrics that are readily understood by the public. This work will address both large and small systems, including the implementation and tracking of sustainability metrics across the biofuels system. In addition, the People, Prosperity, and Planet Award will support up to 50 student design projects from around the country, focusing on challenges in areas such as materials and chemicals, energy, resources, and water.

¹¹ For more information, see http://www.whitehouse.gov/the_press_office/Memorandum-for-the-Heads-of-Executive-Departments-and-Agencies-3-9-09/.