

**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**

**APPROPRIATION: Hazardous Substance Superfund
Resource Summary Table
(Dollars in Thousands)**

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Hazardous Substance Superfund				
Budget Authority	\$1,425,588.8	\$1,285,024.0	\$1,308,541.0	\$23,517.0
Total Workyears	3,066.4	3,202.1	3,193.3	-8.8

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

Program Project	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Air Toxics and Quality				
Radiation: Protection	\$2,165.0	\$2,295.0	\$2,596.0	\$301.0
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	\$12,037.8	\$9,975.0	\$9,975.0	\$0.0
Compliance				
Compliance Assistance and Centers	\$33.1	\$22.0	\$0.0	(\$22.0)
Compliance Incentives	\$58.7	\$137.0	\$0.0	(\$137.0)
Compliance Monitoring	\$1,251.3	\$1,192.0	\$1,247.0	\$55.0
Subtotal, Compliance	\$1,343.1	\$1,351.0	\$1,247.0	(\$104.0)
Enforcement				
Environmental Justice	\$502.1	\$818.0	\$822.0	\$4.0
Superfund: Enforcement	\$168,674.1	\$166,148.0	\$173,176.0	\$7,028.0
Superfund: Federal Facilities Enforcement	\$9,124.8	\$9,872.0	\$10,378.0	\$506.0
Civil Enforcement	\$591.0	\$0.0	\$0.0	\$0.0
Criminal Enforcement	\$7,687.0	\$7,767.0	\$8,336.0	\$569.0
Enforcement Training	\$785.1	\$793.0	\$851.0	\$58.0
Forensics Support	\$2,629.1	\$2,378.0	\$2,471.0	\$93.0
Subtotal, Enforcement	\$189,993.2	\$187,776.0	\$196,034.0	\$8,258.0

Program Project	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Homeland Security				
Homeland Security: Critical Infrastructure Protection				
Decontamination	\$181.4	\$198.0	\$198.0	\$0.0
Homeland Security: Critical Infrastructure Protection (other activities)	\$1,584.9	\$1,538.0	\$1,626.0	\$88.0
Subtotal, Homeland Security: Critical Infrastructure Protection	\$1,766.3	\$1,736.0	\$1,824.0	\$88.0
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	\$8,153.4	\$10,613.0	\$10,774.0	\$161.0
Laboratory Preparedness and Response	\$3,792.6	\$9,588.0	\$9,621.0	\$33.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	\$33,337.2	\$33,440.0	\$33,148.0	(\$292.0)
Subtotal, Homeland Security: Preparedness, Response, and Recovery	\$45,283.2	\$53,641.0	\$53,543.0	(\$98.0)
Homeland Security: Protection of EPA Personnel and Infrastructure	\$585.0	\$1,194.0	\$1,194.0	\$0.0
Subtotal, Homeland Security	\$47,634.5	\$56,571.0	\$56,561.0	(\$10.0)
Information Exchange / Outreach				
Congressional, Intergovernmental, External Relations	\$145.9	\$0.0	\$0.0	\$0.0
Exchange Network	\$1,429.8	\$1,433.0	\$1,433.0	\$0.0
Subtotal, Information Exchange / Outreach	\$1,575.7	\$1,433.0	\$1,433.0	\$0.0
IT / Data Management / Security				
Information Security	\$474.6	\$783.0	\$799.0	\$16.0
IT / Data Management	\$15,929.7	\$16,896.0	\$17,124.0	\$228.0
Subtotal, IT / Data Management / Security	\$16,404.3	\$17,679.0	\$17,923.0	\$244.0
Legal / Science / Regulatory / Economic Review				
Alternative Dispute Resolution	\$776.9	\$874.0	\$895.0	\$21.0
Legal Advice: Environmental Program	\$802.4	\$708.0	\$746.0	\$38.0
Subtotal, Legal / Science / Regulatory / Economic Review	\$1,579.3	\$1,582.0	\$1,641.0	\$59.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	\$44,867.0	\$45,353.0	\$44,300.0	(\$1,053.0)

Program Project	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Utilities	\$1,176.7	\$3,042.0	\$3,397.0	\$355.0
Security	\$6,392.7	\$6,524.0	\$8,299.0	\$1,775.0
Facilities Infrastructure and Operations (other activities)	\$19,807.5	\$21,331.0	\$22,601.0	\$1,270.0
Subtotal, Facilities Infrastructure and Operations	\$72,243.9	\$76,250.0	\$78,597.0	\$2,347.0
Financial Assistance Grants / IAG Management	\$3,044.7	\$3,168.0	\$3,283.0	\$115.0
Acquisition Management	\$20,705.1	\$24,361.0	\$23,229.0	(\$1,132.0)
Human Resources Management	\$4,681.2	\$5,386.0	\$8,068.0	\$2,682.0
Central Planning, Budgeting, and Finance	\$20,861.5	\$25,478.0	\$26,746.0	\$1,268.0
Subtotal, Operations and Administration	\$121,536.4	\$134,643.0	\$139,923.0	\$5,280.0
Research: Human Health and Ecosystems				
Human Health Risk Assessment	\$6,799.6	\$3,377.0	\$3,395.0	\$18.0
Research: Land Protection				
Research: Land Protection and Restoration	\$19,392.9	\$20,905.0	\$21,401.0	\$496.0
Research: Sustainability				
Research: Sustainability	\$99.7	\$79.0	\$0.0	(\$79.0)
Superfund Cleanup				
Superfund: Emergency Response and Removal	\$223,136.3	\$195,043.0	\$202,843.0	\$7,800.0
Superfund: EPA Emergency Preparedness	\$9,608.7	\$9,442.0	\$9,791.0	\$349.0
Superfund: Federal Facilities	\$33,558.3	\$31,306.0	\$32,203.0	\$897.0
Superfund: Remedial	\$726,765.3	\$604,992.0	\$605,000.0	\$8.0
Superfund: Support to Other Federal Agencies	\$4,888.0	\$6,575.0	\$6,575.0	\$0.0
Brownfields Projects	\$7,070.7	\$0.0	\$0.0	\$0.0
Subtotal, Brownfields Projects	\$7,070.7	\$0.0	\$0.0	\$0.0
Subtotal, Superfund Cleanup	\$1,005,027.3	\$847,358.0	\$856,412.0	\$9,054.0
TOTAL, EPA	\$1,425,588.8	\$1,285,024.0	\$1,308,541.0	\$23,517.0

Program Area: Air Toxics And Quality

Radiation: Protection

Program Area: Air Toxics and Quality
Goal: Clean Air and Global Climate Change
Objective(s): Radiation

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$10,820.8	\$10,957.0	\$11,272.0	\$315.0
Science & Technology	\$2,069.1	\$2,156.0	\$2,242.0	\$86.0
<i>Hazardous Substance Superfund</i>	<i>\$2,165.0</i>	<i>\$2,295.0</i>	<i>\$2,596.0</i>	<i>\$301.0</i>
Total Budget Authority / Obligations	\$15,054.9	\$15,408.0	\$16,110.0	\$702.0
Total Workyears	85.8	88.6	88.6	0.0

Program Project Description:

This program addresses potential radiation risks found at some Superfund and hazardous waste sites. Through this program, EPA ensures that Superfund site clean-up activities reduce and/or mitigate the health and environmental risk of radiation to safe levels. In addition, the program makes certain that appropriate clean up technologies and methods are adopted to effectively and efficiently reduce the health and environmental hazards associated with radiation problems encountered at the sites. Finally, the program ensures that appropriate technical assistance is provided on remediation approaches for National Priorities List (NPL) and non-NPL sites.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA's National Air and Radiation Environmental Laboratory (NAREL) and Radiation and Indoor Environments National Laboratory (R&IE) will continue to provide analytical support to manage and mitigate radioactive releases and exposures. Both laboratories routinely provide analytical and technical support for the characterization and cleanup of Superfund and Federal Facility sites. Laboratory support focuses on providing high quality data to support Agency decisions at sites across the country. Both laboratories also provide specialized technical support on-site including field measurement capability using unique capabilities and tools. In addition, both laboratories provide data evaluation and assessment, document review and field support through on-going fixed and mobile capability. Thousands of radiochemical and mixed waste analyses (NAREL is EPA's only laboratory with in-house mixed waste analytical capability) are performed annually at NAREL on a variety of matrices from contaminated sites. R&IE also provides field-based analytical capability for screening and identifying radiological contaminants at NPL and non-NPL sites across the country, including mobile scanning in-situ analysis, and air sampling equipment and expert personnel.

EPA recently developed several outcome-oriented strategic and annual performance measures for this program in response to OMB recommendations. The measures all have baseline data and some historical data which provide a benchmark to assist in the development of the outyear targets.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percentage of most populous US cities with a RadNet ambient radiation air monitoring system, which will provide data to assist in protective action determinations.	92	85	90	95	Percentage

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Time to approve site changes affecting waste characterization at DOE waste generator sites to ensure safe disposal of transuranic radioactive waste at WIPP.	50	46	53	53	Percentage

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Population covered by Radiation Protection Program monitors per million dollars invested.	4,536,000	4,729,000	5,254,000	5,254,000	Dollars

EPA expects to be on track through its ongoing work to accomplish its 2011 strategic plan goal of protecting public health and the environment from unwanted releases of EPA regulated radioactive waste and to minimize impacts to public health from radiation exposure.

FY 2010 Change from FY 2009 Enacted (Dollars in Thousands):

- (+\$301.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

CERCLA, as amended by the SARA of 1986.

Program Area: Audits, Evaluations And Investigations

Audits, Evaluations, and Investigations

Program Area: Audits, Evaluations, and Investigations

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Inspector General	\$41,896.5	\$44,791.0	\$44,791.0	\$0.0
<i>Hazardous Substance Superfund</i>	<i>\$12,037.8</i>	<i>\$9,975.0</i>	<i>\$9,975.0</i>	<i>\$0.0</i>
Total Budget Authority / Obligations	\$53,934.3	\$54,766.0	\$54,766.0	\$0.0
Total Workyears	287.1	331.8	361.8	30.0

Program/Project Description:

EPA's Office of Inspector General (OIG) provides audit, evaluation, and investigative products that fulfill the requirements of the Inspector General Act, as amended, by identifying fraud, waste, and abuse in Agency, grantee and contractor operations, and by promoting economy, efficiency, and effectiveness in the operations of the Agency's Superfund program. OIG activities add value and enhance public trust by providing the Agency, the public, and Congress with independent analyses and recommendations that help management identify and resolve risks and challenges, opportunities for savings, and implement actions for safeguarding EPA resources and accomplishing EPA's environmental goals. OIG activities also prevent and detect fraud in EPA programs and operations, including financial fraud, contract lab fraud, and cyber crime.

FY 2010 Activities and Performance Plan:

The EPA OIG will assist the Agency in its efforts to reduce environmental and human health risks and save taxpayer dollars by helping to improve Superfund program operations and resolve major management challenges. In FY 2010, the OIG will continue focusing on land restoration and reuse, verification of data used to support actions and reported results, as well as areas associated with risk, fraud, and waste. The OIG will further identify high risk areas and opportunities to reduce administrative overhead, and make recommendations to mitigate those risks and improve operating efficiency leading to positive environmental impacts and the cost effective attainment of EPA's goals related to the Superfund program. Major themes of OIG assignments will include: internal controls to determine their adequacy both within EPA and its grantees and contractors; project management to ensure that EPA and its grantees have clear plans and accountability for performance progress; enforcement to evaluate whether there is consistent, adequate and appropriate application of the laws and regulations across jurisdictions with coordination between federal, state and local law enforcement activities; grants and

contracts to verify that grants are made based upon uniform risk assessment and capacity to account and perform, and that contractors for the grantees perform with integrity and value.

Audits and Evaluations

OIG audits and evaluations related to the Superfund program will identify program and management risks and determine if EPA is efficiently and effectively reducing human health risks; taking effective enforcement actions; cleaning up hazardous waste; restoring previously polluted sites to appropriate uses; and ensuring long-term stewardship of polluted sites. The OIG will evaluate how effectively EPA and other Federal agencies have addressed and resolved human health and environmental risks at facilities on the National Priorities List and other sites that are supported by Superfund resources.

Prior audits and evaluations of the Superfund program have identified numerous barriers to implementing effective resource management and program improvements, especially in the high-dollar value areas of special account management. Therefore, the OIG will review: (1) EPA's management of Superfund special accounts; (2) billing and collection of Superfund fines and penalties; (3) funds obligated for Superfund cooperative agreements with selected states; (4) long-term safety at Superfund Federal facilities; (5) efforts to address vapor intrusion at Superfund and Brownfield sites, and (6) independent site sampling. The OIG will also evaluate ways to minimize fraud, waste, and abuse, and maximize results achieved from its Superfund contracts and assistance agreements.

Investigations

OIG investigations also focus on identifying criminal activity pertaining to the Superfund program. The OIG will conduct investigations into allegations, and seek prosecution of: 1) fraudulent practices in awarding, performing, and payment on EPA Superfund contracts, grants, or other assistance agreements; 2) program fraud or other acts that undermine the integrity of, or confidence in, the Superfund program and create imminent environmental risks; 3) contract laboratory fraud relating to Superfund data, and false claims for erroneous laboratory results that undermine the bases for Superfund decision-making, regulatory compliance, or enforcement actions; and 4) intrusions into EPA's computer systems as well as incidents of computer misuse. Further, the OIG will assist EPA in testing environmental information technology infrastructure and information networks against threats of intrusion or destruction.

Follow-up and Policy/Regulatory Analysis

To further promote economy, efficiency and effectiveness, the OIG will conduct follow-up reviews of Agency responsiveness to OIG recommendations for the Superfund program to determine if appropriate actions have been taken and intended improvements have been achieved. This process will serve as a means for keeping EPA leadership informed of accomplishments and apprised of needed corrective actions, and will facilitate greater accountability for results from OIG operations. For example, in FY 2008 we identified and reported to EPA 14 unimplemented Superfund related recommendations, of which 8 were subsequently implemented for operational improvements. This oversight over the Agency audit

management process ensures that action on all opportunities for and improvements identified through OIG reports are appropriately taken.

Also, as directed by the IG Act, the OIG conducts reviews and analysis of proposed and existing policies, rules, regulations and legislation to identify vulnerability to waste, fraud and abuse. These reviews also consider possible duplication, gaps or conflicts with existing authority, leading to recommendations for improvements in their structure, content and application.

Performance Targets:

Work under this program supports multiple strategic objectives. Performance information is included in the Program Performance and Assessment section.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (-\$583.0K) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.
- (+\$583.0K) This reflects an increase to primarily contract nonpayroll resources.
- (+5.4 FTE) Staff level increases to enhance the OIG's capability for program oversight.

Statutory Authority:

Inspector General Act, as amended; Inspector General Reform Act; SARA; CERCLA; TSCA.

Inspector General Reform Act:

Following the requirements of the Inspector General Reform Act, the OIG of the Environmental Protection Agency submits the following information relating to the OIG's requested budget for FY 2010:

- the aggregate budget request for the operations of the OIG is \$54,766,000 (\$44,791,000 Inspector General; \$9,975,000 Superfund Transfer),
- the portion of this amount needed for OIG training is \$1,000,000, and
- the portion of this amount needed to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE) is \$131,000.

I certify as the IG of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2010.

Program Area: Compliance

Compliance Assistance and Centers

Program Area: Compliance

Goal: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$28,063.5	\$23,770.0	\$26,070.0	\$2,300.0
Leaking Underground Storage Tanks	\$787.5	\$817.0	\$788.0	(\$29.0)
Oil Spill Response	\$285.3	\$277.0	\$317.0	\$40.0
<i>Hazardous Substance Superfund</i>	<i>\$33.1</i>	<i>\$22.0</i>	<i>\$0.0</i>	<i>(\$22.0)</i>
Total Budget Authority / Obligations	\$29,169.4	\$24,886.0	\$27,175.0	\$2,289.0
Total Workyears	197.0	181.1	180.1	-1.0

Program Project Description:

EPA’s compliance assistance programs provide information to millions of regulated entities, Federal agencies, particularly small businesses and local governments, to help them understand and meet their environmental obligations. This information lets regulated entities know of their legal obligations under federal environmental laws. Compliance assistance resources include comprehensive Web sites, compliance guides, emission calculators, and training materials aimed at specific business communities or industry sectors. Also, onsite compliance assistance and information is sometimes provided by EPA inspectors during an inspection.

FY 2010 Activities and Performance Plan:

The activities previously funded from the Superfund appropriation under this program for supporting ICIS are consolidated with the rest of the Agency’s ICIS Superfund budget in the Compliance Monitoring program. No new activity or funding is planned for this program under the Superfund appropriation.

Performance Targets:

Currently there are no specific performance measures for this program project.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (-\$22.0) This decrease reflects the consolidation of the Superfund portion of ICIS under the Compliance Monitoring program.

Statutory Authority:

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

Compliance Incentives

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$10,250.7	\$8,992.0	\$10,702.0	\$1,710.0
<i>Hazardous Substance Superfund</i>	\$58.7	\$137.0	\$0.0	(\$137.0)
Total Budget Authority / Obligations	\$10,309.4	\$9,129.0	\$10,702.0	\$1,573.0
Total Workyears	68.1	61.8	69.4	7.6

Program Project Description:

EPA uses four distinct but integrated tools to maximize compliance with the nation’s environmental laws. This includes: compliance assistance (i.e., educating regulated entities how to comply with often complex regulations), compliance monitoring (i.e., identifying existing violations through on-site inspections, investigations, and collection and analysis of compliance data), compliance incentives (i.e., motivating regulated facilities/companies to identify, disclose, and correct violations), and civil and criminal enforcement (i.e., administrative and judicial enforcement actions). These tools are used in combinations appropriate to address specific noncompliance patterns and environmental risks.

EPA's Compliance Incentives program encourages regulated entities to monitor and quickly correct environmental violations, reduce pollution, and make improvements in regulated entities’ environmental management practices. EPA uses a variety of approaches to encourage entities to self-disclose environmental violations under various environmental statutes. EPA’s Audit Policy encourages internal audits of environmental compliance and subsequent correction of self-discovered violations, providing a uniform enforcement response toward disclosures of violations and accelerating compliance.

FY 2010 Activities and Performance Plan:

The activities previously funded from the Superfund appropriation under this program for supporting ICIS are consolidated with the rest of the Agency’s ICIS Superfund budget in the Compliance Monitoring program.

No new activity or funding is planned for this program under the Superfund appropriation.

Performance Targets:

Currently there are no specific performance measures for this program project.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (-\$126.0 \ -0.9 FTE) These resources are being realigned to support the Agency's priorities in the Superfund Enforcement program.
- (-\$11.0) This decrease reflects the consolidation of the Superfund portion of ICIS under the Compliance Monitoring program.

Statutory Authority:

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

Compliance Monitoring

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$92,048.1	\$96,064.0	\$99,859.0	\$3,795.0
<i>Hazardous Substance Superfund</i>	<i>\$1,251.3</i>	<i>\$1,192.0</i>	<i>\$1,247.0</i>	<i>\$55.0</i>
Total Budget Authority / Obligations	\$93,299.4	\$97,256.0	\$101,106.0	\$3,850.0
Total Workyears	600.6	623.0	612.3	-10.7

Program Project Description:

The Compliance Monitoring program reviews and evaluates the activities of the regulated community to determine compliance with applicable laws, regulations, permit conditions, and settlement agreements by conducting compliance inspections/evaluations, investigations, record reviews, and information requests, and by responding to tips and complaints from the public. The program conducts these activities to determine whether conditions that exist may present imminent and substantial endangerment to human health or the environment and to verify whether regulated sites are in compliance with environmental laws and regulations.

The Superfund portion of the Compliance Monitoring program focuses on providing information system support for monitoring compliance with Superfund-related environmental regulations and contaminated site clean-up agreements. The program also will ensure the security and integrity of its compliance information systems.

FY 2010 Activities and Performance Plan:

Superfund-related compliance monitoring activities are mainly reported and tracked through the Agency's Integrated Compliance Information System (ICIS). In FY 2010, the Compliance Monitoring program will provide Superfund support for ICIS and the ongoing enhancements to ICIS for continued support of the Federal enforcement and compliance program. EPA will continue to ensure the security and integrity of these systems, and will use ICIS data to support Superfund-related regulatory enforcement program activities. In FY 2010, the Superfund portion of this program for ICIS-related work is \$.19 million.

EPA will continue to make Superfund-related compliance monitoring information available to the public through the Enforcement and Compliance History On-line (ECHO) Internet website¹. This site provides communities with information on compliance status. EPA will continue to develop additional tools and data for public use. ECHO is a valuable tool, averaging approximately 75 thousand queries per month.

¹ For more information, refer to: <http://www.epa-echo.gov/echo/>

The Superfund program contributes to the following agency wide performance measures.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Reduce, treat, or eliminate air pollutants through concluded enforcement actions.				480	Million Pounds
Outcome	Reduce, treat, or eliminate water pollutants through concluded enforcement actions.				320	Million Pounds
Outcome	Reduce, treat, or eliminate toxics and pesticides through concluded enforcement actions.				3.8	Million Pounds
Outcome	Reduce, treat, or eliminate hazardous waste through concluded enforcement actions.				6,500	Million Pounds

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$12.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$17.0) This reflects an increase for IT and telecommunications resources.
- (+\$33.0) These funds are being transferred from the Compliance Assistance Centers and Compliance Incentives programs to align all Superfund ICIS related funding to one program.
- (-\$7.0) This reflects a redirection to support increased IT and telecommunication costs.

Statutory Authority:

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

Program Area: Enforcement

Environmental Justice

Program Area: Enforcement

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$4,332.1	\$6,993.0	\$7,203.0	\$210.0
<i>Hazardous Substance Superfund</i>	<i>\$502.1</i>	<i>\$818.0</i>	<i>\$822.0</i>	<i>\$4.0</i>
Total Budget Authority / Obligations	\$4,834.2	\$7,811.0	\$8,025.0	\$214.0
Total Workyears	21.5	20.9	32.9	12.0

Program Project Description:

The Environmental Justice (EJ) program addresses environmental and/or human health concerns in all communities, including minority and/or low-income communities. The Superfund portion of the program focuses on issues that affect communities at or near Superfund sites. EPA focuses attention on minority and low-income communities to ensure that EPA actions do not adversely affect these or any other communities that face critical environmental or public health issues.

The Environmental Justice program also provides education, outreach, and data to communities and facilitates the integration of environmental justice considerations into Agency programs, policies, and activities. It complements and enhances the community outreach work done under the Superfund program at affected sites. The Agency also supports state and Tribal environmental justice programs and conducts outreach and technical assistance to states, local governments, and stakeholders on environmental justice issues.²

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will continue to enhance its environmental justice integration and collaborative problem-solving initiatives. By fully integrating environmental justice considerations within its programs, policies, and activities, EPA will build greater capacity within its Headquarters and Regional offices to better address the environmental and/or human health concerns of all communities, and build collaborative problem-solving capacity within communities affected disproportionately by environmental risks and harms, including minority and/or low-income communities. EPA will also continue to manage its Environmental Justice Small Grants program, which assists community-based organizations in developing solutions to local environmental issues.

² For more information on the Environmental Justice program, please refer to:
www.epa.gov/compliance/environmentaljustice/index.html.

Performance Targets:

Work under this program supports the Healthy Communities objective 4.2.2. In FY 2010, eight communities with potential environmental justice concerns will achieve significant measurable environmental or public health improvement through collaborative problem-solving strategies. However, measure(s) pertaining to environmental justice are under review and may be modified in the coming months.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$23.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$19.0) This reflects a decrease in grant resources.

Statutory Authority:

Executive Order 12898; CERCLA, as amended.

Superfund: Enforcement
Program Area: Enforcement

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

Goal: Compliance and Environmental Stewardship
Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$168,674.1</i>	<i>\$166,148.0</i>	<i>\$173,176.0</i>	<i>\$7,028.0</i>
Total Budget Authority / Obligations	\$168,674.1	\$166,148.0	\$173,176.0	\$7,028.0
Total Workyears	919.3	957.2	949.9	-7.3

Program Project Description:

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.

EPA negotiates cleanup agreements with Potentially Responsible Parties (PRPs) at hazardous waste sites and, where negotiations fail, the Agency either takes enforcement actions to require cleanup or expends Superfund Trust Fund dollars to remediate the sites. In some cases, EPA takes both actions. When EPA uses appropriated Trust Fund dollars, the Superfund Enforcement program takes action against any viable PRPs to recover the cleanup costs. The Department of Justice (DOJ) supports EPA’s Superfund Enforcement program through negotiations and judicial actions to compel PRP clean-up and litigation to recover Trust Fund monies spent on cleanup. In tandem with this approach, EPA has implemented various reforms to increase fairness, reduce transaction costs, promote economic development, and make sites available for appropriate re-use. EPA also works to ensure that required legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup actions.

The Agency sustains the “polluter pays” principle, cleans up more sites, and preserves appropriated dollars for sites without viable PRPs. Since the program’s inception, EPA has achieved more than eight dollars in private party cleanup commitments and cost recovery for every dollar spent by EPA on Superfund enforcement costs. The cumulative value of private

party commitments is more than \$29 billion (\$24.3 billion for cleanup work and \$4.9 billion in cost recovery).

FY 2010 Activities and Performance Plan:

Throughout FY 2010, the Superfund Enforcement program will maximize PRP participation in cleanups while promoting fairness in the enforcement process and will continue to recover costs from PRPs when EPA expends money from the Trust Fund. The Agency will maximize PRP participation by reaching a settlement or taking an enforcement action by the time a remedial action starts at 95 percent of non-Federal Superfund sites that have viable, liable parties. The Agency also will continue to ensure Trust Fund stewardship through cost recovery efforts that include addressing -- prior to the end of the statute of limitations period -- 100 percent of past costs at sites where total past costs are equal to or greater than \$.2 million. The Agency also will continue efforts to recover past costs at sites where total costs are below \$.2 million in the most cost-efficient manner possible.

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.

A critical component of many response actions selected by EPA is institutional controls. These are established to ensure that property is used and maintained in an appropriate manner that protects the public health after construction of the physical remedy is complete. The Superfund enforcement program will help oversee the implementation and enforcement of institutional controls as part of its remedies, focusing particularly on sites where construction of engineered remedies has been completed.

The Agency's Superfund program pursues an "enforcement first" policy to ensure that sites for which there are viable, liable responsible parties are cleaned up by those parties. In tandem with this approach, various Superfund reforms have been implemented to increase fairness, reduce transaction costs, and promote economic redevelopment.³ EPA also will work to ensure that required legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup actions.

³ For more information about EPA's Superfund enforcement program, and its various components, refer to: www.epa.gov/compliance/cleanup/superfund/.

In FY 2010, the Agency will provide the DOJ with \$25.6 million, through an Interagency Agreement, to provide support for EPA's Superfund Enforcement program through such actions as negotiating consent decrees with PRPs, preparing judicial actions to compel PRP clean-up, and litigating to recover monies spent in cleaning up contaminated sites. EPA's Superfund enforcement program is responsible for case development and preparation, referral to DOJ, and post-filing actions as well as for providing case and cost documentation support for the docket of current cases with DOJ. The program also ensures that EPA meets cost recovery statute of limitation deadlines, resolves cases, issues bills timely for oversight, and makes collections in a timely manner. By pursuing cost recovery settlements, the program promotes the principle that polluters should either perform or pay for cleanups which preserves appropriated Trust Fund resources to address contaminated sites where there are no viable, liable PRPs. The Agency's expenditures will be recouped through administrative actions and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 107 case referrals. The Agency also will continue to refer delinquent accounts receivable to DOJ for debt collection enforcement.

During FY 2010, the Agency will continue the financial management aspects of Superfund cost recovery and the collection of related debt. These efforts include tracking and managing Superfund delinquent debt, maintaining the Superfund Cost Recovery Package Imaging and On-Line System (SCORPIOS), and using SCORPIOS to prepare cost documentation packages. The Agency will continue to refine and streamline the cost documentation process to gain further efficiencies; provide DOJ case support for Superfund sites; and calculate indirect cost and annual allocation rates to be applied to direct costs incurred by EPA for site cleanup. The Agency also will continue to maintain the accounting and billing of Superfund oversight costs attributable to responsible parties. These costs represent EPA's cost of overseeing Superfund site clean-up efforts by responsible parties as stipulated in the terms of settlement agreements.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percentage of Superfund sites at which settlement or enforcement action taken before the start of RA.	100	95	95	95	Percent

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Refer to DOJ, settle, or write off 100% of Statute of Limitations (SOLs) cases for SF sites with total unaddressed past costs equal to or greater than	100	100	100	100	Percent

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
	\$200,000 and report value of costs recovered.					

The Superfund Enforcement Program measures the Volume of Contaminated Media Addressed (VCMA), which is a companion to the pounds of pollutants reduced. This represents the volume of contaminated media (e.g., soil, groundwater, sediment) addressed through completed enforcement actions.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$7,198.0) This reflects an increase for payroll and cost of living for all FTE.
- (-\$170.0) This reflects a decrease for IT and telecommunications and other support cost resources.
- (-7.3 FTE) This change reflects EPA’s workforce management strategy that will help the Agency better align resources, skills and Agency priorities. This decrease will not impede program goals.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act; CERCLA; SBLRB RERA; CERFA; NEPA; AEA; UMTRLWA; PHSa; Safe Drinking Water Act; CCA; FGCAA; FAIR; Federal Acquisition Regulations; FMFIA; FOIA; GMRA; IPIA; IGA; PRA; Privacy Act; CFOA; Government Performance and Results Act; The Prompt Payment Act; Executive Order 12241; Executive Order 12656.

Superfund: Federal Facilities Enforcement

Program Area: Enforcement

Goal: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$9,124.8</i>	<i>\$9,872.0</i>	<i>\$10,378.0</i>	<i>\$506.0</i>
Total Budget Authority / Obligations	\$9,124.8	\$9,872.0	\$10,378.0	\$506.0
Total Workyears	60.4	72.8	67.5	-5.3

Program Project Description:

The Superfund Federal Facilities Enforcement program ensures that sites with Federal entities performing Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) response and CERCLA sites with Federal ownership are monitored and appropriate enforcement responses are pursued. After years of service and operation, some Federal facilities contain environmental contamination, such as hazardous wastes, unexploded ordnance, radioactive wastes, or other toxic substances. To enable the cleanup and reuse of such sites, the Federal Facilities Enforcement program coordinates creative solutions that protect both human health and the environment. These enforcement solutions help restore facilities so they can once again serve an important role in the economy and welfare of local communities and our country.

FY 2010 Activities and Performance Plan:

Pursuant to the CERCLA Section 120, EPA will enter into interagency agreements (IAs) with responsible Federal entities to ensure protective cleanup at a timely pace. Priority areas for FY 2010 include ensuring that: 1) all Federal facility sites on the National Priorities List have IAs, which provide enforceable schedules for the progression of the entire cleanup; 2) these IAs are monitored for compliance; 3) formerly utilized defense sites and mines with Federal involvement are evaluated for action; and 4) Federal sites that are transferred to new owners are transferred in an environmentally responsible manner. EPA also will monitor milestones in existing IAs, resolve disputes, and oversee all remedial work being conducted at Federal facilities. EPA also works to ensure that required legally enforceable institutional controls and five-year review requirements are in place at Superfund sites to ensure the long-term protectiveness of cleanup actions. EPA also will continue its work with affected agencies to resolve outstanding policy issues relating to the cleanup of Federal facilities.

Performance Targets:

The Superfund Enforcement Program measures the Volume of Contaminated Media Addressed (VCMA), which is a companion to the pounds of pollutants reduced. This represents the volume

of contaminated media (e.g., soil, groundwater, sediment) addressed through completed enforcement actions. The Agency is exploring methodologies to extend the measure by analyzing the risk associated with the contaminated media addressed. This may entail analysis of pollutant hazards and population exposure. Work under this program supports the Restore Land and Improve Compliance objective, although currently no specific performance measures exist for the program project.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$468.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$38.0) This reflects an increase for contracts.
- (-5.3 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. These resources will be redirected to the Civil Enforcement program in order to pursue national priority cases (Air priority, RCRA priority Water priority, etc.), reducing the amount of illegal pollution, and bringing regulated entities into compliance with the nation's environmental laws.

Statutory Authority:

CERCLA; SBLRBRERA; DBCRA; Defense Authorization Amendments; BRAC; PPA; CERFA; NEPA; AEA; UMTRLWA; PHSA; DRAA; SDWA; Executive Order 12241; Executive Orders 12656 and 12580.

Criminal Enforcement

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$40,128.8	\$45,763.0	\$49,399.0	\$3,636.0
<i>Hazardous Substance Superfund</i>	<i>\$7,687.0</i>	<i>\$7,767.0</i>	<i>\$8,336.0</i>	<i>\$569.0</i>
Total Budget Authority / Obligations	\$47,815.8	\$53,530.0	\$57,735.0	\$4,205.0
Total Workyears	254.8	281.1	291.8	10.7

Program Project Description:

EPA's criminal enforcement program investigates and helps prosecute violations of Superfund and Superfund-related laws which seriously threaten public health and the environment and which involve knowing 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.

The criminal enforcement program conducts investigations and may then request that cases be prosecuted. Where appropriate, it helps secure plea agreements or sentencing conditions that will require defendants to undertake projects to improve environmental conditions or develop environmental management systems to enhance performance. The Agency is involved in all phases of the investigative process and works with other law enforcement agencies to present a highly visible and effective force in the Agency's overall enforcement strategy. Cases are presented to the Department of Justice for prosecution, with special agents serving as key witnesses in the proceedings.

The program also participates in task forces with state and local law enforcement, and provides specialized training at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA. FLETC provides one of the few opportunities for state, local, and Tribal environmental enforcement professionals to obtain criminal investigation training.⁴

FY 2010 Activities and Performance Plan:

In FY 2010, the criminal enforcement program will continue to investigate and assist in the prosecution of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) – related cases with significant environmental, human health, and deterrence impact. The program will increase the number of agents to complete its three-year hiring strategy of

⁴ For more information visit: <http://www.epa.gov/compliance/criminal/index.html>.

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.

The criminal enforcement program will emphasize six priority areas: national compliance and enforcement priorities, regional enforcement priorities, stationary source air cases, high impact cases based upon specific criteria, repeat or chronic civil noncompliance, and import/export violations. Working with its Federal, state and local law enforcement partners, EPA’s criminal enforcement emphasis on these priorities will yield greater environmental and public health benefits and deter illegal corporate and individual behavior.

The criminal enforcement program will continue to enhance its collaboration and coordination with the civil enforcement program to ensure that the enforcement program as a whole responds to violations as effectively as possible. That is accomplished by employing an effective Regional case screening process to identify the most appropriate civil or criminal enforcement responses for a particular violation, and by taking criminal enforcement actions against long-term or repeated significant non-compliers where appropriate. Focusing on parallel proceedings and other mechanisms allowing the Agency to use the most appropriate tools to address environmental violations and crimes will also facilitate coordination.

EPA’s criminal enforcement program is committed to fair and consistent enforcement of Federal laws and regulations, as balanced with the flexibility to respond to region-specific environmental problems. Criminal enforcement has management oversight controls and national policies in place to ensure that violators in similar circumstances receive similar treatment under Federal environmental laws. Consistency is promoted by evaluating all investigations from the national perspective, overseeing all investigations to ensure compliance with program priorities, conducting regular “docket reviews” (detailed review of all open investigations in each EPA Regional office) to ensure consistency with investigatory discretion guidance and enforcement priorities, and developing, implementing, and periodically reviewing and revising policies and programs.

In FY 2010, the program will use data from the electronic Criminal Case Reporting System. Information associated with all closed criminal enforcement cases will be used to systematically compile a profile of criminal cases, including the extent to which the cases support Agencywide, program-specific or Regional enforcement priorities. The program also will seek to deter environmental crime by increasing the volume and quality of leads reported to EPA by the public through the tips and complaints link on EPA’s Web site. Established in 2006, the Web site has resulted in two successful prosecutions of criminal enforcement cases initiated by public feedback.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of recidivism.				<1%	Percentage

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of closed cases with criminal enforcement consequences (indictment, conviction, fine, or penalty).				33%	Percentage

During FY 2010, the two primary criminal enforcement program performance measures will be:

- recidivism (current measure, with target and baseline established in FY 2008)
- cases with an enforcement consequence (new measure, with target and baseline to be determined)

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$483.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$86.0) This reflects an increase for IT and telecommunications resources.

Statutory Authority:

CERCLA; EPCRA; Pollution Prosecution Act; Title 18 General Federal Crimes (e.g., false statements, conspiracy); Power of Environmental Protection Agency (18 U.S.C. 3063).

Enforcement Training

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$2,924.9	\$2,938.0	\$3,097.0	\$159.0
<i>Hazardous Substance Superfund</i>	<i>\$785.1</i>	<i>\$793.0</i>	<i>\$851.0</i>	<i>\$58.0</i>
Total Budget Authority / Obligations	\$3,710.0	\$3,731.0	\$3,948.0	\$217.0
Total Workyears	22.0	20.9	20.8	-0.1

Program Project Description:

The Pollution Prosecution Act is the statutory mandate for the Agency’s Enforcement Training program that provides environmental enforcement and compliance training nationwide through EPA’s National Enforcement Training Institute (NETI). The program oversees the design and delivery of core and specialized enforcement courses that sustain a well-trained workforce to carry out the Agency’s Superfund enforcement and compliance goals. Courses are provided to lawyers, inspectors, civil and criminal investigators, and technical experts at all levels of government.

NETI also maintains a training center on the Internet, “NETI Online,” which offers targeted technical training courses and the capability to track individual training plans. “NETI Online’s” training information clearinghouse includes links to course offering lists, as well as tools for Agency training providers to assist with developing, managing, and evaluating the program’s training.⁵

FY 2010 Activities and Performance Plan:

In FY 2010, NETI will continue to develop and deliver training in Superfund-related enforcement and compliance assurance knowledge and skills identified in needs assessments and national strategic plans. The NETI advisory service will assist the Agency’s enforcement experts in developing course agendas and materials, and in determining the most effective methods to deliver quality training to the nation’s enforcement professionals.

Performance Targets:

Currently there are no specific performance measures for this program project.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$29.0) This reflects an increase for payroll and cost of living for existing FTE.

⁵ For more information, please refer to: <http://www.epa.gov/compliance/training/neti/index.html>

- (+\$29.0) This reflects adjustments for IT and telecommunications resources.
- (-0.1 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

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

Forensics Support

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance; Enhance Societies Capacity for Sustainability through Science and Research

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Science & Technology	\$14,042.7	\$15,087.0	\$15,946.0	\$859.0
<i>Hazardous Substance Superfund</i>	<i>\$2,629.1</i>	<i>\$2,378.0</i>	<i>\$2,471.0</i>	<i>\$93.0</i>
Total Budget Authority / Obligations	\$16,671.8	\$17,465.0	\$18,417.0	\$952.0
Total Workyears	96.8	105.8	105.2	-0.6

Program Project Description:

The Forensics Support program provides specialized scientific and technical support for the nation's most complex Superfund civil and criminal enforcement cases as well as technical expertise for Agency compliance efforts. EPA's National Enforcement Investigations Center (NEIC) is a fully accredited environmental forensics center under International Standards Organization (ISO) 17025, the main standard used by testing and calibration laboratories. NEIC's Accreditation Standard has been customized to cover both laboratory and field activities.

NEIC collaborates with other Federal, state, local, and Tribal enforcement organizations to provide technical assistance, consultation, on-site inspection, investigation and case resolution activities in support of the Agency's civil enforcement program. The program coordinates with the Department of Justice and other Federal, state, and local law enforcement organizations to provide this type of science and technology support for criminal investigations.⁶

FY 2010 Activities and Performance Plan:

Efforts to stay at the forefront of environmental enforcement in FY 2010 will include continuing to focus on the refinement of "source-receptor" strategies to identify potential responsible parties' use of customized laboratory methods to solve unusual enforcement case challenges and applied research and development for both laboratory and field applications. In response to Superfund case needs, the NEIC will conduct applied research and development to identify and deploy new capabilities and to test and/or enhance existing methods and techniques involving environmental measurement and forensic situations. As part of this activity, NEIC also will evaluate the scientific basis and/or technical enforceability of select EPA regulations that may impact Superfund program activities.

In FY 2010, NEIC will continue to function under stringent ISO requirements for environmental data measurements to maintain its accreditation. The program also will continue development of

⁶ For more information, refer to: <http://www.epa.gov/compliance/neic/index.html>.

emerging technologies in field measurement and laboratory analytical techniques, as well as identification of pollution sources at abandoned Superfund and other waste sites.

Performance Targets:

Currently, no specific performance measures exist for this program project.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$90.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$3.0) This reflects an increase for IT and telecommunications resources.
- (-0.6 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

CERCLA; EPCRA.

Program Area: Homeland Security

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$4,814.4	\$6,837.0	\$7,014.0	\$177.0
Science & Technology	\$32,656.7	\$19,460.0	\$28,329.0	\$8,869.0
<i>Hazardous Substance Superfund</i>	<i>\$1,766.3</i>	<i>\$1,736.0</i>	<i>\$1,824.0</i>	<i>\$88.0</i>
Total Budget Authority / Obligations	\$39,237.4	\$28,033.0	\$37,167.0	\$9,134.0
Total Workyears	47.3	49.0	49.0	0.0

Program Project Description:

This program includes Superfund activities that coordinate and support protection of the nation’s critical public infrastructure from terrorist threats. Through this program, EPA provides subject matter expertise and training support for terrorism-related environmental investigations to support responses authorized under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The program coordinates the Agency’s law enforcement/crisis management activities and also has direct responsibilities pursuant to the National Response Framework (NRF), Emergency Support Functions 10 and 13, and the Oil and Hazardous Materials Annex.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will continue to train all criminal investigators within the Criminal Enforcement, Forensics and Training program in “Hot Zone Forensic Evidence Collection,” typically utilized at crime scenes involving Weapons of Mass Destruction (WMD), as well as environmental crimes. The program will continue this multi-year effort to train and provide these agents with the necessary specialized response skills and evidence collection equipment. This will enable these agents to collect evidence and process a crime scene safely and effectively in a contaminated environment (hot zone).

Advanced crime scene processing training also will be provided to those criminal investigators assigned to the National Counter Terrorism Evidence Response Team (NCERT). NCERT will continue to provide environmental expertise for criminal cases and support the FBI and Department of Homeland Security (DHS) during select National Special Security Events (NSSE) and also will supply the required support as described in the various Emergency Support Functions (ESFs) of the National Response Framework (NRF) during a national emergency. Additionally, agents in the Homeland Security program will provide more robust support, involving forensic evidence collection, to the BioWatch, Water Security Initiative, and RadNet programs.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$68.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$20.0) This increase enhances support for training EPA's criminal investigators.

Statutory Authority:

CERCLA, as amended; Public Health Security and Bioterrorism Emergency and Response Act of 2002.

Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Healthy Communities and Ecosystems

Objective(s): Enhance Science and Research

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$4,105.3	\$3,378.0	\$3,443.0	\$65.0
Science & Technology	\$40,807.3	\$43,671.0	\$42,409.0	(\$1,262.0)
<i>Hazardous Substance Superfund</i>	<i>\$45,283.2</i>	<i>\$53,641.0</i>	<i>\$53,543.0</i>	<i>(\$98.0)</i>
Total Budget Authority / Obligations	\$90,195.8	\$100,690.0	\$99,395.0	(\$1,295.0)
Total Workyears	176.5	174.2	174.2	0.0

Program Project Description:

EPA's Homeland Security Emergency Preparedness and Response program develops and maintains an agency-wide capability to respond to large-scale catastrophic incidents with emphasis on those that may involve Weapons of Mass Destruction (WMD). The program builds upon EPA's long standing emergency response and removal program, which is responsible for responding to and cleaning up both oil and hazardous substance releases. EPA's homeland security effort expands these responsibilities to include threats associated with Chemical, Biological, and Radiological (CBR) agents. Over the next several years, the Agency will continue to focus on building the capacity to respond to multiple simultaneous large-scale catastrophic incidents. To meet this challenge, EPA will continue to use a comprehensive approach that brings together all emergency response assets to implement efficient and effective responses. Another priority for this program is improving research, development, and technical support for potential threats and response protocols.

FY 2010 Activities and Performance Plan:

In FY 2010, efforts to develop the capability to respond to multiple incidents will concentrate on four key areas: 1) maintaining a highly skilled, well-trained and equipped response workforce that can rise to the challenge of responding to simultaneous incidents as well as threats involving WMD substances; 2) continuing the development of decontamination options, methods, and protocols to ensure that the nation can quickly recover from nationally significant incidents; 3) operating and maintaining a nationwide environmental laboratory network capability to enhance coordination and standardization of laboratory support which includes expanding Agency Chemical Warfare Agent (CWA) fixed and field capabilities; and 4) implementing the EPA's National Approach to Response (NAR) to effectively manage EPA's emergency response assets during large-scale activations. EPA activities in support of these efforts include the following:

- Develop and maintain the skills of EPA's On-Scene Coordinators (OSCs) through specialized training, exercises, and equipment. In FY 2010, EPA and its Federal, state, local, and tribal homeland response partners will continue to develop and participate in a wide range of exercises and trainings designed to test EPA's response capabilities.
- Strengthen the Agency's responder base during large-scale catastrophic incidents by training volunteers of the Response Support Corps (RSC) and members of an Incident Management Team (IMT). These volunteers provide critical support in Headquarters and Regional Emergency Operations Centers and in assisting with operations in the field. To ensure technical proficiency, this new cadre of response personnel requires initial training and yearly refresher training to include opportunities to participate in exercises and workshops, health and safety training, medical monitoring, and equipment acquisition, as necessary. The focus is on their assigned responsibilities during a response, interactions with the emergency response program personnel, and understanding lines of communication within an IMT.
- Accelerate current efforts to build laboratory capacity and capability to analyze, verify, and validate CWA samples during a nationally significant incident. The Agency will maintain and operate existing fixed CWA labs and a Portable High-Throughput Integrated Laboratory Identification System (PHILIS) unit. A recent analysis, conducted by the Department of Homeland Security (DHS), has shown a substantial gap between the Agency's current capacity and what may be needed to analyze chemical and biological warfare agents. To continue to make progress towards reducing that gap, EPA will upgrade two existing PHILIS units to enhance the Agency's mobile analytical capability for CWA and also will award grants and/or interagency agreements (IAGs) to state and/or Federal agencies for fixed CWA labs to increase capacity. Working with DHS, the Department of Defense, and the states, EPA will implement standard operating procedures and standards of performance. The Agency will continue to actively participate with the Integrated Consortium of Laboratory Networks, maintaining and updating a laboratory compendium of Federal, state, and commercial capabilities, and maintain a chemical surety program. EPA also will work with DHS to implement a competitive state grant for an All Hazards Receipt Facility for the purpose of screening *unknown* chemical, biological, radiological, and/or nuclear (CBRN) agents.
- Operate and expand the Environmental Response Laboratory Network (ERLN) in Headquarters and Regional offices to provide lab analysis for routine and emergency response and removal operations including a terrorist attack. In addition, in FY 2010, EPA will continue to improve an electronic data deliverable (EDD) for 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. The current EDD basically reports results only. An improved version will include additional quality parameters.
- Continue to develop and validate environmental sampling, analysis, and human health risk assessment methods for known and emerging biological threat agents. These sampling and analysis methods are critical to ensuring appropriate response and recovery

- Implement the NAR to maximize Regional interoperability and to ensure that EPA's OSCs will be able to respond to terrorist threats and large-scale catastrophic incidents in an effective and nationally consistent manner.
- Continue to maintain one Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft. The EPA ASPECT provides direct assistance to first responders by remotely detecting chemical and radiological vapors, plumes, and clouds.
- Continue to populate the Decontamination Portfolio with additional agents and maintain existing agent information.
- Improve and enhance Agency systems to accept a wider variety of environmental data, including sampling, monitoring, hazardous debris and facilities reconnaissance, and to make these data easily and rapidly accessible for a variety of uses. Implementation of these activities will create a seamless data flow from the field and laboratory to the various Incident Command System (ICS) units and to the general public. It also will improve EPA's ability to make rapid and accurate response decisions and keep the public informed of health and environmental risks.
- Maintain and improve the Emergency Management Portal (EMP). EPA will continue to manage, collect, and validate new information including the portfolio content as new techniques are developed, or as other information emerges from the scientific community.
- Maximize the effectiveness of EPA's involvement in national security events through pre-deployments of assets such as emergency response personnel and field detection equipment. Pre-deployments allow immediate response should an incident occur at a national security event. EPA estimates it will participate in three pre-deployments in FY 2010.
- Conduct one WMD Decontamination course for EPA OSCs, Special Teams, and Response Support Corp personnel to improve decontamination preparedness for biological, chemical, and radiological agents.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$887.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$1,000.0) This change reflects significant progress the Agency has made in equipment procurement, thereby reducing the need for such procurements in FY 2010.
- (+\$15.0) This increase supports research in the areas of environmental sampling, analysis, and human health risk assessment methods.

Statutory Authority:

CERCLA Sections 104, 105, 106; Clean Water Act; Oil Pollution Act.

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$5,462.5	\$6,292.0	\$6,414.0	\$122.0
Science & Technology	\$1,428.1	\$587.0	\$594.0	\$7.0
Building and Facilities	\$8,225.9	\$8,070.0	\$8,070.0	\$0.0
<i>Hazardous Substance Superfund</i>	<i>\$585.0</i>	<i>\$1,194.0</i>	<i>\$1,194.0</i>	<i>\$0.0</i>
Total Budget Authority / Obligations	\$15,701.5	\$16,143.0	\$16,272.0	\$129.0
Total Workyears	2.9	3.0	3.0	0.0

Program Project Description:

This program involves activities to ensure that EPA's physical structures and assets are secure and operational and that certain physical security measures are in place to help safeguard staff in the event of an emergency. The program also includes the personnel security clearance process, protecting any classified information, and providing necessary secure communications.

FY 2010 Activities and Performance Plan:

EPA will continue to update its physical security vulnerability assessments and also continue the mitigation of medium vulnerabilities at the Agency's most sensitive facilities. The Agency will conduct exercises of Continuity of Operations (COOP) plans, activation of essential personnel to the COOP site, and implementation of its essential functions from its remote alternate site(s), including interagency operations. In FY 2010, EPA plans to support training activities and participate in a major interagency COOP exercise and an EPA internal COOP exercise with Headquarters and Regional offices. EPA will continue activities toward meeting the requirements of National Communications System Directive (NCSD) 3-10, through the purchase, installation, and maintenance of secure communications equipment for primary and alternate Headquarters COOP sites.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

Public Health Security and Bioterrorism Emergency and Response Act of 2002; CERCLA; Public Law 104-12 (Nunn-Lugar II); National Response Plan; National Security Act of 1947, as amended (50 U.S.C. 401 et seq.).

Program Area: Information Exchange / Outreach

Exchange Network

Program Area: Information Exchange / Outreach

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$14,133.2	\$16,860.0	\$18,213.0	\$1,353.0
<i>Hazardous Substance Superfund</i>	<i>\$1,429.8</i>	<i>\$1,433.0</i>	<i>\$1,433.0</i>	<i>\$0.0</i>
Total Budget Authority / Obligations	\$15,563.0	\$18,293.0	\$19,646.0	\$1,353.0
Total Workyears	22.5	24.0	24.0	0.0

Program Project Description:

The Exchange Network⁷ (Network) is a standards-based network that uses the Internet to make it possible for states, tribes, territories, EPA and other partners to share environmental data faster, and at greater cost savings. With the Network, federal and state environmental decision-makers have better access to the right data when they need it. Access to the data will allow the sharing of information, which will improve environmental protection and results across jurisdictions. The Water Quality Exchange (WQX) project, for example, enables states to query ambient water conditions in other states and portray the quality of an entire watershed, for example along the Columbia or Missouri Rivers, or make decisions based on the totality of data available, rather than just the data they have about their own particular stream reach.

The state-led Homeland Emergency Response Exchange (HERE) uses the Network to assist environmental decision-makers. With HERE and the Exchange Network, emergency personnel can get the latest information about the location and contents of EPA and state regulated facilities containing hazardous or toxic wastes or other points of interest that may lie in the vicinity of a local emergency, such as a fire. In California firefighters have used HERE to download this GIS-displayed information onto their laptops while in their fire truck, on the way to a fire.

The Central Data Exchange⁸ (CDX) is the largest activity within the Exchange Network program; it is the electronic gateway through which environmental data enters the Agency. CDX enables fast, efficient and more accurate environmental data submissions from state and local governments, industry and tribes to EPA. The CDX budget supports development, test and production infrastructure, sophisticated hardware and software, data exchange and Web form programs, standards setting projects with states for e-reporting, as well as significant security and quality assurance activities. By reducing administrative burden on EPA programs, CDX helps

⁷ For more information on the Exchange Network, please visit: <http://www.epa.gov/Network/>

⁸ For more information on the Central Data Exchange, please visit: <http://www.epa.gov/cdx/>

the Superfund program focus more manpower and resources on enforcement and programmatic work; less on data collection and manipulation.

Other tools and services in the Central Data Exchange and Exchange Network program project include:

- The Facility Registry System (FRS), a widely used source of environmental data about facilities that allows multimedia display and integration of environmental information which offers obvious benefits for enforcement targeting, homeland security, data integration, as well as other benefits such as those described above with the HERE project which uses FRS as key data source.
- The National Geospatial Program⁹, which supports environmental protection, planning, risk assessment, enforcement, permitting and outreach to the public as well as emergency response efforts by EPA, other Federal agencies, states and communities.
- The System of Registries¹⁰ (SOR) which adds meaning to EPA's data and promotes access, sharing and understanding of it. The SOR helps environmental professionals and the public find systems where data is stored, and ensures that those sources are identified and authentic, and that names, definitions and concepts are available and understandable.

This activity is funded under the Superfund appropriation. Superfund funds pay for approximately 20% of selected work done under the Exchange Network, Information Security and IT/Data Management program projects. SF funds are selectively applied to projects that have Agency-wide benefits

FY 2010 Activities and Performance Plan:

In FY 2010, the major focus of the Exchange Network and CDX for the Superfund program will be to increase the amount of critical environmental data flowing on the Network, expand the program's role in sharing data among partners, provide increased business value through reduced burden and better quality data, and improve data access and transparency through the use of new, innovative technologies. These activities build on prior efforts and represent the latest efforts of EPA and its Network partners to provide better data quality, timeliness and accessibility at a lower cost.

In FY 2010, EPA, states, and tribes and territories will continue to re-engineer data systems so information that was previously difficult to share can be transferred via the Exchange Network using common data standards and data formats, which are called schemas. . In addition, EPA is adding new features to the Network such as RSS (real simple syndication) feeds, which are news channels that Network partners can request that will promote greater data availability and encourage broader use of the Network. These efforts will be closely coordinated with the Agency's program offices as well as with EPA's partners on the Network. As data flows are added, the broader use of data standards, quality tools that check data before it is submitted, reusable schemas and other reusable components will increase the accuracy and timeliness of the data, improve analytical capabilities, and create savings through economies of scale.

⁹ For more information on the National Geospatial Program, please visit: <http://www.epa.gov/geospatial/>

¹⁰ For more information on the System of Registries, please visit: http://iaspub.epa.gov/sor_internet/

EPA continues to improve Network data security by implementing electronic reporting standards that support the authentication and electronic signatures of report submitters. In addition, the Agency has recently stepped up its assistance to states, tribes, and territories in implementing these standards.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Number of major EPA environmental systems that use the CDX electronic requirements enabling faster receipt, processing, and quality checking of data.	48	45	50	60	Systems

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Number of users from states, tribes, laboratories, and others that choose CDX to report environmental data electronically to EPA.	120,000	100,000	130,000	140,000	Users

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

FACA; GISRA; CERCLA; CAA and amendments; CWA and amendments; ERD & DAA; TSCA; FIFRA; FQPA; SDWA and amendments; FFDCA; EPCRA; CERCLA; SARA; GPRA; GMRA; CCA; PRA; FOIA; CSA; PR; EFOIA.

Program Area: IT / Data Management / Security

Information Security

Program Area: IT / Data Management / Security

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$6,157.6	\$5,854.0	\$6,015.0	\$161.0
<i>Hazardous Substance Superfund</i>	<i>\$474.6</i>	<i>\$783.0</i>	<i>\$799.0</i>	<i>\$16.0</i>
Total Budget Authority / Obligations	\$6,632.2	\$6,637.0	\$6,814.0	\$177.0
Total Workyears	10.8	15.8	15.8	0.0

Program Project Description:

The Agency Information Security Program is designed to protect the confidentiality, availability and integrity of EPA's information assets related to the Superfund program. The protection strategy includes, but is not limited to, enterprise policy, procedure and practice management; information security awareness, training and education; risk-based Certification & Accreditation (C&A); Plans of Action & Milestone (POA&M's) management to ensure remediation of weaknesses; defense-in-depth and breadth technology and operational security management; incident response and handling; and Federal Information Security Management Act (FISMA) reporting.

FY 2010 Activities and Performance Plan:

Effective information security is a constantly moving target. Every year, Agency security practitioners are challenged with responding to increasingly creative and sophisticated attempts to breach organizational protections. EPA's integrated efforts in FY 2010 will allow the Agency's Information Security Program to take a more proactive role in dealing with these threats.

In FY 2010, EPA will continue to protect, defend and sustain its information assets related to the Superfund program by continuing to migrate its Information Security Program. The Agency will focus initially on asset definition and management, compliance, incident management, knowledge and information management, risk management, and technology management. Secondary activities in FY 2010 include, but are not limited to, access management, organizational training and awareness, measurement and analysis, and service continuity. These efforts will strengthen the Agency's ability to ensure operational resiliency. The final result will be an information security program that can rely on effective and efficient processes and documented plans when threatened by disruptive events.

Concurrently, EPA will continue its performance-based information security activities with a particular emphasis on risk management, incident management and information security architecture (defense-in-depth/breadth). These three areas are critical to the Agency's security position. They are also key components of various Federal mandates, such as the Office of Budget and Management (OMB) information security initiatives, which will be implemented throughout FY 2010, including Trusted Internet Connection (TIC), Domain Name Service Security (DNSSec) and the Federal Desktop Core Configuration (FDCC). These mandates are rapidly enhancing the Agency's security requirements for information policy, technology standards and practices.

EPA also is initiating efforts to transition from Internet Protocol version 4 (IPv4) to IPv6 in accordance with the June 30, 2008 OMB M-05-22, *Transition Planning for Internet Protocol Version 6 (IPv6)*. This effort is a Federal initiative designed to retain our nation's technical and market leadership in the Internet sector and to expand and improve services for Americans. As with many enterprise initiatives, there are significant security challenges that must be addressed in order to make this capability secure. EPA will analyze and plan our long-term strategy for implementing, monitoring and securing an IPv6 environment in FY 2010.

Additionally, EPA will begin its implementation of the Homeland Security Presidential Directive 12 (HSPD-12) requirements for logical access as identified in the Federal Information Processing Standards (FIPS) 201, *Personal Identity Verification (PIV) of Federal Employees and Contractors*. This Enterprise Identity and Access Management (IAM) project will be combined with the Enterprise Single Sign-On (SSO) to enable the required enhanced authentication mechanism without burdening EPA systems users.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of Federal Information Security Management Act reportable systems that are certified and accredited.	100	100	100	100	Percent

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$16.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

FISMA; GPRA; GMRA; CCA; PRA; FOIA; PR; EFOIA.

IT / Data Management

Program Area: IT / Data Management / Security

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$91,928.2	\$93,171.0	\$103,305.0	\$10,134.0
Science & Technology	\$3,762.6	\$3,969.0	\$4,073.0	\$104.0
Leaking Underground Storage Tanks	\$178.0	\$162.0	\$162.0	\$0.0
Oil Spill Response	\$15.0	\$24.0	\$24.0	\$0.0
<i>Hazardous Substance Superfund</i>	<i>\$15,929.7</i>	<i>\$16,896.0</i>	<i>\$17,124.0</i>	<i>\$228.0</i>
Total Budget Authority / Obligations	\$111,813.5	\$114,222.0	\$124,688.0	\$10,466.0
Total Workyears	492.2	503.1	503.1	0.0

Program Project Description:

The Information Technology/Data Management (IT/DM) program supports the development, collection, management, and analysis of environmental data (to include both point source and ambient data) to manage statutory programs and to support the Agency in strategic planning at the national, program, and regional levels. IT/DM provides a secure, reliable, and capable information infrastructure based on a sound enterprise architecture which includes data standardization, integration, and public access. IT/DM manages the Agency's Quality System ensuring EPA's processes and data are of quality and adhere to Federal guidelines. And IT/DM supports regional information technology infrastructure, administrative and environmental programs, and telecommunications.

The work performed under IT/DM encompasses more than 30 distinct activities. For descriptive purposes they can be categorized into the following major functional areas: information access; geospatial information and analysis; Envirofacts; IT/information management (IT/IM) policy and planning; electronic records and content management; internet operations and maintenance (IOME); information reliability and privacy; and IT/IM infrastructure. Most of these areas are provided to support the Superfund program.

FY 2010 Activities and Performance Plan:

In FY 2010, the following IT/DM activities will continue to be provided for the Superfund program:

- **Information Access** – FY 2010 activities in this area are principally geared toward making environmental information accessible to all users. This includes: access to Environmental Indicators; support for Toxics Release Inventory (TRI) data; a major role in electronic government (eGov) activities such as to improve Freedom of Information Act (FOIA) activities using electronic workflow management, and eRule – a Web-based system to facilitate, and provide greater public access to, Federal rulemakings; and development of analytical tools to help users understand the meaning of environmental data. It includes facility data collected from numerous federal programs, and tools to help those who use information from a variety of sources to reconfigure that data so it can be easily compared and analyzed. In FY 2010, EPA’s Integrated Portal activities will continue to implement identity and access management solutions, integrate geospatial tools and link the CDX. The Portal is the Technology Initiative’s link to diverse data sets and systems giving users the ability to perform complex environmental data analyses on data stored at other locations. It provides a single business gateway for people to access, exchange and integrate standardized local, Regional and national environmental and public health data. (In FY 2010, the Information Access activities will be funded, under the Superfund appropriation, at \$0.33 million)
- **Envirofacts** - FY 2010 activities in this area support a single point of access to EPA databases containing information about environmental activities that may affect air, water, and land anywhere in the United States; houses data that has been collected from regulated entities and the states; and makes that data accessible to environmental professionals, the regulated community, citizens groups, and to state and EPA employees through an easy-to-use, one-stop access point. Its components include databases and applications that make integrated environmental information available to all EPA stakeholders. Envirofacts directly supports the Agency's strategic goal of fulfilling Americans "Right-to-Know" about their environment which in turn supports EPA's mission to protect human health and the environment. It also supports integrated data access, a key component in the planned enterprise architecture that will support EPA's current and future business needs. Envirofacts is also being used to help plan and conduct multi-media inspections, and to support emergency response and planning. (In FY 2010, the Envirofacts activities will be funded, under the Superfund appropriation, at \$0.54 million)
- **IT/Information Management (IT/IM) Policy and Planning** – FY 2010 activities in this area ensure that all due steps are taken to reduce redundancy among information systems and data bases, streamline and systematize the planning and budgeting for all IT/IM activities, and monitor the progress and performance of all IT/IM activities and systems. This category includes EPA’s implementation of an Enterprise Architecture and the Capital Planning and Investment Control process (CPIC), to assist the Agency in making better informed decisions on IT/IM investments and resource allocations. These activities also include the Agency’s quality system, which is the basis for ensuring that the Agency’s data and information are sufficient for supporting Agency decisions and of appropriate quality for use. (In FY 2010, the IT/IM Policy and Planning activities will be funded, under the Superfund appropriation, at \$2.46 million)

- **Geospatial Information and Analysis**¹¹ – In FY 2010 EPA will continue to provide place-based analysis of environmental conditions and trends across the country. A broad range of data pertinent to specific places (facilities, roads, waste sites, etc.) and natural features (wetlands, soil types, hydrographic features, etc.) has been cataloged and can be accessed digitally, or viewed as overlays on maps. Geospatial information and analysis play a critical role the Agency's ability to rapidly and effectively respond in times of emergency. Additionally, geographic location is becoming a key way to access EPA digital data and documents, and the Agency is in the process of building tools that will allow Web-users to retrieve relevant documents by specifying a location that they are interested in. Implemented as a holistic, enterprise solution, these projects also save money, assure compatibility, and reduce the need for multiple subscriptions to software, data and analytical services. (In FY 2010, the Geospatial Information and Analysis activities will be funded, under the Superfund appropriation, at \$0.86 million)
- **Electronic Records and Content Management** – FY 2010 activities in this area primarily create the systems, and establish and maintain the processes, to convert paper documents into electronic documents, convert paper-based processes into systems that rely less on paper documents, and manage the electronic documents. By doing so, these activities reduce costs, improve accessibility, and improve security for all of the documents entered into the system. Electronic documents do not take up storage space, and do not need a filing staff to locate documents for customers, and then re-file them after they are used. A single copy of an electronic document can be accessed simultaneously by numerous individuals, and from virtually any place on the planet. In FY 2010 the Agency will continue using a collaborative process to implement the ECMS project, an enterprise-wide, multi-media solution designed to manage and organize native and environmental data and documents for EPA, Regions, field offices and laboratories. Previously fragmented data storage approaches will be converted into a single tool on a standard platform, which is accessible to everyone, reducing data and document search time and assisting in security and information retention efforts. Efforts in 2010 will focus on making the use of ECMS and saving records more transparent to the end user. EPA will strategically partner with programs and/or regions to develop and implement applications that add value for ECMS users and EPA, and make ECMS more understandable and seamless. (In FY 2010, the Electronic Records and Content Management activities will be funded, under the Superfund appropriation, at \$0.38 million)
- **Internet Operations and Maintenance (IOME)** – FY 2010 activities in this area implement and maintain the EPA Home Page (www.EPA.gov) and over 200 top-level pages that facilitate access to the many information resources available on the EPA Web site. In addition, IOME provides the funding to support Web hosting for all of the Agency's Web sites and pages. The EPA Web site is the primary delivery mechanism for environmental information to EPA staff, partners, stakeholders and the public, and is becoming a resource for emergency planning and response. (In FY 2010, IOME activities will be funded, under the Superfund appropriation, at \$0.72 million)
- **IT/IM Infrastructure** –FY 2010 activities in this area support the information technology infrastructure, administrative and environmental programs, and

¹¹ For more information on the Geospatial program, please visit: <http://www.epa.gov/geospatial/>

telecommunications for all EPA employees and other on-site workers at over 100 locations, including EPA Headquarters, all ten regions, and the various labs and ancillary offices. More specifically, these activities provide what is known as “workforce support,” which includes desktop equipment, network connectivity, e-mail, application hosting, remote access, telephone services and maintenance, web and network servers, IT related maintenance, IT security, and electronic records and data. In FY 2010, EPA will be upgrading its WAN infrastructure to keep pace with demands on bandwidth. Those demands increase as system capabilities and public users grow, and EPA also needs to keep pace with the states in the areas of data collection, management and utilization. (In FY 2010, the IT/IM Infrastructure activities will be funded, under the Superfund appropriation, at \$11.83 million)

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$228.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

FACA; GISRA; CERCLA; CAAA; CWA and amendments; ERD; DAA; TSCA; FIFRA; FQPA; SDWA and amendments; FFDCA; EPCRA; RCRA; SARA; GPRA; GMRA; CCA; PRA; FOIA; CSA; PR; EFOIA.

Program Area: Legal / Science / Regulatory / Economic Review

Alternative Dispute Resolution

Program Area: Legal / Science / Regulatory / Economic Review

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$1,136.8	\$1,374.0	\$1,423.0	\$49.0
<i>Hazardous Substance Superfund</i>	<i>\$776.9</i>	<i>\$874.0</i>	<i>\$895.0</i>	<i>\$21.0</i>
Total Budget Authority / Obligations	\$1,913.7	\$2,248.0	\$2,318.0	\$70.0
Total Workyears	6.1	7.3	7.3	0.0

Program Project Description:

The General Counsel and Regional Counsel Offices provide environmental Alternative Dispute Resolution services (ADR). Funding supports the use of ADR in the Superfund program's extensive legal work with Potentially Responsible Parties (PRPs).

FY 2010 Activities and Performance Plan:

In FY 2010, the Agency will provide conflict prevention and ADR services to EPA Headquarters and Regional offices and external stakeholders on environmental matters. The national ADR program assists in developing effective ways to anticipate, prevent, and resolve disputes and makes neutral third parties – such as facilitators and mediators – more readily available for those purposes. Under EPA's ADR Policy, the Agency encourages the use of ADR techniques to prevent and resolve disputes with external parties in many contexts, including adjudications, rulemaking, policy development, administrative and civil judicial enforcement actions, permit issuance, protests of contract awards, administration of contracts and grants, stakeholder involvement, negotiations, and litigation.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$21.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

EPA's General Authorizing Statutes.

Legal Advice: Environmental Program

Program Area: Legal / Science / Regulatory / Economic Review

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$39,021.3	\$40,247.0	\$41,922.0	\$1,675.0
<i>Hazardous Substance Superfund</i>	<i>\$802.4</i>	<i>\$708.0</i>	<i>\$746.0</i>	<i>\$38.0</i>
Total Budget Authority / Obligations	\$39,823.7	\$40,955.0	\$42,668.0	\$1,713.0
Total Workyears	244.3	248.2	247.2	-1.0

Program Project Description:

The Agency's General Counsel and Regional Counsel Offices provide legal representational services, legal counseling and legal support for all Agency environmental activities. Funding supports the use of legal advice in the Superfund program's extensive legal work with Potentially Responsible Parties (PRPs) and other entities and landowners involved in the program.

FY 2010 Activities and Performance Plan:

In FY 2010, legal advice to environmental programs will include litigation support representing EPA and providing litigation support in cases where EPA is a defendant, as well as those cases where EPA is not a defendant, but may have an interest in the case. Legal advice, counsel, and support are necessary for Agency management and program offices on matters involving environmental issues including, for example, providing interpretations of, and drafting assistance on, relevant and applicable laws, regulations, directives, policy and guidance documents, and other materials.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$38.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

EPA's General Authorizing Statutes.

Program Area: Operations and Administration

Facilities Infrastructure and Operations
Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$296,235.0	\$303,884.0	\$320,612.0	\$16,728.0
Science & Technology	\$69,239.2	\$73,835.0	\$72,882.0	(\$953.0)
Building and Facilities	\$28,081.5	\$26,931.0	\$28,931.0	\$2,000.0
Leaking Underground Storage Tanks	\$890.3	\$902.0	\$903.0	\$1.0
Oil Spill Response	\$498.6	\$596.0	\$498.0	(\$98.0)
<i>Hazardous Substance Superfund</i>	<i>\$72,243.9</i>	<i>\$76,250.0</i>	<i>\$78,597.0</i>	<i>\$2,347.0</i>
Total Budget Authority / Obligations	\$467,188.5	\$482,398.0	\$502,423.0	\$20,025.0
Total Workyears	400.4	410.6	411.1	0.5

Program Project Description:

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

FY 2010 Activities and Performance Plan:

EPM will continue to manage its lease agreements with GSA and other private landlords by conducting rent reviews and verifying that monthly billing statements are correct. The Agency also reviews space needs on a regular basis. (For FY 2010, the Agency is requesting in the Superfund appropriation a total of \$44.3 million for rent, \$3.4 million for utilities, \$8.3 million for security, \$2.95 million for transit subsidy, and \$3.16 million for Regional moves.)

These resources also help to improve operating efficiency and encourage the use of new technologies and energy sources. EPA will continue to direct resources toward acquiring alternative fuel vehicles and more fuel-efficient passenger cars and light trucks to meet the goals

set by Executive Order (EO) 13423¹², *Strengthening Federal Environmental, Energy, and Transportation Management*. Additionally, the Agency will attain the Executive Order's goals through several initiatives, including comprehensive facility energy audits, re-commissioning sustainable building design in Agency construction and alteration projects, energy savings performance contracts to achieve energy efficiencies, the use of off-grid energy equipment, energy load reduction strategies, green power purchases, and the use of Energy Star rated products and buildings.

EPA will provide transit subsidy to eligible applicants as directed by EO 13150¹³ *Federal Workforce Transportation*. EPA will continue its integration of Environmental Management Systems (EMS) across the Agency, consistent with requirements of Executive Order 13423¹⁴. EPA will advance the implementation of Safety and Health Management Systems to identify and mitigate potential safety and health risks in the workplace. EPA will continue to provide safety, health, and environmental services that help maintain EPA's readiness to respond to national emergencies while protecting its employees and responsibly managing the environmental and safety hazards of samples associated with weapons of mass destruction.

Performance Targets:

Work under this program supports multiple strategic objectives. Performance information is included in the Program Performance and Assessment section.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$169.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$742.0) This reflects an increase in transit subsidy.
- (-\$1,053.0) This decrease in rent reflects the rebalancing of cost allocation methodologies between the Superfund, Environmental Program Management, Science & Technology, and Oil Spill Response appropriations.
- (+\$355.0) This change reflects an increase in utility costs.
- (+\$1,775.0) This increase provides additional resources for security costs.
- (+\$654.0) This increase provides additional resources for a planned Regional move in Puerto Rico for a lease that is expiring, and GSA is moving EPA from two facilities to one.
- (-\$295.0) This reduction in EPA owned laboratory's operations and maintenance costs is a result of streamlining in facilities management operations.

¹² Information available at <http://www.fedcenter.gov/programs/eo13423/>

¹³ Additional information available at <http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html>

¹⁴ Information available at <http://www.fedcenter.gov/programs/eo13423/>

Statutory Authority:

Federal Property and Administration Services Act; Public Building Act; Annual Appropriations Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act; CWA; CAA; RCRA; TSCA; NEPA; CERFA; D.C. Recycling Act of 1988; Energy Policy Act of 2005; Executive Orders 10577, 12598, 13150 and 13423; Emergency Support Functions (ESF) #10 Oil and Hazardous Materials Response Annex; Presidential Decision Directive 63 (Critical Infrastructure).

Financial Assistance Grants / IAG Management
Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$24,174.4	\$25,868.0	\$26,681.0	\$813.0
<i>Hazardous Substance Superfund</i>	<i>\$3,044.7</i>	<i>\$3,168.0</i>	<i>\$3,283.0</i>	<i>\$115.0</i>
Total Budget Authority / Obligations	\$27,219.1	\$29,036.0	\$29,964.0	\$928.0
Total Workyears	180.0	177.5	177.5	0.0

Program Project Description:

Grants and Interagency Agreements comprise more than half of the Agency's budget. Superfund resources in this program support activities related to the management of Financial Assistance Grants/Interagency Agreements (IAs), and of suspension and debarment at Headquarters and within Regional offices. The key components of this program are ensuring that EPA's management of grants and IAs meets the highest fiduciary standards, and that grant funding produces measurable environmental results. This program focuses on maintaining a high level of integrity in the management of EPA's assistance agreements, and fostering relationships with state and local governments to support the implementation of environmental programs. Sound grants management fosters efficiency and effectiveness assisting all of EPA's programs. A substantial portion of the Superfund program is implemented through IAs with the U.S. Army Corps of Engineers and the Coast Guard.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will achieve key objectives under its long-term Grants Management Plan. These objectives include strengthening accountability, competition, achieving positive environmental outcomes, and aggressively implementing new and revised policies on at-risk grantees of the Superfund grants and IAs.¹⁵ The Grants Management Plan has provided a framework for extensive improvements in grants management at the technical administrative level, programmatic oversight level and at the executive decision-making level of the Agency.

EPA will continue to reform grants management by conducting on-site and pre-award reviews of grant recipients and applicants, performing indirect cost rate reviews, providing Tribal technical assistance, and implementing its Agency-wide training program for project officers, grant specialists, and managers. EPA is in the process of consolidating the administration of

¹⁵ US EPA, *EPA Grants Management Plan*. EPA-216-R-03-001, April 2003, <http://www.epa.gov/ogd/EO/finalreport.pdf>.

interagency agreements (IA) at Headquarters and Regional offices into the IA Shared Service Centers (IA SSC) into two strategic locations, Washington D.C. and Seattle. The IA SSC will provide cradle to grave Superfund IA administration, including all pre-award, award, management, post-award, and close out activities.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from the FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$115.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

EPA's Environmental Statutes; Annual Appropriations Acts; Federal Grant and Cooperative Agreement Act; Section 40 Code of Federal Regulations, Parts: 30, 31, 35, 40, 45, 46, and 47.

Acquisition Management

Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$29,868.9	\$31,872.0	\$32,281.0	\$409.0
Leaking Underground Storage Tanks	\$154.2	\$165.0	\$165.0	\$0.0
<i>Hazardous Substance Superfund</i>	<i>\$20,705.1</i>	<i>\$24,361.0</i>	<i>\$23,229.0</i>	<i>(\$1,132.0)</i>
Total Budget Authority / Obligations	\$50,728.2	\$56,398.0	\$55,675.0	(\$723.0)
Total Workyears	329.9	362.9	362.9	0.0

Program Project Description:

Sound contract management fosters efficiency and effectiveness assisting all of EPA's programs. Superfund resources in this program fund support contract, acquisition management at Headquarters, Regional offices, Research Triangle Park and Cincinnati offices. Much of the Superfund program is implemented through contracts. EPA focuses on maintaining a high level of integrity in the management of its procurement activities and fostering relationships with state and local governments to support the implementation of environmental programs.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will complete the deployment of its new acquisition system. The current Acquisition Management System has reached the end of its useful life. Staff increasingly spends time making the system work as opposed to using the system to accomplish their work. Further, the system itself is obsolete; and therefore an upgrade is not feasible.

The new system will provide the Agency with a better, more comprehensive way to manage data on contracts that support mission oriented planning and evaluation. This will allow the Agency to meet the E-Government (E-Gov) requirements, and the needs of Agency personnel, resulting in more efficient process implementation. The benefits of the new system are that program offices will be able to track the progress of individual actions, extensive querying and reporting capabilities will allow the Agency to meet internal and external demands, and the system will integrate with the Agency's financial systems and government-wide shared services.

In FY 2010, EPA will reinforce its contract oversight responsibilities through A-123 Entity Level Assessments, a Federal Procurement Data System (FPDS) Verification and Validation exercise, increased targeted oversight training for acquisition management personnel, and Simplified

Acquisition Contracting Officer (SACO) reviews. These measures will further strengthen EPA's acquisition management business processes, thus enhancing contract oversight.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$1,147.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$2,279.0) This change reflects a shift of development costs for the Agency's new Acquisition Management System (EAS) to support the transition to a new human resource system. The EAS project will move to the implementation phase which will result in requiring lower funding levels.

Statutory Authority:

EPA's Environmental Statutes; Annual Appropriations Acts; contract law.

Human Resources Management

Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$40,886.6	\$44,141.0	\$47,106.0	\$2,965.0
Leaking Underground Storage Tanks	\$3.0	\$3.0	\$0.0	(\$3.0)
<i>Hazardous Substance Superfund</i>	<i>\$4,681.2</i>	<i>\$5,386.0</i>	<i>\$8,068.0</i>	<i>\$2,682.0</i>
Total Budget Authority / Obligations	\$45,570.8	\$49,530.0	\$55,174.0	\$5,644.0
Total Workyears	285.2	304.6	303.1	-1.5

Program Project Description:

Superfund resources in this program support activities related to the provision of human capital, and human resources management services for the entire Agency. EPA supports organizational development and management activities through Agency and interagency councils and committees, and through participation in management improvement initiatives. The Agency continually evaluates and improves Superfund related human resource and workforce functions, employee development, leadership development, workforce planning, and succession management.

FY 2010 Activities and Performance Plan:

In FY 2010, the Agency will continue its efforts to strengthen its workforce by focusing on key areas that further develop our existing talent, and by strengthening our recruitment and hiring programs. EPA remains committed to fully implementing EPA's *Strategy for Human Capital* US EPA, *Investing in Our People II*, EPA's *Strategy for Human Capital*. Available at <http://www.epa.gov/oarm/strategy.pdf>, which was issued in December 2003 and updated in 2005. As result of the review, the desired outcomes for each strategy were strengthened to focus on measurable results. In FY 2010, the Agency will continue its efforts to implement a Workforce Planning System:

- Closing competency gaps for Toxicology, Information Technology, Human Resources, Grant and Contract specialist positions, as well as leadership positions throughout the Agency.
- Shortening the hiring timeframes for the senior executives and non-SES positions through improved automation and enhancements to the application process.

- Implementing innovative recruitment and hiring flexibilities that address personnel shortages in mission critical occupations.

As part of these activities, EPA will continue to improve the effectiveness and efficiency of Agency human resources operations through the newly established Shared Service Centers. These Shared Service Centers process personnel and benefits actions for EPA's 17,000 employees, as well as vacancy announcements. The Centers will enhance the timeliness and quality of customer service, and standardize work processes.

In addition, EPA will continue to streamline human resources management through employing the E-government, and Human Resources Line of Business (HR LoB) initiatives. In FY2010, EPA will continue to support the transition to a new or improved HR system which will establish modern, cost-effective, standardized, and interoperable HR solutions that provide common core functionality and support the strategic management of human capital.

Performance Targets:

Work under this program supports multiple strategic objectives. Performance information is included in the Program Performance and Assessment section.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$553.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$2,129.0) This increase reflects the shift of funding from the Enterprise Acquisition System (EAS) development cost to support the transition to a new improved HR system which will establish modern, cost-effective, standardized, interoperable HR solutions that provide common core functionality and support the strategic management of human capital.

Statutory Authority:

Title V USC, FAIR Act.

Central Planning, Budgeting, and Finance
Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Environmental Program & Management	\$68,083.1	\$73,432.0	\$85,215.0	\$11,783.0
Leaking Underground Storage Tanks	\$708.9	\$987.0	\$1,122.0	\$135.0
<i>Hazardous Substance Superfund</i>	<i>\$20,861.5</i>	<i>\$25,478.0</i>	<i>\$26,746.0</i>	<i>\$1,268.0</i>
Total Budget Authority / Obligations	\$89,653.5	\$99,897.0	\$113,083.0	\$13,186.0
Total Workyears	529.1	547.4	547.7	0.3

Program Project Description:

EPA's financial management community maintains a strong partnership with the Superfund program. The Office of the Chief Financial Officer (OCFO) recognizes and supports this continuing partnership by providing a full array of financial management support services necessary to pay Superfund bills and recoup cleanup and oversight costs for the Trust Fund. OCFO manages Superfund budget formulation, justification, and execution as well as financial cost recovery. OCFO also manages oversight billing for Superfund site cleanups (cost of overseeing the responsible party's cleanup activities), Superfund cost documentation (the Federal cost of cleaning up a Superfund site), and refers delinquent accounts receivable and oversight debts to the Department of Justice for collection. (Refer to <http://www.epa.gov/ocfo/functions.htm> for more information).

FY 2010 Activities and Performance Plan:

In 2010, the Agency will continue to ensure sound financial and budgetary management of the Superfund program through the use of routine and ad hoc analysis, statistical sampling and other evaluation tools. We will continue to provide direction and support for the Superfund program in financial management activities; implementing costs accounting requirements; financial payment and support services; and Superfund-specific fiscal and accounting services. In addition, more structured and more targeted use of performance measurements has led to better understanding of program impacts as well as leverage points to increase effectiveness.

EPA continues to develop and modernize the Agency's financial systems and business processes. The Agency will replace its legacy accounting system and related modules with a new system certified to meet the latest government accounting standards. This extensive modernization will allow the Agency to improve efficiency and automate quality control functions to simplify the

practical use of the system as well as comply with Congressional direction and the new Federal financial systems requirements. This work will be framed by the Agency's Enterprise Architecture and will make maximum use of enabling technologies for e-Gov initiatives. Total FY 2010 funding for the Financial System Modernization Project is \$17 million under the Environmental Program and Management appropriation and \$4.5 million under the Superfund appropriation.

In FY 2010, EPA will have made significant strides in its accountability and effectiveness of operations through improved coordination and integration of internal control assessments as required under revised OMB Circular A-123. Improvements in internal controls will further support EPA's initiatives for improved financial performance. We will also continue to ensure more accessibility to data to support accountability, cost accounting, budget and performance integration, and management decision-making.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$1,249.0) This reflects an increase for payroll and cost of living for FTE.
- (\$38.0) This change is associated with an increase in the service fee for the Defense Finance and Accounting Service (DFAS) payroll system which EPA uses to process the Agency employees' payroll.
- (-\$19.0) This is a decrease in grants resources.

Statutory Authority:

Annual Appropriations Act; CCA; CERCLA; CSA; E-Government Act of 2002; EFOIA; EPA's Environmental Statutes, and the FGCAA; FAIR; Federal Acquisition Regulations, contract law and EPA's Assistance Regulations (40CFR Parts 30, 31, 35, 40,45,46, 47); FMFIA(1982); FOIA; GMRA(1994); IPIA; IGA of 1978 and Amendments of 1988; PRA; PR; CFOA (1990); GPRA (1993); The Prompt Payment Act (1982); Title 5 USC.

Program Area: Research: Human Health And Ecosystems

Human Health Risk Assessment

Program Area: Research: Human Health and Ecosystems

Goal: Healthy Communities and Ecosystems

Objective(s): Enhance Science and Research

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Science & Technology	\$34,569.9	\$39,350.0	\$45,133.0	\$5,783.0
<i>Hazardous Substance Superfund</i>	\$6,799.6	\$3,377.0	\$3,395.0	\$18.0
Total Budget Authority / Obligations	\$41,369.5	\$42,727.0	\$48,528.0	\$5,801.0
Total Workyears	187.9	178.6	188.6	10.0

Program Project Description:

The Human Health Risk Assessment (HHRA) program provides health hazard assessments and develops assessment methods. EPA's HHRA program provides the scientific foundation for the Agency's actions to protect Americans' public health and environment. It receives resources under both the Science and Technology and the Superfund appropriations.

Risk assessments and methodologies to support EPA's Superfund program are detailed in the HHRA MYP¹⁶. This risk assessment work is informed by EPA's superfund research program. This superfund research is described in the *Waste Research Strategy*¹⁷, which was developed with participation from major clients and outlines research needs and priorities. These research efforts are guided by multi-year plans (MYPs)¹⁸, developed with input from across the Agency, including scientific staff in the Superfund program and the Regional offices. The MYPs outline steps for meeting the needs of Agency programs and for evaluating progress through annual performance goals and measures.

In FY 2003, a Board of Scientific Counselors (BOSC)—a Federal advisory committee comprised of qualified, independent scientists and engineers—subcommittee review found that the National Center for Environmental Assessment (NCEA) had made several key advancements including completion of a strategic plan, targeting cutting-edge risk assessments, enhancing communication, and improving capabilities to provide assessment resources in response to significant events. A subsequent BOSC subcommittee program review was completed in April 2008. This prospective and retrospective review evaluated the program's relevance, quality, performance, and scientific leadership. The BOSC summarized the HHRA program's

¹⁶ Available at: <http://www.epa.gov/osp/bosc/pdf/hhramypdraft.pdf>.

¹⁷ U.S. EPA, Office of Research and Development, *Waste Research Strategy*. Washington, D.C.: EPA. For more information, see <http://www.epa.gov/ord/htm/documents/wastepub.pdf>.

¹⁸ For more information, see <http://www.epa.gov/ord/htm/multi-yearplans.htm>.

The *Waste Research Strategy* outlines the research needs and priorities at the time it was prepared. To guide these research efforts as progress is made and new needs emerge, EPA develops multi-year research plans that are revised periodically. EPA is currently merging the Contaminated Sites and RCRA Multi-Year Plans (MYPs) into one cohesive Land Research MYP, with input from across the Agency, to ensure research conducted continues to support the Agency's mission to protect human health and the environment.

performance as making substantial and satisfactory progress in each of the above areas based both on clearly defined milestones and on providing the additional support requested by EPA programs including technical support in response to unscheduled emergency needs. The BOSC's evaluation and recommendations will provide guidance to EPA to help plan, implement, and strengthen the program over the next five years.

FY 2010 Activities and Performance Plan:

The Superfund portion of the program includes:

The Integrated Risk Information System (IRIS)¹⁹, Provisional Peer-Reviewed Toxicity Values (PPRTVs), and other health hazard assessments (FY 2010 Request, \$2.3 million): Based on the expressed needs of EPA's Solid Waste and Emergency Response program, the Human Health Risk Assessment program prepares IRIS hazard characterization and dose-response profiles for environmental pollutants of specific relevance to superfund site assessments and remediation. At the end of 2008 more than 548 health hazard assessments were available through IRIS, and the majority of these chemicals assessments are relevant to superfund's decision making. Where IRIS values are unavailable, the HHRA program develops PPRTVs for evaluating chemical specific exposures at Superfund sites. Support for these PPRTV assessments is provided through EPA's Superfund Technical Support Centers. At the end of 2008, new or renewed PPRTVs had been developed for 231 chemicals.

Risk assessment guidance, methods, and model development (FY 2010 Request, \$1.1 million): As part of the Human Health Risk Assessment program's broader efforts to improve risk assessment guidance, methods, and models, Superfund resources are used to support EPA's Superfund program through the development of exposure-response data arrays, revised reference concentration (RfC) methodology and cumulative risk tools to better estimate potential effects of exposures at Superfund sites on humans, and the consultative support necessary for the application of these methods.

In FY 2010, the HHRA program will continue to directly support key elements of EPA's Strategic Plan relating to Superfund - particularly the characterization of risks, reduction of contaminant exposures, and cleanup of contaminated sites. Risk assessment activities relevant to Superfund cleanups will include:

- Continuing to work toward the completion of IRIS health hazard assessments for high priority chemicals found at multiple Superfund sites and thereby contributing to decision-making needs for Superfund and other Agency programs (also supported by HHRA under the Science and Technology appropriation);
- Completing 50 new or renewed Provisional Peer Reviewed Toxicity Values (PPRTV) which consist of provisional reference doses/concentrations (pRfD/Cs), and/or cancer slope factors. The Solid Waste and Emergency Response program develops and prioritizes requests for these PPRTV's, which provide health hazard evaluations for priority pollutants to support Agency risk management decisions;

¹⁹ Available at: <http://www.epa.gov/iris>.

- Communicating results of peer reviewed publications on methods and tools for assessing cumulative risk (also supported by HHRA under the Science and Technology appropriation); and
- Continuing to provide technical support to Superfund site and program managers on human health risk assessment through the Superfund Technical Support Centers.

The Human Health Risk Assessment program has a variety of performance measures that demonstrate its effectiveness. The BOSC's independent evaluations have found that "In the absence of IRIS values for a chemical, PPRTVs can have a significant impact on regulatory decisions." In response to recent performance assessments, the program is currently 1) revising its management controls to better incorporate both programmatic priorities and the level of effort required to increase the number completions of IRIS assessments; 2) revising its efficiency measure and using it to improve performance management; and 3) investigating alternative approaches for measuring progress related to providing timely, high quality scientific assessments. The program has taken action on each of these recommendations. For example, the program is examining how best to expand its efficiency measure to ensure consistency with other approaches being developed across EPA's Research and Development program.

Performance Targets:

The research conducted under this program supports EPA Strategic Objective 4.4. Specifically, the program identifies and synthesizes the best available scientific information, models, methods, and analyses to support Agency guidance and policy decisions related to the health of people and communities.

The program gauges its annual and long-term success in meeting this objective by assessing its progress on several key measures. The program continues to track the percent completion of key milestones. In FY 2010, the program plans to meet at least 90 percent of its planned outputs in support of 1) HHRA Health assessments and 2) HHRA Technical Support Documents. In response to recommendations in the Government Accountability Office's High Risk Series report to streamline the current IRIS process, the program's newest measures, which are reported in EPA's quarterly *EPAstat* report, will be revised and the targets for outputs increased appropriately.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$45.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$13.0) This represents a restoration of resources transferred in FY 2009 to the Research: Sustainability Program to support the Small Business Innovation Research Program (SBIR). For that program, EPA is required to set aside 2.5 percent of funding for contracts to small businesses to develop and commercialize new environmental technologies. After the FY 2010 budget is enacted, when the exact amount of the mandated requirement is known, FY 2010 funds will be transferred to the SBIR program.

- (-\$40.0) This reflects a decrease to research in the area of risk assessment guidance, methods and model development.

Statutory Authority:

SWDA; HSWA; SARA; CERCLA; ERDDA.

Program Area: Research: Land Protection

Research: Land Protection and Restoration

Program Area: Research: Land Protection

Goal: Land Preservation and Restoration

Objective(s): Enhance Science and Research

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Science & Technology	\$11,212.5	\$13,586.0	\$13,782.0	\$196.0
Leaking Underground Storage Tanks	\$567.7	\$475.0	\$484.0	\$9.0
Oil Spill Response	\$794.6	\$720.0	\$737.0	\$17.0
<i>Hazardous Substance Superfund</i>	<i>\$19,392.9</i>	<i>\$20,905.0</i>	<i>\$21,401.0</i>	<i>\$496.0</i>
Total Budget Authority / Obligations	\$31,967.7	\$35,686.0	\$36,404.0	\$718.0
Total Workyears	132.9	154.7	154.7	0.0

Program Project Description:

The Land Research Program provides essential research to EPA’s Superfund program and Regional Offices to enable them to accelerate scientifically defensible and cost-effective decisions for cleanup at complex contaminated sites. Research themes include: contaminated sediments, ground water, and multi-media issues. The research program also provides site-specific technical support through EPA labs and centers, as well as liaisons located in each Regional Office. EPA’s Land Research Program provides the scientific foundation for the Agency’s actions to protect America’s land. As such, this program is a vital component of EPA’s efforts to reduce and control risks to human health and the environment.

Research within this program is responsive to the Superfund law requirements under Section 209(a) of Pub. L. 99-499, which calls for “...a comprehensive and coordinated Federal program of research, development, demonstration, and training for the purpose of promoting the development of alternative and innovative treatment technologies that can be used in response actions under the CERCLA program.” These research efforts are guided by the Land Research program Multi-Year Plan (MYP)²⁰ which outlines steps for meeting the needs of Agency programs and for evaluating progress through annual performance goals and measures. To enhance communication with customers, EPA has developed a Land research program web site.²¹ The site includes a description of the program; fact sheets (science issues, research activities, and research impacts); research publications and accomplishments; and links to tools and models. Specific human health risk and exposure assessments and methods are conducted under the Human Health Risk Assessment program.

The Land Protection and Restoration research program underwent an external process evaluation by a subcommittee of EPA’s Board of Scientific Counselors (BOSC)—a Federal advisory committee comprised of independent, expert scientists and engineers—and the BOSC delivered

²⁰ EPA, Office of Research and Development, *Land Research Program MYP*. Washington, DC : EPA. For more information, see <http://www.epa.gov/ord/htm/multi-yearplans.htm#land>.

²¹ For more information, see www.epa.gov/ord/landscience.

their report to EPA in FY 2009 (December 2008). The BOSC found that, building on the full evaluation in FY 2006, the Land program has an MYP that articulates research goals for meeting the critical needs of the program. The BOSC also indicated that the Land research program is responsive to recommendations for the implementation of research activities, and as a result of the review, the program received a rating of “exceeds expectations.”²²

FY 2010 Activities and Performance Plan:

In FY 2010, research will continue to advance EPA’s ability to accurately characterize the transport and uptake of chemicals from contaminated sediments and determine the range and scientific foundation for remedy selection options by improving site characterization, monitoring the effectiveness of remediation and evaluation of novel remedial options. This work directly supports the program’s long term goal for the mitigation, management and long-term stewardship of contaminated sites. Planned research products for FY 2010 include key reports that will determine the degree of resuspended sediments and assess the significance of changes in bioavailability of organic and inorganic contaminants following resuspension and redeposition during dredging of contaminated sediments. Documented remediation methods and data are vital to developing new cost-effective methods for managing high-cost decisions at controversial, extensively contaminated sites.

Continuing work that the BOSC evaluation found is “being developed in a timely way to characterize contaminated sediments accurately and quickly... [and is] sought actively by clients to achieve contaminant cleanups quickly,” FY 2010 resources will be used to integrate exposure models, ecological effects and remediation research in order to improve the understanding of best management practices related to Superfund sites. Consistent with the National Research Council’s report, “Sediment Dredging at Superfund Megsites: Assessing the Effectiveness,”²³ EPA will continue the development of alternative sediment remedies that have the potential to be more effective than conventional dredging.

The program will continue research to develop and apply several technologies to address complex treatment issues. Permeable reactive barriers (PRBs) are a cost-effective technology to replace pump and treat methods, and the application of this technology to sites for treatment of chlorinated organic compounds has demonstrated success. Research will address the application of PRBs to treat inorganic compounds. The program also is addressing the fundamental mechanisms involved in oxidation and reduction transformations during in-situ chemical oxidation and this technology will continue to be applied to treat chromium contamination at Superfund sites providing a cost-effective treatment to reduce health risks.

Recent accomplishment in ground water remediation research includes the use of Permeable Reactive Barrier (PRBs) over traditional pump & treat methods, which has resulted in significant operations and maintenance savings at two Superfund sites in EPA Regions 4 and 8. Another technology, in-situ chemical reduction, produced an innovative technology for remediating chromium in ground water. Application of this patented technology has provided additional cost

²² BOSC Land Restoration and Preservation Research Mid-Cycle Subcommittee Report. For more information, see <http://www.epa.gov/osp/bosc/pdf/landmc0901rpt.pdf>.

²³ For more information, see <http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=11968>

savings at Superfund sites in EPA Region 4. EPA also developed a new application of PRBs to treat arsenic contaminated mine drainage at a mining site in East Helena, Montana.

Research efforts also will address monitored natural attenuation, specifically in metal contaminated ground water. Key synthesis and state-of-the-science documents will provide EPA program offices, regions, and states with remediation technologies and long-term stewardship for treatment of dense non-aqueous phase liquids, like trichloroethylene, in ground water. The transport of contaminants in ground water and the subsequent intrusion of contaminant vapors into buildings is a critical research issue for EPA's Superfund remediation programs. Work is ongoing to develop reliable soil gas sampling methodologies and to improve vapor intrusion modeling capability.

Multi-media research under the Land research program includes the development of analytical methods, field sampling guidance, statistical software, monitoring and remediation technologies for mining sites and technical support infrastructure needed to move the products of these research and development activities from the lab and into the hands of site managers and other decision makers. Full-scale treatment of mine drainage is underway and the program will continue activities in mining research to demonstrate and apply methods to treat acid mine drainage in a cost-effective manner. Bioavailability of metals in media is a new area which will provide data to support site specific risk assessments. EPA will continue to provide support to Superfund project managers via technical support centers (TSCs) and two modeling assistance web sites. These resources provide site-specific technical support to more than 100 cleanup program sites by responding to scientific questions (e.g., engineering and ground water issues) and technology transfer products to EPA program offices and other stakeholders. TSCs provide information based on research results to increase the speed and quality of Superfund cleanups and reduce associated cleanup costs.

Contaminated sediment researchers worked to evaluate the amount of sediment contaminants in post-dredging residuals in the Ashtabula River. These results, coupled with ongoing polychlorinated biphenyl (PCB) bioavailability studies will improve risk assessments and decision making at sediment sites.

The Land research program also conducts research with an increased emphasis on asbestos health effects in order to develop data to support dosimetric and toxicologic assessment of amphibole asbestos fiber-containing material from Libby, Montana. This effort will address key data gaps and provide tools for quantitative characterization, including a comparative analysis of the toxicity of amphibole asbestos-contaminated vermiculite from Libby, Montana, relative to other asbestos fibers and asbestos-like mineral occurrences.

To improve performance management, the program established a process by which the BOSC rates each program long-term performance as part of its reviews. In addition, the National Academy of Sciences (NAS) completed a study commissioned by EPA's Research and Development program. According to the NAS study, efficiency in federal research and development programs is best assessed by using an external expert-review panel to evaluate the relevance, quality, and performance of the research. Considering these findings, the program is engaging the BOSC to better evaluate investment efficiency and the extent to which the program

is “doing the right research and doing it well.” The program is also exploring a measure that tracks the percentage of its budget allocated to direct science activities.

Performance Targets:

Work under this program supports EPA’s Strategic Plan Objective 3.3: Enhance Science and Research. Specifically, the program provides and applies sound science for protecting and restoring land by conducting leading-edge research, which, through collaboration, leads to preferred environmental outcomes.

In FY 2010, the program plans to accomplish its goals of completing and delivering 100 percent of its planned outputs. Additionally, the program plans to meet its efficiency goal of reducing its average technical response time to 27 days, which is the average time for technical support centers to process and respond to requests for technical document review, statistical analysis, and the evaluation of characterization and treatability study plans. These measures address the increasing utility of EPA research tools and technologies as well as the reduction of uncertainty due to utilization of research and development methodologies, models, and statistical designs. In achieving the performance targets, the program will contribute to EPA’s goal of applying sound science in the protection and restoration of land.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$405.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$25.0) These resources will fund land restoration activities such as contaminated sediment research.
- (+\$66.0) This represents a restoration of resources transferred in FY 2009 to the Research: Sustainability Program to support the Small Business Innovation Research Program (SBIR). For that program, EPA is required to set aside 2.5 percent of funding for contracts to small businesses to develop and commercialize new environmental technologies. After the FY 2010 budget is enacted, when the exact amount of the mandated requirement is known, FY 2010 funds will be transferred to the SBIR program.

Statutory Authority:

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

Program Area: Research: Sustainability

Research: Sustainability

Program Area: Research: Sustainability

Goal: Compliance and Environmental Stewardship

Objective(s): Enhance Societies Capacity for Sustainability through Science and Research

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Science & Technology	\$22,346.0	\$21,157.0	\$24,107.0	\$2,950.0
<i>Hazardous Substance Superfund</i>	\$99.7	\$79.0	\$0.0	(\$79.0)
Total Budget Authority / Obligations	\$22,445.7	\$21,236.0	\$24,107.0	\$2,871.0
Total Workyears	74.2	70.8	70.8	0.0

Program Project Description:

Under the Small Business Research (SBIR) Program²⁴, as required by the Small Business Act as amended²⁵, EPA sets aside 2.5 percent of its extramural research budget for contracts to small businesses to develop and commercialize new environmental technologies. Since its inception, EPA's SBIR Program has provided incentive funding to small businesses to translate their innovative ideas into commercial products that address environmental problems. These innovations are the primary source of new technologies that can provide improved environmental protection at lower cost with better performance and effectiveness. SBIR has helped spawn successful commercial ventures that not only improve our environment, but also create jobs, increase productivity and economic growth, and enhance the international competitiveness of the U.S. technology industry.

SBIR, the only activity contained in this program, will not be funded under the Superfund account at this time.

Performance Targets:

Work under this program supports EPA's Enhance Science and Research objective.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (-\$79.0) This reflects an adjustment for Small Business Innovation Research (SBIR). Enacted funding levels for this program project include the amount EPA is required to set aside for contracts to small businesses to develop and commercialize new environmental technologies. This adjustment is necessary because the SBIR set aside, at this point in the budget cycle, is redistributed to other research programs in the President's Budget request. After the budget is enacted, when the exact amount of the mandated requirement is known, the funds will be transferred to the SBIR program in this program project.

Statutory Authority:

CAA; CWA; FIFRA; PPA; RCRA; SDWA; SBA; SARA; TSCA.

²⁴ For more information, see <http://es.epa.gov/ncer/sbir>.

²⁵ U.S. Public Law 219, 79th Congress, 2nd session, 22 July 1982. *Small Business Innovation Development Act of 1982*. For more information, see <http://thomas.loc.gov/cgi-bin/bdquery/z?d097:s.881>.

Program Area: Superfund Cleanup

Superfund: Emergency Response and Removal

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	\$223,136.3	\$195,043.0	\$202,843.0	\$7,800.0
Total Budget Authority / Obligations	\$223,136.3	\$195,043.0	\$202,843.0	\$7,800.0
Total Workyears	297.4	292.4	292.4	0.0

Program Project Description:

The Superfund program was initially designed, and has been consistently used, to implement two complementary types of response actions: remedial actions and removal actions. Remedial actions fully address wastes at the largest, most complex contamination sites (i.e., National Priorities List (NPL) sites). Removal actions quickly address those releases, whether on the NPL or not, that pose an imminent threat to public health or welfare or the environment. The Superfund Emergency Response and Removal program addresses removal actions.

Each year, more than 20,000 emergencies involving the release (or threatened release) of oil and hazardous substances are reported in the United States, potentially affecting both communities and the surrounding natural environment. The Superfund Emergency Response and Removal program ensures that releases of hazardous substances, including chemical, biological, and radiological agents, to the environment are appropriately addressed through either a Federal lead action or by providing technical support and oversight to state, local, other Federal responders, and potentially responsible parties (PRPs). EPA, under this program and as the Federal On-Scene Coordinator (OSC)²⁶, evaluates and responds with emergency and removal actions to releases large and small. This activity ensures that spills are appropriately addressed to protect human health and the environment. EPA provides technical support at emergency, time-critical, and non-time critical response actions. This activity also supports the development and maintenance of the necessary response infrastructure to enable EPA to respond effectively to accidental and intentional releases as well as natural disasters.²⁷

FY 2010 Activities and Performance Plan:

EPA personnel assess, respond to, mitigate, and clean up thousands of releases, whether accidental, deliberate, or naturally occurring. EPA Federal OSCs conduct and/or provide support for removal assessments, emergency responses, and cleanup response actions at NPL and non-NPL sites.

²⁶ EPA's roles and responsibilities are further outlined in the National Contingency Plan (NCP), please refer to <http://www.epa.gov/OEM/content/lawsregs/ncpover.htm>.

²⁷ For more information about the Superfund Emergency Response and Removal program, please refer to <http://www.epaosc.net/default.htm>.

In FY 2010, EPA will continue to respond and conduct removal actions based upon the risk to human health and the environment. In recent years, emergency response and removal activities have grown more complicated, requiring more resources and time to complete. In addition, these activities often require personnel with specific knowledge of harmful substances, health and safety issues, complex options or the utilization of emerging technologies.

EPA will continue to conduct an annual readiness training event for Federal OSCs, which is widely attended by EPA and its government partners from other Federal agencies, states, and local entities. This training offers courses on a variety of environmentally related emergency response topics designated to strengthen the knowledge and skills of Federal first responders. This very successful training program is designed to ensure the readiness of EPA OSCs nationwide by focusing on EPA's efforts to create necessary consistency across the Agency, highlight priorities for further policy development and coordination, and build partnerships with local, state, and other Federal responders.

The Superfund Removal program has received two program assessments by OMB (2003 and 2005). As a result, the program established performance and efficiency measures and is taking steps to improve data accuracy and completeness through continuing efforts to modernize the program's data repository, the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS).

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Superfund-lead removal actions completed annually.	215	195	195	170	removals

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	PRP removal completions (including voluntary, AOC, and UAO actions) overseen by EPA.				170	removals

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Superfund-lead removal actions completed annually per million dollars.	1.05	0.93	0.94	0.95	removals

Due to aggressive enforcement, EPA has been able to compel PRPs to conduct additional site removals. OSWER and OECA have jointly developed a new measure to track related progress over time. In FY 2010, EPA will oversee 170 PRP removal actions. In addition, EPA will conduct 170 Superfund-lead removal actions.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$2,090.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$7,800.0) This funding allows EPA to respond and conduct removal actions potentially impacting both large and small communities and the surrounding environment.
- (-\$2,090.0) This reflects a decrease in contracts. This reduction is not expected to impede achievement of program goals because of greater efficiency and better use of program assets.

Statutory Authority:

CERCLA, Sections 104, 105, 106; CWA; OPA.

Superfund: EPA Emergency Preparedness

Program Area: Superfund Cleanup
Goal: Land Preservation and Restoration
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	\$9,608.7	\$9,442.0	\$9,791.0	\$349.0
Total Budget Authority / Obligations	\$9,608.7	\$9,442.0	\$9,791.0	\$349.0
Total Workyears	42.9	44.1	44.1	0.0

Program Project Description:

EPA implements the Emergency Preparedness program in coordination with the Department of Homeland Security (DHS) and other Federal agencies to deliver Federal assistance to state, local, and Tribal governments during natural disasters and other major environmental incidents. The Agency carries out this responsibility under multiple statutory authorities as well as the National Response Framework (NRF), which provides the comprehensive framework and structure for managing national emergencies. EPA is the designated lead for the NRF's Emergency Support Function covering hazardous materials, oil, and other contaminants. As such, the Agency participates with interagency committees and workgroups to develop national planning and implementation policies at the operational level.

EPA also chairs the 16 agency National Response Team (NRT) and co-chairs multiple Regional Response Teams (RRTs) throughout the United States. The teams coordinate the actions of Federal partners to prevent, prepare for, and respond to emergencies.

FY 2010 Activities and Performance Plan:

Preparedness on a national level is essential to ensure that EPA, other Federal agencies, and state, local and tribal emergency responders are able to deal with multiple emergencies. This program will continue to enhance the Agency's readiness capabilities in FY 2010 by improving internal and external coordination with those agencies.

In FY 2010, EPA will continue to chair and provide administrative and logistical support to the NRT and co-chair the 13 RRTs throughout the United States. The NRT and RRTs coordinate Federal partner actions to prevent, prepare for, respond to, and recover from releases of hazardous substances, terrorist attacks, major disasters, and other emergencies, whether accidental or intentional. The NRT and the RRTs are the only active environmentally-focused interagency executive committees addressing oil and hazardous substance emergencies. EPA will continue to support and participate on these standing committees.

Building on current efforts to enhance national emergency response management, NRT agencies will continue implementation of the National Incident Management System (NIMS) and the NRF

NRT agencies will improve notification and response procedures, develop response technical assistance documents, and continue to implement and test incident command/unified command systems across all levels of government and the private sector as well as assist in the development of Regional Contingency Plans and Local Area Plans.

In FY 2010, EPA will provide technical assistance, training, and exercises to continue fostering a working relationship between state, local, tribal, and Federal responders implementing the system. EPA will lead participants in the development of scenario-specific national and regional level plans to respond to terrorist events and incidents of national significance.

EPA also will continue to provide staff support as needed during national disasters, emergencies and other high profile, large-scale responses carried out under the NRF. When activated under the NRF, EPA supports activities at the NRT, RRTs, Domestic Readiness Group, Incident Advisory Council, and the National Operations Center.

As part of its strategy for improving effectiveness, the Agency will improve response readiness in FY 2010 through information obtained from the Agency's National Approach to Response (NAR). EPA's NAR ensures efficient use of emergency response assets within the Agency by maintaining highly skilled technical personnel in the field and ensuring their readiness to respond to releases of dangerous materials without compromising health and safety.

Performance Targets:

Work under this program supports EPA's objective for restoring land. Currently, there are no performance measures specific to this Program/Project.

For several years, EPA has been implementing an annual assessment of its response and removal preparedness, known as Core Emergency Response (ER). Core ER was expanded to address Agency-wide implementation of EPA's NAR and measure its progress towards being ready to respond to multiple nationally significant events. In FY 2007, Core ER criteria were revised to focus on improved preparedness, in line with the EPA 2006-2011 Strategic Plan. Beginning in FY 2010, the assessment will be called "Core NAR". The Core NAR criteria are based on items found in EPA's Homeland Security Priority Workplan and the NAR Preparedness Plan. The target for FY 2010 is to maintain a readiness score of 55 percent. There will be three components of Core NAR: Headquarters (coordinated through the National Incident Coordination Team), Regional offices (coordinated through the Regional Incident Coordination Teams), and Special Teams. The three scores will be averaged to obtain an Agency-wide score.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$349.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

CERCLA; CWA; OPA; Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121 et seq.

Superfund: Federal Facilities

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	\$33,558.3	\$31,306.0	\$32,203.0	\$897.0
Total Budget Authority / Obligations	\$33,558.3	\$31,306.0	\$32,203.0	\$897.0
Total Workyears	143.7	134.0	144.1	10.1

Program Project Description:

The Superfund Federal Facilities Response program facilitates faster, more effective and less costly cleanup and reuse of Federal facilities while ensuring protection of human health and the environment from releases of hazardous substances. Nationwide, there are thousands of Federal facilities which are contaminated with hazardous waste, military munitions, radioactive waste, fuels, and a variety of other toxic contaminants. These facilities include various types of sites, such as Formerly Used Defense Sites (FUDS), active, realigning and closed installations, abandoned mines, nuclear weapons production facilities, fuel distribution areas, and landfills. EPA fulfills a number of statutory and regulatory obligations at Federal facilities, including conducting oversight of those sites on the Superfund National Priorities List (NPL) where cleanup is being done by other Federal agencies, such as the Department of Defense (DOD) and the Department of Energy (DOE). In fulfilling its management responsibilities, the program collaborates with other Federal agencies, state and local governments, Tribes, and communities.

The Superfund Federal Facilities Response program also provides technical assistance to other Federal entities, states, Tribes, local governments, and communities during the cleanup of Federal properties. The program ensures statutory responsibilities related to the transfer of contaminated Federal properties at both NPL and non-NPL sites are met. Such responsibilities include the approval authority for transfers prior to implementation of remedies at NPL sites (i.e., early transfer), and for determinations that remedies are operating “properly and successfully” at both NPL and non-NPL sites. Often EPA, and the parties implementing the remedies, face unique challenges due to the types of contamination present, the size of the facility, the extent of contamination, ongoing facility operations needs, complex community involvement requirements, and complexities related to the redevelopment of the facilities. For more information about the program, please refer to <http://www.epa.gov/fedfac/>.

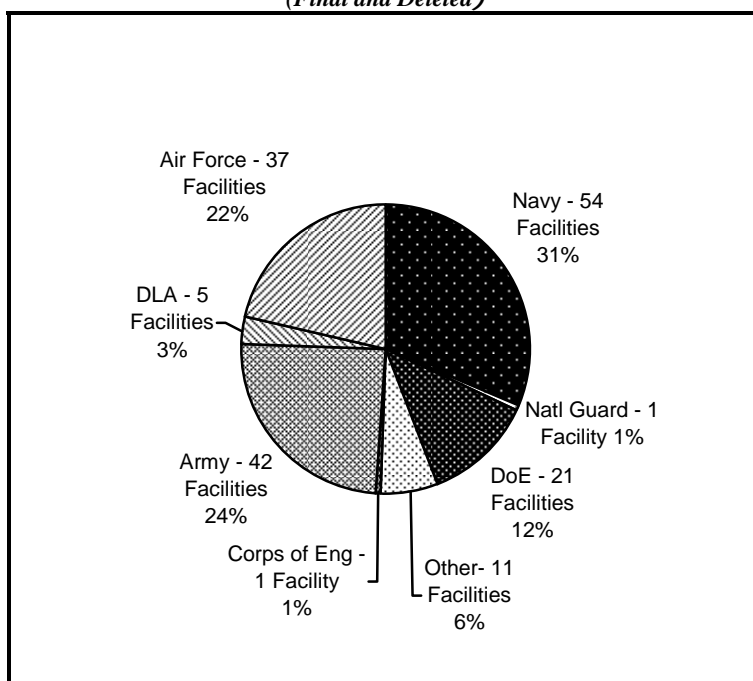
FY 2010 Activities and Performance Plan:

The Superfund Federal Facilities Response program will continue strengthening its efforts towards ensuring the safe reuse of former Federal properties and the safe continued use of facilities under the jurisdiction of the Federal government. The program will continue working with state and local governments, Tribes, communities, and transferees to ensure properties

transferred to non-Federal entities will be reused in a safe and productive manner. At properties that remain under Federal jurisdiction and control, the program will work with the other Federal agencies to ensure that cleanup remedies are appropriate for continued Federal use.

In FY 2010, the Superfund Federal Facilities Response program will continue focusing on achieving site construction completions, accelerating cleanups, promoting reuse of current and formerly owned Federal properties, and ensuring appropriate community involvement at Federal facilities on the NPL. As of October 2008, there were: 157 final Federal facilities on the NPL, 15 Federal facilities deleted from the NPL, 73 Federal facilities with a final remedy selected, 61 Federal facilities that had achieved site construction completion, and 28 Federal facilities identified as site-wide ready for anticipated use. In FY 2008, the program conducted oversight and technical assistance on 398 ongoing Remedial Investigations/Feasibility Studies and 204 ongoing Remedial Actions at final NPL Federal facilities.

**NPL Federal Facilities by Agency
(Final and Deleted)**



**Other Federal Agencies include: U.S. Coast Guard (1), Dept. of Interior (2), Dept. of Transportation (1), EPA (1), Federal Aviation Administration (1), National Aeronautics and Space Administration (2), Small Business Administration (1), U.S. Dept. of Agriculture (2). Source: CERCLIS end of year 2008 data FFRRO's website, <http://www.epa.gov/fed/fac/documents/npl2007.htm#2>*

In FY 2010, EPA will continue providing oversight and technical assistance, as appropriate, at DOD's military munitions response sites, including oversight of some FUDS with munitions. FUDS are properties formerly owned, leased, possessed, or operated by DOD that are now owned by a non-DOD party. DOD's FY 2007 Defense Environmental Programs Report to Congress states there are currently 3,537 munitions response sites in DOD's inventory.²⁸

²⁸ <https://www.denix.osd.mil/portal/page/portal/denix/environment/ARC/FY2007>.

The program will continue monitoring the progress and improving the quality and consistency of five-year reviews being conducted at Federal sites where waste has been left in place and land use is restricted. In FY 2010, the program will review approximately 31 Five-Year Review reports at Federal facility NPL sites to fulfill statutory requirements and inform the public regarding the protectiveness of remedies at those facilities.

The Superfund Federal Facilities Response program will continue working with the U.S. Army Corps of Engineers (USACE) and states in the cleanup of the Formerly Utilized Sites Remedial Action Program (FUSRAP) properties. FUSRAP properties are contaminated with radioactive materials and mixed waste resulting from the nation's early atomic weapons and energy program.

The Superfund Federal Facilities Response program will continue working with the Forest Service, the National Park Service (NPS) and the Bureau of Land Management (BLM) in expediting the remediation of abandoned mine sites; and DOE in maximizing the progress of cleanup and reducing the footprint of the Environmental Management program's legacy properties.

The program will continue supporting DOD at selected Base Realignment and Closure (BRAC) installations that have closed or been realigned during the first four rounds of BRAC (BRAC I-IV). The BRAC I-IV accelerated cleanup program is funded by DOD through an interagency agreement which is scheduled to expire on September 30, 2011. The fifth round of BRAC (BRAC V) has resulted in additional EPA work requirements at selected non-NPL BRAC V installations. This includes, but is not limited to, meeting and expediting statutory obligations for overseeing cleanup and facilitating property transfer. EPA's FY 2010 request does not include additional support for BRAC-related services to DOD at BRAC V facilities. If EPA services are required at levels above its base for BRAC V related installations, the Agency will require reimbursement from DOD for the costs the Agency incurs to provide those services.

The Superfund Federal Facilities Response program underwent a program performance assessment by OMB in FY 2005. As a follow-up, the program has been working with other Federal agencies to achieve long-term environmental goals. These efforts will continue in FY 2010. In addition, the program conducted a program evaluation in FY 2008 in an effort to evaluate and improve performance accuracy of regional target-setting for site cleanup milestones. The program is currently implementing several of the resulting recommendations in FY 2009 and will implement additional recommendations in FY 2010.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Program dollars expended annually per operable unit completing cleanup activities.	898	920	813	813	thousand

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of Federal Facility Superfund sites where all remedies have completed construction.	61	60	64	68	sites

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of Federal Facility Superfund sites where the final remedial decision for contaminants at the site has been determined.	73	81	77	92	remedies

Performance goals and measures in EPA’s Strategic Plan and Government Performance and Results Act for the Superfund Federal Facilities Response program are currently a component of the overall Superfund Remedial program’s measures. EPA’s ability to meet its annual Superfund targets is partially dependent on work performed at Federal facility sites on the NPL.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$994.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$97.0) This reflects a decrease for contracts and general expenses. This reduction will not impede achievement of the program measures.
- (+10.1 FTE) This change reflects a redirection of reimbursable FTE from the BRAC program to the Federal Facilities program. The additional FTE will support increased workload needs at non-DOD Federal sites, such as DOE and USACE. Sufficient reimbursable FTE are retained to support BRAC program needs, which have declined steadily since inception of DOD’s program in the early 1990s.

Statutory Authority:

- CERCLA Section 120/SARA, Section 311; RCRA, Section 7003; Defense Base Closure and Realignment Act of 1988, 1990, 1992, 1994, and 2004 as amended by the National Defense Authorization Acts and the Base Closure Community Redevelopment and Homeless Assistance Act; Community Environmental Response Facilitation Act, Section 3 [CERCLA 120(h)(4) uncontaminated parcels determinations]; National Defense Authorization Act for FY 2007, Section 2404; NEPA, Section 102; and CAA, Section 309.

Superfund: Remedial

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land; Enhance Science and Research

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$726,765.3</i>	<i>\$604,992.0</i>	<i>\$605,000.0</i>	<i>\$8.0</i>
Total Budget Authority / Obligations	\$726,765.3	\$604,992.0	\$605,000.0	\$8.0
Total Workyears	947.8	944.2	944.2	0.0

Program Project Description:

The Superfund Remedial program addresses contamination from uncontrolled releases at Superfund sites that may threaten human health and the environment. Superfund sites with contaminated soils, surface water, sediments, and ground water exist nationally in hundreds of communities and can also encompass very large land areas. Many of these sites are located in urban areas and may expose populations to contamination. Once contaminated, ground water, surface water, sediments, and soils may be extremely technically challenging and costly to clean up. Some sites will require decades to clean up due to site-specific physical characteristics and their associated unique contamination footprints. For some sites, removing or destroying all of the contamination is not possible, and residual contamination will need to be managed on-site, creating the need for site-specific long-term stewardship activities.

The Superfund Remedial program manages the risks that these uncontrolled hazardous waste sites present to human health and the environment through carefully selected cleanup, stabilization, or other actions, and, in so doing, helps make these sites available for reuse. Resources in this program are used to:

- collect and analyze data at sites to determine the potential effect of contaminants on human health and the environment and the need for an EPA Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) response;
- ensure the highest priority sites are addressed by adding and deleting sites to/from the National Priorities List (NPL);
- conduct or oversee investigations and studies to select remedies;
- design and construct or oversee construction of remedies and post-construction activities at non-Federal facility sites;
- control human exposures to contamination and the spread of contaminated ground water;
- ensure long-term protectiveness of remedies by overseeing operations and maintenance and conducting five-year reviews;
- identify when sites can be made available for reuse; and
- work with other Federal agencies, states, tribes, local governments, and local communities to improve their involvement in the cleanup process.

For more information about the Superfund Remedial program, please refer to <http://www.epa.gov/superfund/index.htm>.

FY 2010 Activities and Performance Plan:

In FY 2010, as in prior years, construction work at contaminated sites on the NPL remains the top priority of the Superfund Remedial program. The program will continue to address intractable and complicated environmental and human health problems, such as contaminated soil and ground water affecting homeowners and their families in residential areas. The goal of the program's work is ultimately to provide long-term human health and environmental protection at the nation's most contaminated hazardous waste sites. In addition to its cleanup work, the Superfund Remedial program will undertake interim response actions, when appropriate, to protect people and the environment from the immediate threats posed by uncontrolled hazardous wastes or contaminated ground water. These efforts demonstrate EPA's commitment to protecting human health and the environment from possible short- and long-term effects of site-related contamination.

EPA will continue to assess uncontrolled releases at sites where EPA has been notified by states, tribes, citizens, other Federal agencies, or other sources of a potential hazardous waste site or incident. EPA assesses these sites to determine whether Federal action is needed. EPA, states and our Federal partners have made significant progress towards reducing the number of sites needing final assessment decisions. In addition, EPA has an active pre-screening process which allows only the most contaminated sites to get further Federal attention. The number of assessment decisions made each year exceeds the number of new sites being identified by EPA each year. As a result, EPA has revised its target to align with the current universe of sites that still require final decisions. EPA plans to complete 330 site assessment decisions in FY 2010.

For those sites requiring additional action to protect human health and the environment, EPA's NPL identifies sites that are the nation's highest priorities. Sites posing immediate risks may also be addressed under the Superfund Emergency Response and Removal program. In FY 2010, EPA will continue investigating sites to determine the best approach for individual sites to be addressed, including listing them on the NPL. In FY 2008, EPA added 18 new sites to the NPL, and proposed 17 sites to the NPL. As of the end of FY 2008, 1,650 sites were either proposed to, final on, or deleted from the NPL, of which 178 were Federal facility sites.

At NPL sites, EPA will continue to begin remedial work with site investigations and feasibility studies to review site conditions and evaluate strategies for cleanup, taking into consideration reasonably anticipated future land use. At the end of FY 2008, over 430 sites had investigations and studies underway, which form the foundation for remedy selection documented in a Record of Decision (ROD). Many sites also require multiple cleanup plans to address all the contamination at the site. In FY 2010, a significant number of sites will require further characterization before remedy decisions can be made and construction can take place. Community involvement is a key component in selecting the proper remedy at a site, and the Agency will continue to emphasize the importance of the community in its decision-making and remedy implementation and construction activities.

EPA has increasingly focused resources on remedy construction to achieve site progress. Prior to remedy construction, however, EPA conducts the remedial design (RD) for the site cleanup where the technical specifications for cleanup remedies and technologies are designed based on the Record of Decision (ROD). Following the RD, the actual construction or implementation of the cleanup remedy (called the Remedial Action (RA)) will be performed by EPA (or states with EPA funding) or potentially responsible parties (PRPs) under EPA or state oversight. EPA is committed to providing resources to maintain construction progress at all sites, including large and complicated remedial projects, once construction has started. Funding for EPA Superfund construction projects is critical to achieving risk reduction, construction completion and restoration of contaminated sites to allow productive reuse. In FY 2010, the program will continue to work with EPA's Regional offices to improve long-term planning construction estimates, including planning for the use of resources received from settlements with PRPs for future response work.

EPA tracks construction completions as an interim measure of progress towards making sites ready for reuse and achieving site cleanup goals. Sites qualify for construction completion when: 1) all necessary physical construction is complete, whether or not final cleanup levels or other requirements have been achieved, 2) EPA has determined that the response action should be limited to measures that do not involve construction, or 3) the site qualifies for deletion from the NPL. EPA may delete a final NPL site if it determines that all cleanup objectives have been met and no further response is required to protect human health or the environment. In FY 2010, EPA estimates it will achieve 22 site construction completions for a cumulative total of 1102 NPL sites, and will continue to delete sites from the NPL as appropriate.

EPA will continue to give attention to post-construction completion activities to ensure that Superfund response actions provide for the long-term protection of human health and the environment. One example of a post-construction activity are Five-Year Reviews, which generally are required when hazardous substances remain on site above levels that permit unrestricted use and unlimited exposure. Five-Year Reviews are used to evaluate the implementation and performance of the selected remedy and to determine whether the remedy remains protective of human health and the environment. These reviews are usually performed five years following the initiation of a CERCLA response action, and are repeated in succeeding five-year intervals so long as future uses remain restricted. EPA plans to conduct over 240 Five-Year Reviews in FY 2010. EPA will continue to need resources to conduct these activities to ensure remedies are working optimally and as intended.

The future use of NPL sites plays an important role in revitalizing communities and ensuring the long-term protection of human health and the environment. While cleaning up these sites, EPA is working with communities and other partners in considering and integrating appropriate future use opportunities into the cleanup process. The Agency also is working with communities on already remediated sites to ensure long-term stewardship of site remedies and to create opportunities for reuse. In May 2006, EPA established the Site-Wide Ready for Anticipated Use measure, which communicates that all cleanup goals for an entire site have been achieved for both current and reasonably anticipated future land uses. The measure reflects the high priority EPA places on land revitalization as an integral part of the Agency's cleanup mission for the Superfund program as well as the priority EPA is now placing on post-construction complete

activities at NPL sites. At the end of FY 2008, 85 additional sites achieved the Site-Wide Ready for Anticipated Use designation for a cumulative total of 343 sites. In FY 2010, EPA will achieve 65 sites qualified for this designation.

EPA introduced two measures in FY 2002 to document progress achieved towards providing short- and long-term human health protection. The Site-Wide Human Exposure environmental indicator is designed to document the progress achieved towards providing long-term human health protection by measuring the incremental progress achieved in controlling unacceptable current human exposures at a NPL site. In FY 2010, EPA will achieve control of all identified unacceptable human exposures at a net total of 10 additional sites, bringing the program's cumulative total to 1,329 sites under control. The Migration of Contaminated Ground Water Under Control environmental indicator applies to NPL sites that contain contaminated ground water and serves to document whether contamination levels fall within the levels specified as safe by EPA, or if they do not, whether the migration of contaminated ground water is stabilized, and there is no ground water discharge to surface water. In FY 2010, EPA will achieve control of the migration of contaminated groundwater through engineered remedies or natural processes at a net total of 15 additional sites, bringing the program's cumulative total to 1,026 sites under control.

EPA will continue to take actions to improve program management and increase efficiency. In FY 2010, the Agency, in coordination with the U.S. Army Corps of Engineers and consulting engineers, will continue to best stage significant design and construction projects. The effort will augment the Agency's technical outreach to the Regional offices by expanding their access to technical resources, to help promote the efficiency of project delivery and to facilitate project progress through the Superfund pipeline. In addition, EPA will continue focusing on optimizing ground water remedies and sharing best practices with Regional offices for cost management and efficiency improvements.

The Superfund Remedial program strives to utilize its resources so that its activities use natural resources and energy efficiently, reduce negative impacts on the environment, minimize or eliminate pollution at its source, and reduce waste to the greatest extent possible. In FY 2010, the program will continue its efforts to advance green remediation practices and identify new opportunities and tools to make "greener" decisions across Superfund cleanup sites.

This program also is supported by the 2009 American Recovery and Reinvestment Act (ARRA) funds. Additional details can be found at <http://www.epa.gov/recovery/> and <http://www.recovery.gov/>.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of Superfund sites ready for anticipated use site-wide.	85	30	45	65	sites

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Annual number of Superfund sites with remedy construction completed.	30	30	20	22	completions

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Superfund sites with contaminated groundwater migration under control.	20	15	15	10	sites

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Superfund final site assessment decisions completed.	415	400	400	330	assessments

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Human exposures under control per million dollars.	7.6	6.4	6.7	7.0	sites

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of Superfund sites with human exposures under control.	24	10	10	10	sites

The Superfund Remedial program reports its activities and progress towards long-term human health and environmental protection via several measures that encompass the entire cleanup process. In addition, the program also tracks efficiency by measuring the number of NPL sites with human exposure under control per million dollars. In FY 2008, the Superfund Remedial program met or exceeded all of its performance measure targets. In FY 2010, the program plans to continue to maintain progress toward achieving the long-term goals that will be identified in EPA's FY 2009-2014 Strategic Plan.

Performance goals and measures for the Superfund Federal Facilities Response program are a component of the Superfund Remedial program's measures.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- (+\$6,818.0) This reflects an increase for payroll and cost of living for all FTE.

- (-\$6,810.0) This reflects a decrease for contracts and other non-payroll expenses. This reduction is not expected to impede site cleanup progress, because of improved program management and increased efficiency.

Statutory Authority:

CERCLA of 1980, Section 104, as amended by SARA of 1986, as reauthorized as part of the Omnibus Budget Reconciliation Act of 1990.

Superfund: Support to Other Federal Agencies

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
<i>Hazardous Substance Superfund</i>	\$4,888.0	\$6,575.0	\$6,575.0	\$0.0
Total Budget Authority / Obligations	\$4,888.0	\$6,575.0	\$6,575.0	\$0.0
Total Workyears	0.1	0.0	0.0	0.0

Program Project Description:

Other Federal agencies are given responsibilities under Comprehensive Environmental Response Compensation and Liability Act (CERCLA) which are funded out of the Superfund Trust Fund. These agencies provide numerous Superfund-related services which Superfund resources support. Contributors include the Department of Interior (DOI), the National Oceanic and Atmospheric Administration (NOAA), and the United States Coast Guard (USCG).

FY 2010 Activities and Performance Plan:

In FY 2010, the Agency will continue to provide resources through interagency agreements to support other Federal agencies. The following table illustrates the levels of funding proposed to be provided to each Federal agency in EPA’s FY 2010 request:

***Other Federal Agency Funding
(\$ in thousands)***

Agency	FY 2010 Pres Bud
DOI	\$546.0
NOAA	\$1,063.0
USCG	\$4,966.0
TOTAL	\$6,575.0

Under the EPA/DOI interagency agreement, DOI provides response preparedness and management assistance that supports the National Response Team/Regional Response Teams (NRT/RRTs), EPA’s Special Units including the Environmental Response Team, the National Decontamination Team, and the Radiation Response Team. In addition, DOI provides assistance in the development and implementation of comprehensive and environmentally protective remedies at Superfund sites as well as the coordination of natural resource trustee agency²⁹ support. DOI provides technical assistance at Superfund sites in areas of their expertise, such as ecological risk assessment, habitat mitigation and identification of damages to natural resources.

²⁹ Natural Resource Trustees are outlined in CERCLA and have different, but complementary, roles and responsibilities. For more information, please refer to <http://www.epa.gov/superfund/programs/nrd/fields.pdf>.

Under the EPA/NOAA interagency agreement, EPA Regional offices are provided access to NOAA's multidisciplinary technical support experts in the fields of coastal remediation, scientific support coordination and response management. NOAA, which is also a natural resource trustee agency, provides site-specific technical coordination support during site investigations, assistance on ecological risk assessments, identification and evaluation related to risks posed to natural resources from Superfund sites, and evaluates strategies and methods of minimizing those risks. NOAA's experts produce evaluations of risk to the environment and natural resources from releases at Superfund sites, development and implementation of comprehensive environmentally protective remedies, and coordination of trustee support.

Under the EPA/USCG interagency agreement, USCG and EPA are Federal partners who share lead responsibilities under CERCLA for response actions. The USCG, serving as a Federal On-Scene Coordinator (OSC), will conduct small scale Superfund removals in the coastal zone of any release or threatened release into the environment of hazardous substances, pollutants, or contaminants which may present an imminent and substantial danger to the public health or welfare or the environment. In FY 2010, other Federal agency funding will support USCG district offices, marine safety field units, USCG Strike Teams, and National Response Center activities. It also provides for the planning, coordination and response infrastructure to ensure the USCG is fully prepared to respond to CERCLA incidents.

Performance Targets:

Work under this program supports EPA's objective for restoring land. Currently, there are no separate performance measures specific to this program.

FY 2010 Change from FY 2009 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

CERCLA Sections 104, 105, 106, 120; CWA; OPA.