2010 Annual Performance Plan and Congressional Justification

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Environmental Protection Agency
FY 2010 Annual Performance Plan and Congressional Justification

APPROPRIATION: State and Tribal Assistance Grants
Resource Summary Table
(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants				
Budget Authority	$3,237,929.7	$2,976,464.0	$5,191,274.0	$2,214,810.0
Total Workyears	0.0	0.0	0.0	0.0

Program Projects in STAG
(Dollars in Thousands)

Program Project	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants (STAG)				
Infrastructure Assistance: Clean Water SRF	$836,929.7	$689,080.0	$2,400,000.0	$1,710,920.0
Infrastructure Assistance: Drinking Water SRF	$949,968.9	$829,029.0	$1,500,000.0	$670,971.0
Congressionally Mandated Projects	$75,837.8	$153,000.0	$0.0	($153,000.0)
Infrastructure Assistance: Alaska Native Villages	$21,193.7	$18,500.0	$10,000.0	($8,500.0)
Brownfields Projects	$94,611.8	$97,000.0	$100,000.0	$3,000.0
Clean School Bus Initiative	$6,868.8	$0.0	$0.0	$0.0
Diesel Emissions Reduction Grant Program				
EPAct & Related Authorities Implemention	$0.0	$60,000.0	$60,000.0	$0.0
CA Emission Reduction Project Grants	$9,844.0	$15,000.0	$0.0	($15,000.0)
Diesel Emissions Reduction Grant Program (other activities)	$19,954.9	$0.0	$0.0	$0.0
Subtotal, Diesel Emissions Reduction Grant Program	$29,798.9	$75,000.0	$60,000.0	($15,000.0)
Infrastructure Assistance: Mexico Border	$65,138.5	$20,000.0	$10,000.0	($10,000.0)
Subtotal, State and Tribal Assistance Grants (STAG)	$2,080,348.1	$1,881,609.0	$4,080,000.0	$2,198,391.0
Categorical Grants				
Categorical Grant: Beaches Protection	$10,642.2	$9,900.0	$9,900.0	$0.0
Categorical Grant: Brownfields	$51,070.6	$49,495.0	$49,495.0	$0.0
Categorical Grant: Environmental Information	$14,402.4	$10,000.0	$10,000.0	$0.0
Categorical Grant: Hazardous Waste Financial	$101,740.4	$101,346.0	$106,346.0	$5,000.0

Program Project	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
Assistance				
Categorical Grant: Homeland Security	$5,688.0	$4,950.0	$0.0	($4,950.0)
Categorical Grant: Lead	$14,699.7	$13,564.0	$14,564.0	$1,000.0
Categorical Grant: Local Govt Climate Change	$0.0	$10,000.0	$0.0	($10,000.0)
Categorical Grant: Nonpoint Source (Sec. 319)	$207,166.5	$200,857.0	$200,857.0	$0.0
Categorical Grant: Pesticides Enforcement	$20,098.6	$18,711.0	$18,711.0	$0.0
Categorical Grant: Pesticides Program Implementation	$14,014.7	$12,970.0	$13,520.0	$550.0
Categorical Grant: Pollution Control (Sec. 106)				
Monitoring Grants	$26,737.7	$18,500.0	$18,500.0	$0.0
Categorical Grant: Pollution Control (Sec. 106) (other activities)	$217,098.4	$199,995.0	$210,764.0	$10,769.0
Subtotal, Categorical Grant: Pollution Control (Sec. 106)	$243,836.1	$218,495.0	$229,264.0	$10,769.0
Categorical Grant: Pollution Prevention	$5,076.8	$4,940.0	$4,940.0	$0.0
Categorical Grant: Public Water System Supervision (PWSS)	$101,503.0	$99,100.0	$105,700.0	$6,600.0
Categorical Grant: Radon	$10,007.4	$8,074.0	$8,074.0	$0.0
Categorical Grant: Sector Program	$1,666.3	$1,828.0	$1,828.0	$0.0
Categorical Grant: State and Local Air Quality Management	$226,155.9	$224,080.0	$226,580.0	$2,500.0
Categorical Grant: Targeted Watersheds	$21,027.7	$0.0	$0.0	$0.0
Categorical Grant: Toxics Substances Compliance	$5,273.6	$5,099.0	$5,099.0	$0.0
Categorical Grant: Tribal Air Quality Management	$12,066.9	$13,300.0	$13,300.0	$0.0
Categorical Grant: Tribal General Assistance Program	$58,628.8	$57,925.0	$62,875.0	$4,950.0
Categorical Grant: Underground Injection Control (UIC)	$12,114.5	$10,891.0	$10,891.0	$0.0
Categorical Grant: Underground Storage Tanks	$3,600.7	$2,500.0	$2,500.0	$0.0
Categorical Grant: Wastewater Operator Training	$670.3	$0.0	$0.0	$0.0
Categorical Grant: Water Quality Cooperative Agreements	$445.3	$0.0	$0.0	$0.0
Categorical Grant: Wetlands Program Development	$15,985.2	$16,830.0	$16,830.0	$0.0
Subtotal, Categorical Grant: Wetlands Program Development	$15,985.2	$16,830.0	$16,830.0	$0.0
Subtotal, Categorical Grants	$1,157,581.6	$1,094,855.0	$1,111,274.0	$16,419.0
TOTAL, EPA	$3,237,929.7	$2,976,464.0	$5,191,274.0	$2,214,810.0

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Program Area: State and Tribal Assistance Grants (STAG)

Brownfields Projects
Program Area: State and Tribal Assistance Grants (STAG)
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
State and Tribal Assistance Grants	***$94,611.8***	***$97,000.0***	***$100,000.0***	***$3,000.0***
Hazardous Substance Superfund	$7,070.7	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$101,682.5	$97,000.0	$100,000.0	$3,000.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Economic changes over several decades have left thousands of communities with contaminated properties and abandoned sites known as brownfields.[1] The Agency's Brownfields program coordinates a Federal, state, Tribal, and local government approach to assist in addressing environmental site assessment and cleanup through grants and cooperative agreements authorized by Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(k) and related authorities.

The Brownfields program also assists in addressing environmental site assessment and cleanup through competitive grants and cooperative agreements to eligible entities authorized by CERCLA Section 104(k). The statute requires the Brownfields program to allocate 25 percent of the total available funds appropriated to carry out CERCLA 104(k), to address sites contaminated by petroleum. With the funds requested, EPA will provide: 1) assessment cooperative agreements for recipients to inventory, characterize, assess and conduct cleanup and redevelopment planning related to brownfields sites; 2) cleanup cooperative agreements for recipients to clean up sites they own; 3) capitalization cooperative agreements for Revolving Loan Funds (RLFs) to provide low interest loans for cleanups; 4) job training cooperative agreements; 5) petroleum cooperative agreements; and 6) financial assistance to localities, states, tribes, and non-profit organizations for research, training, and technical assistance.

EPA has been at the forefront of coordinating with other Federal agencies. In cooperation with its Federal partners, EPA developed the Brownfields Federal Partnership Action Agenda. The Action Agenda describes the commitment of more than 20 Federal agencies to help communities more effectively prevent, assess, safely clean up, and reuse brownfields.[2]

FY 2010 Activities and Performance Plan:

In FY 2010, funding provided will result in the assessment of one thousand brownfields properties and the cleanup of 60 brownfields properties, and one thousand acres made ready for

[1] Refer to http://www.epa.gov/swerosps/bf/index.html.
[2] Refer to http://www.epa.gov/docs/swerosps/bf/partners/federal_partnerships.htm.

reuse. Brownfields grantees will leverage five thousand cleanup and redevelopment jobs and $900 million in cleanup and redevelopment funding. Activities include:

- Funding and technical support for an estimated 110 assessment cooperative agreements (estimated $32.3 million) for recipients to inventory, assess, and conduct cleanup and redevelopment planning at brownfields sites as authorized under CERCLA 104(k)(2). In FY 2010, EPA expects to award fewer assessment cooperative agreements due to the new Assessment Coalition option which allows three or more eligible entities to submit one grant proposal for up to $1,000,000 to assess sites and target more areas. This option became available in FY 2009.

- The Agency will award approximately seven RLF cooperative agreements (estimated $13.0 million) of up to $1 Million each per eligible entity and provide supplemental funding to existing RLF recipients. The RLF program enables eligible entities to develop cleanup strategies, make loans to clean up properties, and encourage communities to leverage other funds into their RLF pools and cleanup cooperative agreements as authorized under CERCLA 104(k)(3) and (4).

- Funding also will support at least 108 cooperative agreements to eligible entities to clean up properties (estimated $21.6 million). EPA plans to increase funding to support more cleanup cooperative agreements in FY 2010 and to facilitate an increase in the cleanup and redevelopment of brownfields sites. The Agency will award direct cleanup cooperative agreements of up to $200 thousand per site to communities and non-profits as authorized under CERCLA 104(k)(3).

- Assessment and cleanup of abandoned underground storage tanks (USTs) and other petroleum contamination found on brownfields properties (estimated $25.0 million) in approximately 50 brownfields communities as authorized under CERCLA 104(k)(2) and CERCLA 104(k)(3).

- Brownfields job training and development cooperative agreements (estimated $2.6 million) of up to $$200,000 each for a two year period. This funding will provide for at least 13 new job training cooperative agreements for community residents to take advantage of new jobs leveraged by the assessment and cleanup of brownfields as authorized under CERCLA 104(k)(6).

- Training, research and technical assistance grants and cooperative agreements (estimated $5.5 million) as authorized under CERCLA Section 104(k)(6).

In 2003, the Brownfields program underwent an OMB assessment and received an “adequate” rating. OMB cited its clear purpose and achievement of performance targets. The program is implementing performance improvement plans related to performance measures, data collection, and program reviews and is on schedule to meet implementation deadlines.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Brownfield properties assessed.	1,453	1,000	1,000	1,000	Properties

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Acres of Brownfields properties made ready for reuse.	4,404	225	1,000	1,000	Acres

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Billions of dollars of cleanup and redevelopment funds leveraged at Brownfields sites.	1.5	0.9	0.9	0.9	Billions of Dollars

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Ouput	Number of properties cleaned up using Brownfields funding.	78	60	60	60	Properties

The Brownfields project resources contribute overall to the Brownfields program's goals, and measures. The resources also contribute to EPA efforts to assess and clean up brownfields, as described in EPA's FY 2009-2014 Strategic Plan.

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/.

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

- (+$3,000.0) This reflects an increase in extramural funding resources for training, research and technical assistance grants and cooperative agreements.

Statutory Authority:

CERCLA as amended by SBLRBRA (P.L. 107-118); RCRA Section 8001; GMRA (1990); SWDA; FGCAA.

Diesel Emissions Reduction Grant Program
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Clean Air and Global Climate Change
Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$29,798.9***	***$75,000.0***	***$60,000.0***	***($15,000.0)***
CA Emission Reduction Project Grants	$9,844.0	$15,000.0	$0.0	($15,000.0)
Total Budget Authority / Obligations	$29,798.9	$75,000.0	$60,000.0	($15,000.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

These grant funds support the Diesel Emissions Reduction Program (DERA) authorized in sections 791-797 of the Energy Policy Act of 2005. DERA provides immediate emission reductions from existing diesel engines through engine retrofits, rebuilds and replacements, switching to cleaner fuels, idling reduction strategies and other clean diesel strategies. These strategies can reduce particulate matter (PM) emissions up to 95 percent, smog-forming emissions, such as hydrocarbons and nitrogen oxide, up to 90 percent and greenhouse gases up to 20 percent. The program covers existing diesel engines used in both highway and nonroad vehicles and equipment. The diesel engines covered are not subject to new, more stringent emissions standards implemented in 2007 and 2008, which apply to new engines. These older engines often remain in service for 20 or more years. The program targets fleets in five sectors: freight, construction, school buses, agriculture, and ports.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will issue and manage various categories of Diesel Emission Reduction grants and loans including:

- 70 percent of the total funding available will be used to establish competitive National Clean Diesel Campaign (NCDC) grants to directly fund and/or finance retrofits, rebuilds, and replacements as well as fuel switching and fuel efficiency measures associated with diesel trucks, ships, school buses and other diesel equipment.

    - Up to 10 percent of those funds will be used to establish grants to advance emerging diesel emission reduction technologies, with a focus on new technologies applicable to ocean-going vessels, harbor craft, and goods movement.

    - Out of the competitive funds, the Agency will establish a pilot project involving competitive grants to help qualifying entities (states, local governments, ports, etc.) create innovative finance programs (i.e. revolving loan programs) that

The FY 2010 Budget Request for DERA competitive grants totals $42.0 million.

- The remaining 30 percent of the total funding available will be used in formula grants to states to implement state diesel emission reduction programs defined under DERA. State governors have the discretion to use these funds as direct grants or revolving loans as they see fit.

The FY 2010 Budget Request for DERA formula grants totals $18.0 million.

EPA also will continue to provide diesel emission reduction technology verification as well as quantification and evaluation of emissions reduction strategies and their cost effectiveness.

In FY 2009, the DERA program was also funded at $300 million by the 2009 American Recovery and Reinvestment Act (ARRA). Additional details can be found at http://www.epa.gov/recovery/ and http://www.recovery.gov/.

Performance Targets:

Work under this program supports multiple performance objectives. Currently, there are no performance measures specific to this program. EPA estimates that the $60.0 million for Federal and State Diesel Emission Reduction grants/loans would leverage at least $130 million in funding assistance and reduce PM by approximately seven thousand tons.

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

- (-$15,000.0) This decrease reflects the discontinuation of a congressionally directed program to the San Joaquin and South Coast Air Quality Management Districts.

Statutory Authority:

CAA Amendments, Title I (NAAQS); CAA Amendments, Title III (Air Toxics); CAA, Sections 103, 105, and 106 (Grants), Energy Policy Act of 2005, Sections 741 and 791-797.

Infrastructure Assistance: Alaska Native Villages
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Clean and Safe Water
Objective(s): Protect Water Quality

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$21,193.7***	***$18,500.0***	***$10,000.0***	***($8,500.0)***
Total Budget Authority / Obligations	$21,193.7	$18,500.0	$10,000.0	($8,500.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Alaska Rural and Native Village (ANV) Program addresses the lack of basic drinking water and sanitation infrastructure (i.e., flushing toilets and running water) in rural and Native Alaska communities. In many of these communities, honeybuckets and pit privies are the sole means of sewage collection and disposal. EPA's grant to the State of Alaska provides funding to improve or construct drinking water and wastewater treatment facilities for these communities and thereby improve local health and sanitation conditions. This program also supports training, technical assistance, and educational programs related to the financial management and operation and maintenance of sanitation systems.

See http://www.epa.gov/owm/mab/indian/anvrs.htm for more information.

FY 2010 Activities and Performance Plan:

The ANV Program is administered by the State of Alaska and provides infrastructure funding to ANVs and rural Alaska communities which lack access to basic sanitation. The FY 2010 investment of $10 million will fund a portion of the need in rural Alaska homes and will be used to maintain the existing level of wastewater and drinking water services that meets public health standards given increased regulatory requirements on drinking water systems and the construction of new homes in rural Alaska. In FY 2010, the Agency will continue to work with the State of Alaska to address sanitation conditions and determine how to maximize the Federal investment in rural Alaska. EPA will continue to implement the ANV "Management Controls Policy" (adopted in June 2007) to assure that funds are used efficiently by allocating them to projects that are ready to proceed or progressing satisfactorily.

The Agency has made great strides in implementing more focused and intensive oversight of the Alaska Native Village grant program through cost analyses, post-award monitoring and project close-out. EPA has also collaborated with Alaska to establish program goals and objectives which are now incorporated directly into the state priority system for selecting candidate projects. The FY 2008 Alaska State single audit and the FY 2008 Inspector General follow-up audits concluded that all findings in the previous audits had been addressed or were being resolved.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of serviceable rural Alaska homes with access to drinking water supply and wastewater disposal.	Data Avail. 2009	94	96	98	Percent Homes

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Number of homes that received improved service per $1,000,000 of Program funding.	70	45	50	50	Households

Work under this program supports EPA's Protect Water Quality objective.

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

- (-$8,500.0) The FY 2010 investment will leverage funding for wastewater service and drinking water that meets public health standards given increased regulatory requirements on drinking water systems and the construction of new homes in rural Alaska. In addition, the President's budget will increase tribal funds set-aside for both the Clean Water SRF and Drinking Water SRF from 1.5% to 2.0%. This change, along with increases to both SRF budgets will boost the nation's SRF investment in tribal water infrastructure by several million dollars in FY 2010.

Statutory Authority:

SDWA Amendments of 1996.

Infrastructure Assistance: Clean Water SRF
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Clean and Safe Water
Objective(s): Protect Water Quality

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$836,929.7***	***$689,080.0***	***$2,400,000.0***	***$1,710,920.0***
Total Budget Authority / Obligations	$836,929.7	$689,080.0	$2,400,000.0	$1,710,920.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Clean Water State Revolving Fund (CWSRF) program provides funds to capitalize state revolving loan funds that finance infrastructure improvements for public wastewater systems and projects to improve water quality. The CWSRF is the largest source of Federal funds for states to provide loans and other forms of assistance for construction of wastewater treatment facilities, implementation of nonpoint source management plans, and development and implementation of estuary conservation and management plans. This program also includes a provision for set-aside funding for tribes to better address serious water infrastructure problems and associated health impacts. This Federal investment is designed to be used in concert with other sources of funds to address water quality needs.

See http://www.epa.gov/owm/cwfinance/cwsrf for more information.

State CWSRFs provide low interest loans to help finance wastewater treatment facilities and other water quality projects. These projects are critical to the continuation of the public health and water quality gains of the past 30 years. EPA estimates that for every Federal CWSRF dollar, at least two dollars are provided to municipalities: the $27 billion invested since CWSRF program inception has been leveraged to provide about $70 billion for clean water projects.[3] The CWSRF program measures and tracks the average national rate at which available funds are loaned, assuring that the fund expeditiously supports EPA's water quality goals.

FY 2010 Activities and Performance Plan:

Recognizing the substantial remaining need for additional wastewater infrastructure as well as the historical effectiveness and efficiency of the CWSRF program, the FY 2010 Budget requests $2.4 billion for the CWSRF. Combined with the FY 2009 funding provided through the American Recovery and Reinvestment Act ($4 billion) and the annual appropriation ($689 million), nearly $7.1 billion will be invested through Federal capitalization grants into the CWSRF over the course of two years. Details about the CWSRF funding in the 2009 American

[3] Clean Water State Revolving Fund National Information Management System. US EPA, Office of Water, National Information Management System Reports: Clean Water State Revolving Fund (CWSRF). Washington, DC.

Recovery and Reinvestment Act (ARRA) are in "Tab 13" of this document. Additional details can be found at http://www.epa.gov/recovery/ and http://www.recovery.gov/.

This Federal investment, along with other traditional sources of financing, will enable substantial progress for the nation's clean water needs, sustainable infrastructure priorities, and it will significantly contribute to the long-term environmental goal of attaining designated uses. To achieve these significant outcomes, EPA continues to work with states to meet several key objectives, such as:

- Funding projects designed as part of an integrated watershed approach;
- Linking projects to environmental results; and
- Maintaining the excellent fiduciary condition of CWSRF.

In FY 2010, the Agency is requesting an increase in the tribal set-aside from 1.5 percent to up to 2 percent, and an increase in the territories set-aside that will increase their total share of funding from 0.25 percent to up to 1.5 percent of the funds appropriated from the CWSRF. The increased resources for the tribes and territories, from within the significant FY 2010 overall request for the CWSRF, will provide much needed assistance to these communities and help meet long-term performance goals and address significant public health concerns.

In addition, to the extent there are sufficient eligible project applications, the Agency will assure that not less than 20 percent of the portion of a capitalization grant made available shall be for projects, or portions of projects, that include green infrastructure, water or energy efficiency improvements or other environmentally innovative activities.

The 2002 Johannesburg World Summit adopted the goal of reducing the number of people lacking access to safe drinking water and basic sanitation by 50 percent by 2015. EPA will support this goal through the CWSRF Indian Set-Aside, which will provide for the development of sanitation facilities for tribes. Even with an increased set-aside, the FY 2010 request will ensure that every state also will get a significant increase.

EPA will also work with state and local partners to develop a sustainability policy for water infrastructure that includes management and pricing to encourage conservation and to provide adequate long-term funding for future capital needs.

Assessments have called for improved measures that capture the broad range of public health and environmental benefits provided by the program. In response, EPA, collaborating with state partners developed better performance measures, as well as a new CWSRF benefits reporting system designed to track public health and environmental goals progress, allowing the program to more effectively link CWSRF financing to the protection and restoration of our nation's waters.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of waterbody segments identified by States in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).	2,165	1,550	2,270	2,525	Number of Segments

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percentage of all major publicly-owned treatment works (POTWs) that comply with their permitted wastewater discharge standards	86	86	86	86	Percent POTWs

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Fund utilization rate for the CWSRF.	98	93.5	94.5	94.5	Percent Rate

Nationally, since 2001, fund utilization has remained relatively stable and strong at over 90 percent. The national ratio is an aggregate of fund activity in the 51 individual CWSRF programs (50 states and Puerto Rico). As such, small year-to-year fluctuations in the value of the national ratio are to be expected and reflect annual funding decisions made by each state based on its assessment and subsequent prioritization of state water quality needs and the availability of financial resources. The Agency expects the loan commitment rate to continue to be strong.

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

- (+$1,710,920.0) This investment will fund important state, tribal, and territories wastewater infrastructure projects. The proposed funds will be used to sustain communities, encourage and support green infrastructure, and preserve and create jobs. The assistance provided to states and communities will strengthen their ability to finance critical projects as documented by the Clean Watershed Needs Survey. This funding increase will address the nation's aging infrastructure and replacement requirements to sustain and achieve the nation's clean water goals.

Statutory Authority:

CWA.

Infrastructure Assistance: Drinking Water SRF
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Clean and Safe Water
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$949,968.9***	***$829,029.0***	***$1,500,000.0***	***$670,971.0***
Total Budget Authority / Obligations	$949,968.9	$829,029.0	$1,500,000.0	$670,971.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Drinking Water State Revolving Fund (DWSRF) is designed to support states in helping public water systems finance the costs of infrastructure improvements needed to achieve or maintain compliance with Safe Drinking Water Act (SDWA) requirements and to protect public health. To reduce occurrences of serious public health threats and to ensure safe drinking water nationwide, EPA is authorized to make capitalization grants to states, so that they can provide low-cost loans and other assistance to eligible public water systems. The program emphasizes that states should provide funds to small and disadvantaged communities and to programs that encourage pollution prevention as a tool for ensuring safe drinking water. The DWSRF is a key component of the EPA's sustainable infrastructure initiative. In addition, to the extent there are sufficient eligible project applications, the Agency will assure that not less than 20 percent of the portion of a capitalization grant made available for DWSRF projects shall be for projects, or portions or projects, that include green infrastructure, water or energy efficiency improvements or other environmentally innovative activities.

States have considerable flexibility to tailor their DWSRF program to their unique circumstances. This flexibility ensures that each state has the opportunity to carefully and strategically consider exactly how best to achieve the maximum public health protection for each dollar expended through the program. For example, states can:

- establish programs to provide additional subsidies, including negative interest loans or principal forgiveness to communities that the state determines to be disadvantaged;
- balance infrastructure investment and programmatic investment; and
- set-aside capitalization grant funds to provide other types of assistance to encourage more efficient and sustainable drinking water system management and to fund programs to protect source water from contamination. (Historically the states have set-aside a total of 16 percent of the funds awarded to them for these purposes, which includes 4 percent to run the program).

For fiscal years 2010-2013, appropriated funds will be allocated to the states in accordance with each state's proportion of total drinking water infrastructure need as determined by the 2007

Needs Survey and Assessment,[4] with the statutory constraint that each state and the District of Columbia receive no less than one percent of the allotment.

The Federal investment is designed to be used in concert with other sources of funds to address drinking water infrastructure needs. States are required to provide a 20 percent match for their capitalization grant. Some states elect to leverage their capitalization grant through the public debt markets to enable the state to provide more assistance. These features, coupled with the revolving fund design of the program, have enabled the states to provide assistance equal to 194 percent of the Federal capitalization invested in the program. In other words, for every $1 the Federal government invests in this program, the states, in total, have been able to deliver $1.94 in assistance to water systems.

Prior to allotting funds to the states, EPA is required by Section 1452(o) of the Safe Drinking Water Act (SDWA), as amended, to set-aside $2 million to pay the costs of small system monitoring for unregulated contaminants. EPA is proposing in FY 2010 to reserve up to 2.0 percent (up from 1.5 percent as outlined in Section 1452 (i) of SDWA, as amended) of appropriated funds for Indian tribes and Alaska Native Villages. These funds are awarded either directly to tribes or, on behalf of tribes, to the Indian Health Service through Interagency Agreements. EPA is also proposing to increase to the territories set aside to up to 1.5 percent (up from 0.33 percent).

(See http://www.epa.gov/safewater/dwsrf.html for more information.)

FY 2010 Activities and Performance Plan:

Providing drinking water that meets health safety standards often requires an investment in the construction or maintenance of drinking water infrastructure. In FY 2010, EPA is requesting a total of $1.5 billion to fund nearly 700 additional infrastructure improvement projects to public drinking water systems. There is a significant backlog of projects that have substantial need for financing through the DWSRF. The requested increase in funding for this program will support urgently needed infrastructure investments to rebuild and enhance America's drinking water infrastructure. In FY 2009, the DWSRF was also funded by the 2009 American Recovery and Reinvestment Act (ARRA), details of which are in "Tab 13" of this document. Additional details can be found at http://www.epa.gov/recovery/ and http://www.recovery.gov/.

The fundamental functions of the DWSRF program are to provide access to financing and to offer a limited subsidy to help utilities moderate the magnitude of water rate increases necessary as they move to address decades of underinvestment in infrastructure repair and replacement. Most DWSRF assistance is offered in the form of loans which water utilities repay from the revenues they generate through the rates they charge their customers for service. Our nation's water utilities face the need to significantly increase the rate at which they invest in drinking water infrastructure repair and replacement to keep pace with their aging infrastructure, much of which is approaching the end of its useful life. At the same time, many utilities that would have traditionally financed infrastructure investment through public debt offerings will be turning to the DWSRF program to secure financing.
In FY 2010 EPA will work with State and local partners to develop a sustainability policy

[4] The 2007 Needs Survey was released in 2009.

including management and pricing to encourage conservation and to provide adequate long-term funding for future capital needs. We also will work with state and local governments to address Federal drinking water policy in order to provide equitable consideration of small system customers.

A recent performance assessment of the DWSRF program found that it had implemented acceptable performance measures. The program also tracks the national long-term average revolving level of the fund to assess long-term sustainability.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Number of additional projects initiating operations.	445	440	445	450	Number of Projects

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Fund utilization rate for the DWSRF.	90	86	89	89	Rate

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches incl. effective treatment & source water protection.	92	90	90	90	Percent Population

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	89	89.5	90	90	Percent Systems

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Number of additional projects initiating	445	440	445	450	Number of Projects

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
	operations.					

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Fund utilization rate for the DWSRF.	90	86	89	89	Rate

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches incl. effective treatment & source water protection.	92	90	90	90	Percent Population

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	89	89.5	90	90	Percent Systems

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

- (+$670,971.0) This change reflects a historic investment in drinking water infrastructure to meet critical long-term water infrastructure needs in thousands of communities across the country. The proposed funds will be used to support sustainable drinking water infrastructure and communities to achieve the public health protection objectives of the Safe Drinking Water Act. EPA, in consultation with its partners, will develop a sustainability policy to encourage conservation and to provide adequate long-term funding for future capital needs. The assistance provided to states and communities will strengthen their ability to finance critical water infrastructure projects and will address the nation's aging infrastructure and replacement requirements to sustain and achieve the nation's drinking water goals.

Statutory Authority:

SDWA.

Infrastructure Assistance: Mexico Border
Program Area: State and Tribal Assistance Grants (STAG)
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
State and Tribal Assistance Grants	***$65,138.5***	***$20,000.0***	***$10,000.0***	***($10,000.0)***
Total Budget Authority / Obligations	$65,138.5	$20,000.0	$10,000.0	($10,000.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The United States and Mexico share more than 2,000 miles of common border. More than 14.6 million people live in the border area, mostly in fifteen "sister city pairs." The rapid increase in population and industrialization in the border cities has overwhelmed existing wastewater treatment and drinking water supply facilities. Untreated and industrial sewage often flows north into the U.S. from Tijuana, Mexicali, and Nogales, and into the Rio Grande. EPA works closely with program partners to evaluate environmental needs and to facilitate the construction of environmental infrastructure through the provision of grant funding for the planning, design, and construction of high priority water and wastewater treatment facilities along the border.

The U.S.-Mexico Border 2012 Program, a joint effort between the U.S. and Mexican governments, will continue to work with the ten border states (four U.S. and six Mexican) and local communities to improve the region's public and environmental health. The U.S. and Mexican governments will work collaboratively to improve water quality along the border through a range of pollution control sanitation projects. This effort will reduce health risks to residents who may currently lack access to safe drinking water. Similarly, by providing homes access to basic sanitation, EPA and its partners will reduce the discharge of untreated domestic wastewater into surface and ground water.

FY 2010 Activities and Performance Plan:

The US-Mexico Border Water Infrastructure Program is in the process of transitioning to a new grants award process to separate the award of planning and design funds from the award of construction funds; the transition will be complete in FY 2011. In FY 2010, the final year of the transition, fully designed projects will be ready for construction funding. The FY 2010 investment of $10 million will fund a portion of the fully designed projects.

Since 1994, Congress has appropriated approximately $973 million to EPA for the U.S.-Mexico Border Water Infrastructure Program. These Border Environment Infrastructure Fund (BEIF) funds currently at the NADBank are assigned to projects that are under development or in construction. To ensure responsible fiscal management of these and future funds, in 2005 the Agency implemented project management enhancements to strengthen the program and reduce the balance of funds held at the NADBank. These enhancements focus on improving fiscal management while improving project completion rates to ensure the timely delivery of safe

drinking water and wastewater infrastructure to communities along the border. Project management enhancements include creating time limits for project development and construction phases and instituting a deadline to start BEIF disbursements within two years of EPA's approval of the project financing package. Further, EPA finalized a fiscal policy in FY 2007 which provides clear direction for the liquidation of funds and completion of older projects. These reforms have led to considerable improvements in the program's unliquidated balances and project completions. As of January 2009, the program has completed 39 of 78 certified projects and reduced the unliquidated BEIF balance to $168.2 million.

In FY 2010, EPA expects to focus on funding construction and does not anticipate funding any design projects. EPA expects to fund two or three construction projects with the $10 million requested for FY 2010. Final decisions on FY 2010 funding will be determined based on the final prioritized project list and the construction readiness of fully designed projects.

In FY 2009, EPA finalized the third bi-annual Border-wide competition of projects using a risk-based prioritization system that enables the program to direct BEIF funding to projects that demonstrate high human health benefits, cost-effectiveness, institutional efficiency and sustainability.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of additional homes provided safe drinking water in the Mexican border area that lacked access to drinking water in 2003.	5,162	2,500	1,500	28,434	More Homes

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of additional homes provided adequate wastewater sanitation in the Mexican border area that lacked access to wastewater sanitation in 2003.	31,686	15,000	105,500	246,175	More Homes

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

- (-$10,000.0) As it continues to implement management controls and a new grant award process to reduce unliquidated obligations, EPA is closely monitoring fund disbursements and project completion rates to ensure timely funding for current and future projects.

Statutory Authority:

Treaty entitled “Agreement between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, August 14, 1983”; CWA.

Program Area: Categorical Grants

Categorical Grant: Beaches Protection

Program Area: Categorical Grants
Goal: Clean and Safe Water
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$10,642.2***	***$9,900.0***	***$9,900.0***	***$0.0***
Total Budget Authority / Obligations	$10,642.2	$9,900.0	$9,900.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

EPA awards grants to eligible coastal and Great Lakes states, territories, and tribes to improve water quality monitoring at beaches and to notify the public of beach warnings and closings. The Beach grant program is a collaborative effort between EPA and states, territories, local governments, and tribes to help ensure that recreational waters are safe for swimming. Congress created the program with the passage of the Beaches Environmental Assessment and Coastal Health Act (BEACH Act) in October 2000 with the goal of improving water quality testing at beaches and to help beach managers better inform the public when there are water quality problems.

EPA awards grants to eligible states, territories, and tribes using an allocation formula developed in consultation with states and other organizations. The allocation takes into consideration: beach season length, beach miles, and beach use.

See http://www.epa.gov/waterscience/ for more information.

FY 2010 Activities and Performance Plan:

States and territories currently monitor 3,602 beaches. To continue making progress on monitoring beaches in FY 2010, EPA expects to:

- Make grant funds available to all 35 eligible states and territories to monitor beach water quality and to notify the public of beach warnings and closings;

- Continue to make available to the public, through EPA's Beach Advisory Closing On-line Notification (BEACON) system, information on the status of beach closings at all monitored beaches; and

- Continue to work with coastal and Great Lakes states, territories, and tribes to address monitoring issues.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of days of beach season that coastal and Great Lakes beaches monitored by State beach safety programs are open and safe for swimming.	95	92.6	93	95	Percent Days/Season

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

- No change in program funding.

Statutory Authority:

CWA; BEACH Act of 2000.

Categorical Grant: Brownfields
Program Area: Categorical Grants
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
State and Tribal Assistance Grants	***$51,070.6***	***$49,495.0***	***$49,495.0***	***$0.0***
Total Budget Authority / Obligations	$51,070.6	$49,495.0	$49,495.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Economic changes over several decades have left thousands of communities with these contaminated properties and abandoned sites. The Agency's Brownfields program coordinates a Federal, state, Tribal, and local government approach to assist in addressing environmental site assessment and cleanup. This program project provides funding to states, local, and Tribal governments in the form of categorical grants.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 128(a), grants are provided to states and tribes for their response programs. The state and Tribal programs address contaminated sites that do not require Federal action, but need cleanup before the sites are considered for reuse. States and tribes may use grant funding for a variety of purposes including developing a public record, capitalizing a Revolving Loan Fund for brownfields, purchasing environmental insurance, and conducting site-specific related activities such as assessments at brownfield sites.[5]

FY 2010 Activities and Performance Plan:

Building the capacity of states and tribes to oversee the cleanup and redevelopment of brownfields will mean more sustained success at the local level, and potentially even higher leveraging of Federal dollars to revitalize communities across the country. The Agency requests $49.495 million in funds to establish or enhance response programs across all 50 states, U.S. territories, and approximately 50 tribes under CERCLA Section 128(a).

Performance Targets:

Work under this program supports the EPA "Communities" objective. The Brownfields Categorical Grant program contributes to the achievement of the "properties assessed" measure.

[5] Refer to http://www.epa.gov/brownfields/state_tribal.htm#grant.

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

- No change in program funding.

Statutory Authority:

CERCLA as amended by SBLRBRA (P.L. 107-118); RCRA Section 8001; GMRA (1990); SWDA; FGCAA.

Categorical Grant: Environmental Information

Program Area: Categorical Grants
Goal: Compliance and Environmental Stewardship
Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$14,402.4***	***$10,000.0***	***$10,000.0***	***$0.0***
Total Budget Authority / Obligations	$14,402.4	$10,000.0	$10,000.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Environmental Information (Exchange Network) is a standards-based, secure information network operating on the Internet to facilitate electronic reporting, sharing, integration, analysis, and use of environmental data from many different sources. Exchange Network grants provide funding to states, territories, Federally-recognized Indian tribes, and Tribal consortia to support their participation in the Exchange Network. These grants help EPA's partners acquire and develop the hardware and software needed to connect to the Exchange Network, and to use the Exchange Network to develop or acquire the data they need with greater efficiencies and to integrate environmental data across programs in ways not possible before. By supporting the exchange and integration of data to meet the partners' program and business needs, the Exchange Network will facilitate better environmental and health decisions, and will enhance public access to environmental data.

FY 2010 Activities and Performance Plan:

Development of the Exchange Network has largely been funded through these grants. Currently all 50 states, 8 tribes, and one territory have submitted data to EPA using the Exchange Network. In FY 2008, 44 states, 6 tribes, and one territory used the Exchange Network to submit data for major regulatory programs and major national data systems. In addition, Exchange Network partners have submitted other non-regulatory data to EPA and have shared data with each other through the Exchange Network. EPA and the states are already reaping tremendous data management and environmental benefits from these activities. For example, the Water Quality Exchange (WQX) has dramatically expanded the proportion of the nation's surface waters for which pollution control officials have near-real-time water quality data. The addition of two states (Texas and Wisconsin), alone, have provided data at an additional 27,000 monitoring locations to Exchange Network partners.

More work is needed to fully realize the potential data management and environmental benefits that the Exchange Network can yield. Therefore, in FY 2010, the Exchange Network Grants Program will emphasize activities in the following four areas:

1) Grow the Exchange Network by developing the necessary infrastructure for tribes, territories and Federal agencies.
2) Support the development and exchange of regulatory and non-regulatory data flows. Because all 50 states have operational connections to the Exchange Network (nodes), the major emphasis of the grant program has shifted toward supporting partners as they expand the number of regulatory data flows, and the development and exchange of non-regulatory data flows such as WQX.
3) Expand data sharing among partners. The Agency plans to solicit applications for projects promoting data sharing for areas where air quality is a regional concern, and for geographic areas of concern, such as the Great Lakes, the Gulf of Mexico, and the Chesapeake Bay.
4) Support multi-partner projects to plan, mentor, and train Exchange Network partners, and to develop and exchange data. These projects help encourage broader participation by existing and new partners; they also support innovation and improve the quality of individual grant products which, in turn, makes it easier to promote their re-use among a larger cross-section of Network partners, making one of the Network's operating principles, "build one, use many times," a reality.

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

Annual appropriations for the Departments of Veterans Affairs, Housing and Urban Development and Independent Agencies, as follows: FY 2002, Public Law 107-73; FY 2003, Public Law 108-7; FY 2004, Public Law 108-199; FY 2005, Public Law 108-447; FY 2007, Public Law 109-54; FY 2008, Public Law 110-161.

Categorical Grant: Hazardous Waste Financial Assistance

Program Area: Categorical Grants
Goal: Land Preservation and Restoration
Objective(s): Preserve Land; Restore Land

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$101,740.4***	***$101,346.0***	***$106,346.0***	***$5,000.0***
Total Budget Authority / Obligations	$101,740.4	$101,346.0	$106,346.0	$5,000.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Resource Conservation and Recovery Act (RCRA) directs EPA to assist state programs through the Hazardous Waste Financial Assistance Grants program. The states propose legislation and upgrade regulations to achieve equivalence with the Federal Hazardous Waste Management program and then apply to EPA for authorization to administer the program. The state grants provide for the implementation of an authorized hazardous waste management program for the purpose of controlling the generation, transportation, treatment, storage, and disposal of hazardous wastes, including controlling and cleaning up past and continuing releases from hazardous waste management facilities through corrective action. This funding also provides for the direct implementation of the RCRA program for the States of Iowa and Alaska, which have not been authorized to operate in lieu of the Federal program. Funding distributed through these grants also supports tribes, where appropriate, in conducting hazardous waste work on Tribal lands.

FY 2010 Activities and Performance Plan:

In FY 2010, additional funding will be provided for the following activities accomplished by states and by EPA for Iowa and Alaska, using RCRA Hazardous Waste Financial Assistance funds:

- Increase the number of RCRA hazardous waste management facilities with permits, permit renewals, or other approved controls to meet the proposed FY 2014 Strategic Plan goal. This includes the following activities:
  - Issue operating and post-closure permits or use appropriate enforcement mechanisms to address environmental risk at inactive land-based facilities.
  - Approve closure plans for interim status treatment and storage facilities that are not seeking permits to operate and work with the facilities to clean-close those units.
  - Issue permit renewals for hazardous waste management facilities to keep permit controls up to date.

- Issue permit modifications, as needed.

- Operate comprehensive compliance monitoring and enforcement actions related to the RCRA hazardous waste program.

- Work with facilities to complete site assessments, control human exposures and the migration of contaminated groundwater, and make determinations regarding construction of final remedies as part of the efforts toward meeting the proposed FY 2014 goals for the RCRA Corrective Action program.

EPA developed efficiency measures to improve performance of the RCRA Corrective Action and RCRA Base, Permits and Grants programs. The efficiency measures for these programs will show the number of final remedy components constructed or RCRA facilities brought under controls, respectively, each year per million dollars of program cost.

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):

- (+$5,000.0) This change reflects additional funding for grantees as part of the grant allocations in support of hazardous waste management oversight.

Statutory Authority:

SDWA, Sections 3011 (a) and (c) as amended; RCRA of 1976, as amended; Public Law 94-580, 42 U.S.C. 6901 et seq. Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act; Public Law 105-276; 112 Stat. 2461, 2499 (1988).

Categorical Grant: Homeland Security

Program Area: Categorical Grants
Goal: Clean and Safe Water
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$5,688.0***	***$4,950.0***	***$0.0***	***($4,950.0)***
Total Budget Authority / Obligations	$5,688.0	$4,950.0	$0.0	($4,950.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

EPA provides grants to states for coordination activities for critical water infrastructure security efforts. These activities include coordinating and providing technical assistance, training, and education within the state or territory on homeland security issues (particularly with homeland security offices and emergency response officials) relating to: ensuring the quality of drinking water utility vulnerability assessments and associated security enhancements; communicating vision, mission, and goals of the Water Sector-Specific Plan and the key features of an active and effective security program; helping to ensure best security practices for small systems; promoting outreach and education at small systems; promoting mutual aid compacts development; supporting the development of system redundancy, a national laboratory system, and disaster mitigation plans; and developing and overseeing emergency response and recovery plans. Emergency response and recovery plan implementation activities include table-top workshops, exercises, drills, response protocols, or other activities focusing on implementing security enhancements and improving the readiness of individuals and groups involved in first response at a drinking water system.

FY 2010 Activities and Performance Plan:

There is no request for this program in FY 2010.

Performance Targets:

Work under this program supports EPA's Protect Human Health objective. Currently, there are no performance measures for this specific Program.

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

- (-$4,950.0) This change eliminates the homeland security grants for drinking water and wastewater systems due to low use of funding over a number of years and decreased state demand for these funds resulting from completion of high priority activities associated with the Bioterrorism Act of 2002.

Statutory Authority:

SDWA; CWA; Public Health Security and Bioterrorism Emergency and Response Act of 2002.

Categorical Grant: Lead

Program Area: Categorical Grants
Goal: Healthy Communities and Ecosystems
Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$14,699.7***	***$13,564.0***	***$14,564.0***	***$1,000.0***
Total Budget Authority / Obligations	$14,699.7	$13,564.0	$14,564.0	$1,000.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Recent data from the Centers for Disease Control document tremendous progress on the government's goal of eliminating childhood lead poisoning as a public health concern. EPA's Lead Risk Reduction program contributes to the goal of alleviating the threat to human health, particularly to young children, from environmental lead exposure in the following ways:\

- Establishes standards governing lead abatement practices and maintains a national pool of lead abatement professionals trained and certified to implement those standards;
- Provides information to housing occupants so they can make informed decisions and take actions about lead hazards in their homes;
- Establishes lead-safe work practice standards governing renovation, repair and painting of target housing and child-occupied facilities; and
- Works to establish a national pool of renovation contractors trained and certified to implement those standards.

The Lead Categorical Grant program contributes to the lead program's goals by establishing and maintaining a national pool of trained and certified lead remediation professionals and trained and certified renovation contractors. The program also engages in outreach to educate populations deemed most at risk of exposure to lead from lead-based paint, dust, and soil. See http://www.epa.gov/opptintr/lead/index.html for more information.

FY 2010 Activities and Performance Plan:

In FY 2010, the target year for achievement of the federal government's goal of eliminating childhood lead poisoning as a public health concern, the program will continue providing assistance to states, territories, the District of Columbia, and tribes to develop and implement authorized programs for lead-based paint remediation. These programs provide specialized individual training, accreditation of training programs, and the certification of contractors engaged in lead-based paint remediation.

EPA will continue to implement the lead-based paint activities through the Training and Certification program in areas without authorization through direct implementation by the Agency. Activities conducted as part of this program include the certification of individuals and firms engaged in lead-based paint abatement and inspection activities and the accreditation of qualified training providers. Since their inception in 1998, the state, Tribal and Federal programs have certified more than 24,000 individuals.

In FY 2010, EPA will focus on implementation of a final regulation to address lead-safe work practices for renovation, repair, and painting. The additional funding will help accelerate the program's certification and training of contractors to provide additional support for the Department of Housing and Urban Development's work under the Lead Hazard Reduction program provided in the American Recovery and Reinvestment Act of 2009. Other activities will include training and certification requirements as well as updating accreditation requirements for training courses.

To meet the Federal goal of eliminating childhood lead poisoning by 2010, EPA recognizes that additional attention and assistance must be given to our most vulnerable populations – those with rates of lead poisoning in excess of the national average, and those living in areas where conditions indicate potentially high rates of lead poisoning but where screening has not yet occurred with sufficient frequency. To address this issue, in FY 2010 EPA will continue to award targeted grants to reduce childhood lead poisoning. These grants are available to a wide range of applicants, including state and local governments, Federally-recognized Indian tribes and Tribal consortia, territories, institutions of higher learning, and nonprofit organizations.

EPA uses the following measures to evaluate the program: Percent difference in the geometric mean blood level in low-income children 1-5 years old as compared to the geometric mean for non-low income children 1-5 years old, and annual percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process. EPA also has improved the consistency of grantee and regional accountability and improved the linkage between program funding and program goals with an emphasis on grant and contract funding. See http://www.epa.gov/opptintr/lead/index.html for additional information.

Performance Targets:

Activities for this appropriation support measures listed for Toxic Substances: Lead Risk Reduction Program (EPM).

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

- (+$1,000.0) This increase accelerates the program's certification and training of contractors to provide additional support for the Department of Housing and Urban Development's work under the Lead Hazard Reduction program provided in the American Recovery and Reinvestment Act of 2009.

Statutory Authority:

TSCA.

Categorical Grant: Local Govt Climate Change

Program Area: Categorical Grants
Goal: Clean Air and Global Climate Change
Objective(s): Reduce Greenhouse Gas Intensity

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$0.0***	***$10,000.0***	***$0.0***	***($10,000.0)***
Total Budget Authority / Obligations	$0.0	$10,000.0	$0.0	($10,000.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The FY 2009 Enacted Budget included $10,000,000 for EPA's Air and Radiation program to initiate a new, competitive grant program to assist local communities in establishing and implementing their own climate change initiatives. The goal of this program is to implement programs, projects, and approaches, which demonstrate documentable reductions in greenhouse gases and are replicable elsewhere. While the Agency anticipates this program will lead to emission reductions, the Agency will rely on existing EPA partnership programs to achieve future greenhouse gas reductions.

FY 2010 Activities and Performance Plan:

There is no request for this program in FY 2010.

Performance Targets:

Currently, there are no performance measures for this specific Program.

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

- (-$10,000.0) The FY 2010 President's Budget does not continue funding for these grants.

Statutory Authority:

P.L. 111-8 (H.R. 1105), 123 STAT. 524.

Categorical Grant: Nonpoint Source (Sec. 319)

Program Area: Categorical Grants
Goal: Clean and Safe Water
Objective(s): Protect Water Quality

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$207,166.5***	***$200,857.0***	***$200,857.0***	***$0.0***
Total Budget Authority / Obligations	$207,166.5	$200,857.0	$200,857.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Nonpoint source pollution, caused by runoff that carries excess nutrients, toxics and other contaminants to waterbodies, is the greatest remaining source of surface and ground water quality impairments and threats in the United States. Grants under Section 319 of the Clean Water Act (CWA) are provided to states, territories, and tribes to help them implement their EPA-approved nonpoint source (NPS) management programs by remediating past NPS pollution and preventing or minimizing new NPS pollution.

Section 319 broadly authorizes states to use a range of tools to implement their programs, including: regulatory and non-regulatory programs, technical assistance, financial assistance, education, training, technology transfers, and demonstration projects. States currently focus $100 million of their Section 319 funds on the development and implementation of watershed-based plans that are designed to restore impaired waters (listed under CWA Section 303(d)) to meet water quality standards.

See http://www.epa.gov/fedrgstr/EPA-WATER/2003/October/Day-23/w26755.htm for more information.

FY 2010 Activities and Performance Plan:

The pervasiveness of nonpoint source pollution requires cooperation and involvement from EPA, other Federal agencies, the states, and concerned citizens to solve NPS pollution problems. In FY 2010, EPA will work closely with and support the many efforts of states, interstate agencies, tribes, local governments and communities, watershed groups, and others to develop and implement their local watershed-based plans and restore surface and ground waters nationwide.

States will continue to develop and implement watershed-based plans to restore impaired waterbodies to meet water quality standards. These watershed-based plans, a key emphasis of the national nonpoint source control program, will move EPA toward the strategic goal of more waters attaining designated uses and enable states to determine the most cost-effective means to meet their water quality goals through: the analysis of sources and relative significance of pollutants of concern; cost-effective techniques to address those sources; availability of needed

resources, authorities, and community involvement to effect change; and monitoring that will enable states and local communities to track progress and make changes over time that they deem necessary to meet their water quality goals. Full requirements for these plans are described in detail in the NPS program grant guidelines. For more information see http://www.epa.gov/owow/nps/cwact.html.

EPA will continue to forge and strengthen strategic partnerships with the agricultural and forestry communities, developers, and other groups that have an interest in achieving water quality goals in a cost-effective manner. Agricultural sources of pollution in the form of excess fertilizer or pesticides have had a particularly profound effect on water quality. Therefore, EPA will work closely with the U.S. Department of Agriculture (USDA) to ensure that Federal resources -- including both Section 319 grants and Farm Bill funds -- are managed in a coordinated manner to protect water quality from agricultural pollution sources. More broadly, EPA will work with states to ensure that they develop and implement their watershed-based plans in close cooperation with state conservationists, soil and water conservation districts, and all other interested parties within the watersheds.

EPA will continue to track the steady increases in the cumulative dollar value and number of nonpoint source projects financed with Clean Water State Revolving Funds (CWSRF) loans to prevent polluted runoff. Properly managed onsite/decentralized systems are an important part of the nation's wastewater infrastructure and EPA will encourage state, Tribal, and local governments to adopt effective management systems and use CWSRF loans to finance systems where appropriate.

The annual output measures are to annually reduce the amount of runoff of phosphorus, nitrogen, and sediment through Section 319 funded projects by 4.5 million pounds, 8.5 million pounds, and 700 thousand tons, respectively. All three of these measures have been exceeded in each year, except for 2005, when they were partially met. EPA believes that exceptions reflect the natural variability of the type and scope of projects implemented each year. For example, some states are currently focusing on remediating waters that have been 303(d)-listed for other pollutants that are not nationally tracked for load reduction calculations, such as pathogens, temperature, or acidity.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Estimated additional reduction in million pounds of nitrogen from nonpoint sources to waterbodies. (Section 319 funded projects only.)	N/A	8.5	8.5	8.5	Pounds in Millions

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Estimated annual reduction in millions of pounds of phosphorus from nonpoint sources to waterbodies. (Section 319 funded projects only.)	Data Avail. 2009	4.5	4.5	4.5	Pounds in Millions

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Estimated additional reduction in thousands of tons of sediment from nonpoint sources to waterbodies. (Section 319 funded projects only.)	Data Avail. 2009	700,000	700,000	700,000	Tons

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

- No change in program funding.

Statutory Authority:

CWA.

Categorical Grant: Pesticides Enforcement

Program Area: Categorical Grants
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
State and Tribal Assistance Grants	***$20,098.6***	***$18,711.0***	***$18,711.0***	***$0.0***
Total Budget Authority / Obligations	$20,098.6	$18,711.0	$18,711.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Pesticide Enforcement grants ensure pesticide product and user compliance with provisions of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Areas of focus include inspections relating to pesticide worker safety protection, antimicrobial products, food safety, adverse effects, and e-commerce. The program provides compliance assistance to the regulated community through such resources as EPA's National Agriculture Compliance Assistance Center, seminars, guidance documents, brochures, and outreach to foster knowledge of and compliance with environmental laws pertaining to pesticides.[6] The program also sponsors training for state/Tribal inspectors through the Pesticide Inspector Residential Program (PIRT) and for state/Tribal managers through the Pesticide Regulatory Education Program (PREP).

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will award state and Tribal enforcement grants to assist in the implementation of the compliance and enforcement provisions of FIFRA. These grants support state and Tribal compliance and enforcement activities designed to protect the environment from harmful chemicals and pesticides. EPA's support to state and Tribal pesticide programs will emphasize pesticide worker protection standards, high risk pesticide activities including antimicrobials, pesticide misuse in urban areas, and the misapplication of structural pesticides. States also will continue to conduct compliance monitoring inspections on core pesticide requirements.

Performance Targets:

Performance targets for this program are undergoing revision.

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

- No change in program funding.

Statutory Authority:

FIFRA.

[6] For additional information, refer to: www.epa.gov/compliance/state/grants/fifra.html.

Categorical Grant: Pesticides Program Implementation

Program Area: Categorical Grants
Goal: Healthy Communities and Ecosystems
Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$14,014.7***	***$12,970.0***	***$13,520.0***	***$550.0***
Total Budget Authority / Obligations	$14,014.7	$12,970.0	$13,520.0	$550.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

EPA's mission as related to pesticides is to protect human health and the environment from pesticide risk and to realize the value of pesticide availability by considering the economic, social and environmental costs and benefits of the use of pesticides. The Agency provides grants to assist states, tribes and partners with worker safety activities, protection of endangered species and water sources from pesticide exposure, and promotion of environmental stewardship. In addition, the Agency provides grants to promote stronger Tribal pesticide programs. The Agency achieves this goal through implementation of its statutes and regulatory actions.

Pesticides program implementation grants ensure that pesticide regulatory decisions made at the national level are translated into results on the local level. States and tribes provide essential support in implementing pesticides programs, give input regarding effectiveness and soundness of regulatory decisions, and develop data to measure program performance. Under pesticide statutes, responsibility for ensuring proper pesticide use is in large part delegated to states and tribes. Grant resources allow states and tribes to be effective regulatory partners. EPA's philosophy is to provide resources for those closest to the source of potential risks from pesticides since they are in a position to better evaluate risks and implement risk reduction measures.

FY 2010 Activities and Performance Plan:

Certification and Training/Worker Protection

Through the Certification and Training/Worker Protection programs, EPA protects workers, pesticide applicators/handlers, employers, and the public from the potential risks posed by pesticides in their homes and work environments. EPA will continue to provide assistance and grants to implement the Certification and Training/Worker Protection programs. Grant funding will provide for maintenance and improvements in training networks, safety training to workers and pesticide handlers, development of *Train the Trainer* courses, workshops, and development and distribution of outreach materials. The Agency's partnership with states and tribes in educating workers, farmers, and employers on the safe use of pesticides and worker safety will

continue to be a major keystone in the success of the Agency's human health protection. (See http://www.epa.gov/oppfod01/safety/applicators/applicators.htm.)

Endangered Species Protection Program (ESPP)

The ESPP protects animals and plants whose populations are threatened by risks associated with pesticide use. EPA complies with Endangered Species Act requirements to ensure that its regulatory decisions are not likely to jeopardize species listed as endangered and threatened, or harm habitat critical to those species' survival. EPA will provide grants to states and tribes for projects supporting endangered species protection. Program implementation includes outreach, communication, education related to use limitations, review and distribution of Endangered Species Protection Bulletins, and mapping and development of endangered species protection plans. This initiative supports the Agency's mission to protect the environment from pesticide risk.

Protection of Water Sources from Pesticide Exposure

Protecting the nation's water sources from possible pesticide contamination is another component of EPA's environmental protection efforts. The Agency provides funding through cooperative agreements to states and Tribal pesticide lead agencies to investigate and respond to water resource contamination by pesticides. States and tribes are also expected to evaluate local pesticides that have potential to contaminate water resources, and take steps to prevent or reduce contamination where pesticide concentrations approach or exceed levels of concern.

Pesticide Environmental Stewardship Program (PESP):

The PESP is a voluntary program that forms partnerships between EPA and pesticide user groups to reduce pesticide use and risk through pollution prevention strategies and promoting the use of Integrated Pest Management (IPM) techniques. PESP currently has almost 200 partner/supporter organizations ranging from federal partners (e.g., Department of Defense) to state partners (e.g., Maryland Department of Agriculture), to trade associations and individual companies.

EPA will continue to support risk reduction by providing assistance to promote the use of safer alternatives to traditional chemical methods of pest control. EPA supports the development and evaluation of new pest management technologies that contribute to reducing both health and environmental risks from pesticide use. For additional information, see http://www.epa.gov/oppbppd1/PESP/index.htm.

Tribal

The Agency will support Tribal activities in implementing pesticide programs through grants. Tribal program outreach activities support Tribal capacity to protect human health by reducing risk from pesticides in Indian country. This task is challenging given that aspects of Native Americans' lifestyles, such as subsistence fishing or consumption of plants that were specifically grown as food and possibly exposed to pesticides not intended for food use, may increase

exposure to some chemicals or create unique chemical exposure scenarios. For additional information, please visit http://www.epa.gov/oppfead1/tribes/.

EPA also supports environmental justice communities through the pesticides programs described above and in 2010 will improve pesticide control practices through enhanced education and outreach in these communities.

Performance Targets:

Work under this program supports the Chemical and Pesticide Risks objective. Currently there are no performance measures specific to this program.

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

- (+$550.0) This increase will support multi-lingual education, outreach and training materials to address emerging pest control issues in environmental justice communities.

Statutory Authority:

PRIA 2; FIFRA; FFDCA; FQPA; ESA.

Categorical Grant: Pollution Control (Sec. 106)

Program Area: Categorical Grants
Goal: Clean and Safe Water
Objective(s): Protect Water Quality

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$243,836.1***	***$218,495.0***	***$229,264.0***	***$10,769.0***
Total Budget Authority / Obligations	$243,836.1	$218,495.0	$229,264.0	$10,769.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Section 106 of the Clean Water Act (CWA) authorizes EPA to provide Federal assistance to states (including territories and the District of Columbia), tribes qualified under CWA Section 518(e), and interstate agencies to establish and maintain adequate measures for the prevention and control of surface and ground water pollution from point and nonpoint sources. Prevention and control measures supported through these grants include permitting, pollution control studies, water quality planning, monitoring and assessment, standards development, Total Maximum Daily Load (TMDL) development, surveillance and enforcement, pretreatment programs, advice and assistance to local agencies, training, public information, and oil and hazardous materials response. The grants also may be used to provide "in-kind" support through an EPA contract if a state or tribe so requests.

FY 2010 Activities and Performance Plan:

The Section 106 grant program supports prevention and control measures that improve state water quality management program through:

- Standards development;
- Monitoring and assessment;
- Permitting and enforcement;
- Advice and assistance to local agencies; and
- Provision of training and public information.

In FY 2010, EPA will continue to work with states, interstate agencies, and tribes to foster a "watershed approach" as the guiding principle of their clean water programs. This approach conducts and assesses monitoring efforts, develops Total Maximum Daily Load (TMDL), writes National Pollution Discharge Elimination System (NPDES) permits, and regulates Concentrated Animal Feeding Operations (CAFOs) with the goal of sustaining and improving the entire watershed. The increase of $10.8 million will advance efforts in implementing all of these programs.

In FY 2010, $18.5 million will be designated for states and tribes under the Monitoring Initiative: $8.5 million for monitoring as part of statistically-valid reports on national water condition, and $10 million for states to implement their monitoring strategies. EPA will assist states with the adoption of statistically-valid surveys for their state-level monitoring program.

In FY 2010, EPA, states, and tribes will collaborate to: issue a statistically-valid baseline condition report of lakes nationwide; analyze, in conjunction with additional partners, samples for a statistically-valid survey of rivers and streams to be published in a FY 2012 report highlighting changes in stream condition since 2006; sample coastal waters for a fifth statistically-valid survey; and conduct planning for a wetlands baseline survey to be completed and published in a FY 2013 report. Monitoring Initiative funds also will be used for sampling and analysis for a wetland condition survey.

EPA's goal is to achieve greater integration of Federal, regional, state, and local level monitoring efforts to connect monitoring and assessment activities across geographic scales in a cost-efficient and effective manner. This will ensure that scientifically defensive monitoring data is available to address issues and problems at each of these scales.

In impaired watersheds, EPA policy guides states to develop Total Maximum Daily Loads (TMDLs), critical tools for meeting water restoration goals, within 8 to 13 years from the time the impairment is identified on a 303(d) list. While the pace of TMDL completion has been affected as states have begun to tackle more challenging TMDLs, such as the recently approved broad-scale mercury TMDL for the Northeast Region and the nutrient TMDLs for the Mississippi River Delta Region, they are still encouraged by EPA to develop TMDLs as expeditiously as practicable. EPA also will continue to work with states to facilitate accurate, comprehensive, and georeferenced data made available to the public via the Assessment, TMDL Tracking, and Implementation System (ATTAINS). States and EPA have made significant progress in the development and approval of TMDLs. Cumulatively, more than 30,000 state TMDLs were completed through FY 2008 and more than 2,900 state TMDLs are expected to be developed in FY 2010. Resources in this program will continue to support TMDL implementation via NPDES permits.

The states will continue to implement the "*Permitting for Environmental Results Strategy*," which focuses resources on the most critical environmental problems through program assessments, permit quality reviews, and other actions to ensure the integrity of the program, concentrating on environmental results by tracking priority permits and encouraging trading and watershed-based permitting, and fostering efficiency in permitting program operations. Recent court decisions concerning vessel discharges and pesticides have significant potential to increase the universe of permitted entities. The actual magnitude of the increase is still unknown.

New regulations were finalized in FY 2008 for discharges from Concentrated Animal Feeding Operations (CAFOs). The revised regulations address the Second Circuit's 2005 decision in Waterkeeper Alliance et al. v. EPA and require EPA and authorized states to issue permits for an expanded universe (from the 1974 regulations) of CAFOs that discharge or propose to discharge

to waters of the U.S. In FY 2010, states must issue permits that comply with these regulatory requirements as well as revise their regulations to adopt the provisions of the new regulations.

States and authorized tribes will continue to review and update their water quality standards as required by the CWA. The Agency's goal is that 85 percent of state and territorial submissions will be approvable in FY 2010. EPA also encourages states to continually review and update water quality criteria in their standards to reflect the latest scientific information from EPA and other sources. EPA's goal for FY 2010 is that 66 percent of states will have updated their standards to reflect the latest scientific information in the past three years.

A key performance measure for the Surface Water Protection program is the percentage of water body segments, identified by states in 2002 as not attaining standards, where water quality standards are now attained. EPA state partners play a key role in developing and implementing plans and documenting progress made toward reaching the FY 2012 target for this measure. EPA is working with states to develop detailed plans documenting how stakeholders will work together to achieve these goals.

See http://www.epa.gov/owm/cwfinance/pollutioncontrol.htm for more information.

The Agency has been successful in meeting or exceeding performance targets and continues to target, through an allocation formula, a portion of the appropriated funds to support statistically-valid surveys of water condition.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of States & Territories that, within the preceding 3-yr. period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific info from EPA or sources not considered in previous standards.	62.5	68	68	66	Percent States/Terr.

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of high priority state NPDES permits that are scheduled to be reissued.	120	95	95	95	Percent Permits

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Cost per impaired water segment now fully attaining standards.	547,676	643,119	708,276	769,661	Dollars Per Segment

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Number of TMDLs that are established by States and approved by EPA [State TMDL] on schedule consistent with national policy (cumulative).	30,658	28,527	33,540	36,495	Number of TMDLs

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.	23.9	22.5	22.5	22.5	Percent Dischargers

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of waterbody segments identified by States in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).	2,165	1,550	2,270	2,525	Number of Segments

Note: A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms "approved" and "established" refer to the completion of the TMDL itself.

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

- (+$10,769.0) This increase is for states' core water quality programs for activities such as addressing the NPDES expanded universe of regulated entities, including CAFOs, and to tackle more difficult TMDLs for pollutants such as mercury and nutrients.

Statutory Authority:

CWA.

Categorical Grant: Pollution Prevention

Program Area: Categorical Grants
Goal: Compliance and Environmental Stewardship
Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$5,076.8***	***$4,940.0***	***$4,940.0***	***$0.0***
Total Budget Authority / Obligations	$5,076.8	$4,940.0	$4,940.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Pollution Prevention (P2) program is one of EPA's primary tools for encouraging environmental stewardship by the Federal government, industry, communities, and individuals, both domestically and globally. The program employs a combination of collaborative efforts, innovative programs, and technical assistance and education to support stakeholder efforts to minimize and prevent adverse environmental impacts by preventing the generation of pollution at the source. For more information, please visit http://www.epa.gov/p2/.

FY 2010 Activities and Performance Plan:

In FY 2010, the P2 grant program will continue assisting businesses in identifying better environmental strategies and solutions for reducing or eliminating waste at the source. Funds awarded through this grant program to states and state entities (i.e., colleges and universities) and Federally-recognized tribes and Intertribal Consortia help to support work with businesses and industry to reduce the release of potentially harmful pollutants across all environmental media including air, water, and land. The program supports projects that reflect comprehensive and coordinated pollution prevention planning and implementation efforts within the state or tribe to ensure that businesses and industry have ample opportunities to implement pollution prevention as a cost-effective way of meeting or exceeding Federal and state regulatory requirements.

P2 grants are awarded by EPA's Regional offices. This enables the Agency to focus these resources on regional priorities. In addition to supporting traditional P2 technical assistance programs, many states have utilized P2 grants to assist businesses by initiating regulatory integration projects to develop prevention strategies in state core media programs, train regulatory staff on P2 concepts, and examine opportunities for incorporating pollution prevention into permits, inspections, and enforcement. States also have established programs in non-industrial sectors such as agriculture, energy, health, and transportation.

The Agency also will continue to support the Pollution Prevention Information Network grant program which funds the services of a network of regional centers, collectively called the Pollution Prevention Resource Exchange (P2Rx) that provides information to state technical

assistance centers. For more information, please visit http://www.epa.gov/p2/pubs/grants/ppis/ppis.htm.

EPA obtains and evaluates Science Advisory Board Report recommendations for improving performance measures to better demonstrate Pollution Prevention results and works to reduce barriers confronted by industry and others in implementing source reduction.

Performance Targets:

Activities for this appropriation support OMB program assessment measures listed for the Pollution Prevention program funded under EPA's Environmental Program Management account.

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

- No change in program funding.

Statutory Authority:

PPA; TSCA.

Categorical Grant: Public Water System Supervision (PWSS)

Program Area: Categorical Grants
Goal: Clean and Safe Water
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$101,503.0***	***$99,100.0***	***$105,700.0***	***$6,600.0***
Total Budget Authority / Obligations	$101,503.0	$99,100.0	$105,700.0	$6,600.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Public Water System Supervision (PWSS) grant program provides grants to states and tribes with primary enforcement authority (primacy) to implement and enforce National Primary Drinking Water Regulations (NPDWRs). These grants help to ensure the safety of the nation's drinking water resources and thereby protect public health.

NPDWRs set forth monitoring, reporting, compliance tracking, and enforcement elements to ensure that the nation's drinking water supplies do not contain substances at levels that may pose adverse health effects. These grants are a key implementation tool under the Safe Drinking Water Act (SDWA) and support the states' role in a Federal/state partnership of providing safe drinking water supplies to the public. Grant funds are used by states to:

- Provide technical assistance to owners and operators of water systems;
- Maintain compliance data systems;
- Compile and analyze compliance information;
- Respond to violations;
- Certify laboratories;
- Conduct laboratory analyses;
- Conduct sanitary surveys;
- Draft new regulations and legislative provisions where necessary; and
- Build state capacity.

Not all states and tribes have primary enforcement authority. Funds allocated to the State of Wyoming, the District of Columbia, and Indian tribes without primacy are used to support direct implementation activities by EPA in those locations, for developmental grants, and for "treatment in a similar manner as a state" (TAS) grants to Indian tribes to develop the PWSS program on Indian lands with the goal of Tribal authorities achieving primacy.

(See http://www.epa.gov/safewater/pws/pwss.html for more information.)

FY 2010 Activities and Performance Plan:

EPA will continue to support state and Tribal efforts to meet new and existing drinking water standards through the PWSS grant program. In FY 2010, EPA is requesting $6.6 million to assist states in complying with drinking water standards which includes conducting sanitary surveys for an additional 140,000 ground water systems as required under the SDWA. The Agency will continue to emphasize that states should use their PWSS funds to ensure that:

1) Drinking water systems of all sizes achieve or remain in compliance;

2) Drinking water systems of all sizes are meeting new health-based standards and are prepared for new regulatory requirements (*e.g.*, Long Term 2 Enhanced Surface Water Treatment Rule or "LT2", Stage 2 Disinfectants and Disinfection Byproducts Rule or "Stage 2", and Ground Water Rule or "GWR");

3) Data quality issues are identified and addressed; and

4) All systems are having sanitary surveys conducted according to the required schedule.

The states are the primary implementers of the national drinking water program and ensure that the systems within their jurisdiction are in compliance with drinking water rules. Thus, while there is not a separate measure for the PWSS grant program to the states, the performance measures directly contribute to the PWSS grant program on the number of community water systems that supply drinking water meeting all health-based standards.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	89	89.5	90	90	Percent Systems

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches incl. effective treatment &	92	90	90	90	Percent Population

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
	source water protection.					

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	89	89.5	90	90	Percent Systems

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches incl. effective treatment & source water protection.	92	90	90	90	Percent Population

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

- (+$6,600.0) This change will assist the states in complying with drinking water standards; particularly, to conduct sanitary surveys for the additional 140,000 ground water systems as required under SDWA and the Ground Water Rule. The change also will allow states to better support technical, managerial, and financial capacity development for small water systems, and to identify system deficiencies and determine steps needed to protect public health.

Statutory Authority:

SDWA.

Categorical Grant: Radon

Program Area: Categorical Grants
Goal: Clean Air and Global Climate Change
Objective(s): Healthier Indoor Air

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$10,007.4***	***$8,074.0***	***$8,074.0***	***$0.0***
Total Budget Authority / Obligations	$10,007.4	$8,074.0	$8,074.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

EPA's non-regulatory indoor radon program promotes voluntary public action to reduce health risk from indoor radon (second only to smoking as a cause of lung cancer). EPA assists states and tribes through the State Indoor Radon Grant Program (SIRG), which provides categorical grants to develop, implement, and enhance programs to assess and mitigate radon risks. States and tribes are the primary implementers of radon testing and mitigation programs. This voluntary program includes national, Regional, state, and Tribal programs and activities that promote radon risk reduction activities.

FY 2010 Activities and Performance Plan:

In FY 2010, states will:

- Continue to encourage risk reduction actions among consumers, homeowners, real estate professionals, homebuilders, and local governments;

- Work with EPA to ensure that SIRG funds achieve the following results: homes mitigated, homes built with radon resistant new construction, and schools mitigated or built with radon resistant new construction; and

- Work with EPA to align performance measures.

The Indoor Air program is not regulatory. Instead, EPA works toward its goal by conducting research and promoting appropriate risk reduction actions through voluntary education and outreach programs. The Agency will continue to focus on making efficiency improvements and plans to improve transparency by making state radon grantee performance data available to the public via a website or other easily accessible means.

The State Indoor Radon Grants fund outreach and education programs in most states to reduce the public-health impact of radon, with an average award per state of $160,000 annually. EPA targets this funding to support states with the greatest populations at highest risk and supplements grant dollars with technical support to transfer "best practices" from high-achieving states to promote effective program implementation across the nation.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of additional homes (new and existing) with radon reducing features	Avail. 2009	225,000	265,000	280,000	Homes

In FY 2010, EPA's goal is to add 280,000 homes with radon reducing features, bringing the cumulative number of U.S. homes with radon reducing features to over two million. EPA estimates that this cumulative number will prevent over 900 future premature cancer deaths (each year these radon reducing features are in place). EPA will track progress against the efficiency measure, included in the table above, triennially with the next planned report date in FY 2010.

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

- No change in program funding.

Statutory Authority:

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

Categorical Grant: Sector Program

Program Area: Categorical Grants
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
State and Tribal Assistance Grants	***$1,666.3***	***$1,828.0***	***$1,828.0***	***$0.0***
Total Budget Authority / Obligations	$1,666.3	$1,828.0	$1,828.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Strong State and Tribal Enforcement and Compliance Assurance programs are essential to achieving EPA's mission of protecting the environment and public health. Effective partnerships between EPA and government co-implementers are crucial for success in implementing approaches to ensure compliance with environmental laws and regulations.

Sector program grants build environmental partnerships with states and tribes to strengthen their ability to address environmental and public health threats, including contaminated drinking water, pollution caused by wet weather events, pesticides in food, toxic substances, and air pollution. These capacity building grants support state and Tribal agencies that are responsible for implementing authorized, delegated, or approved environmental programs.[7]

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will continue to support states and tribes in their efforts to build, implement, or improve compliance capacity for authorized, delegated, or approved environmental programs. FY 2010 annual funding priorities for the multi-media compliance and enforcement grants program include: 1) improving compliance data collection and quality, 2) modernizing data systems, 3) improving public access to enforcement and compliance data, and 4) providing compliance training to states and tribes to enhance their compliance monitoring capacity. The grants and/or cooperative agreements are competed for nationally. In many cases, these are the only funds available to assist states and tribes in strengthening and building their programs in these areas.

Performance Targets:

Work under this program supports EPA's objective to achieve environmental protection through compliance. Currently, there are no performance measures for this specific program.

[7] For more information, refer to: www.epa.gov/compliance/state/grants/stag/index.html

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

- No change in program funding.

Statutory Authority:

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

Categorical Grant: State and Local Air Quality Management

Program Area: Categorical Grants
Goal: Clean Air and Global Climate Change
Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$226,155.9***	***$224,080.0***	***$226,580.0***	***$2,500.0***
Total Budget Authority / Obligations	$226,155.9	$224,080.0	$226,580.0	$2,500.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program includes funding for multi-state, state, and local air pollution control agencies. Section 103 of the Clean Air Act provides EPA with the authority to award grants to a variety of agencies, institutions, and organizations, including the air pollution control agencies funded from the STAG appropriation, to conduct and promote certain types of research, investigations, experiments, demonstrations, surveys, studies, and training related to air pollution. Section 105 of the Clean Air Act provides EPA with the authority to award grants to state and local air pollution control agencies to develop and implement continuing programs for the prevention and control of air pollution and for the implementation of National Ambient Air Quality Standards (NAAQS) set to protect public health and the environment. The continuing programs funded under Section 105 include development and operation of air quality monitoring networks. Section 106 of the Clean Air Act provides EPA with the authority to fund interstate air pollution transport commissions to develop or carry out plans for designated air quality control Regions.

FY 2010 Activities and Performance Plan:

In FY 2010, the Agency will undertake air toxics monitoring and assessment activities at high priority schools throughout the country. EPA will work in partnership with state and local governments to assess the data from monitoring at schools and determine how best to proceed, which could involve additional monitoring or enforcement action where appropriate.

Although there is no definite schedule for updating State Implementation Plans (SIPs), there are a number of events that trigger SIP updates. For example, when EPA promulgates a new NAAQS, states must update their SIPs within three years. In FY 2010, EPA will work with states to correct any deficiencies in their FY 2008 and FY 2009 SIP submissions, and provide technical assistance in implementing their plans for the 8-hour ozone standard, the $PM_{2.5}$ standard, the lead standard, and Regional haze.

In October 2006, EPA revised the Particulate Matter ($PM_{2.5}$) NAAQS for 24-hour concentrations making it more stringent. Due to recent court action, the Agency is reviewing the annual standard which was not revised. Although the final rule did not revise network design criteria, a number of states voluntarily shifted monitoring equipment to new locations to investigate

possible problem areas with respect to the revised NAAQS. The final rule also provided that there be a better balance of filter-based and continuous methods employed to ensure more objectives would be served by each monitoring agencies' network.

The October 2006 final $PM_{2.5}$ NAAQS rule also established a new requirement for a network of about 55 "NCore" multi-pollutant monitoring sites, which must be operational by 2011. Among other measurements, these sites are required to monitor for $PM_{10-2.5}$ mass concentrations and speciation profiles, types of monitoring not previously required anywhere. EPA and states have already been working together on a voluntary basis to establish this network. In early FY 2010, EPA will be approving the sites, while states will acquire any remaining new equipment, and become proficient in its operation. Finally, as improved technologies for monitoring PM on a continuous basis are commercialized and approved as official methods, states are expected to transition to wider use of continuous methods in preference to older filter-based methods that have higher operating costs.

In the spring of 2008, EPA strengthened the ozone NAAQS and committed to proposing new requirements for monitoring of ozone in smaller urban areas and non-urban areas. The Agency expects a proposal on additional monitoring requirements to be published in late FY 2009 which may result in additional ozone monitoring needs among state and local agencies in FY 2010. Utilizing data from existing monitors, EPA will provide assistance to state and local air agencies in developing recommendations in the spring of calendar year 2009 for the designations of attainment and nonattainment areas under the new standard(s). EPA will then prepare to publish final designations for a potential new ozone standard by the spring of 2010.

In October of 2008, EPA substantially strengthened the NAAQS for lead, by revising the standards to a level ten times tighter than the previous standards. To ensure protection with the revised NAAQS, EPA is improving the lead monitoring network by requiring monitors to be placed in areas with sources such as industrial facilities that emit one ton or more per year of lead and in urban areas with more than 500,000 people. Due to the small number of operating lead monitors, EPA will be working closely with affected monitoring agencies to deploy this revised network with near-source monitors to be operational by January 1, 2010 and the rest of the network to be operational by January 1, 2011.

As part of its commitment to review each NAAQS according to the Clean Air Act, EPA is planning to propose revisions to the Nitrogen Dioxide (NO_2) NAAQS by June of 2009, with a final by January of 2010. Any revisions to the NAAQS may have implications for monitoring, including the possibility of a revised monitoring design. EPA will work closely with states on any such changes to the NO_2 monitoring design. After NO_2, EPA also has committed to a review of the Sulfur Dioxide (SO_2) primary NAAQS, and the NO_2 and SO_2 secondary NAAQS, all within FY 2010. Each of these may result in changes to monitoring requirements.

This program also supports state and local characterization of air toxics problems and implementation of measures to reduce health risks from air toxics. These measures include support for state efforts in implementing Maximum Available Control Technology (MACT) standards for major and area sources. Funding for the characterization work includes collection and analysis of emissions data and monitoring of ambient air toxics. In FY 2010, funds for air

toxic ambient monitoring will support the National Air Toxics Trends Stations (NATTS), consisting of 27 air toxics monitoring sites operated and maintained by state and local air pollution control agencies across the country, and the associated quality assurance, data analysis, and methods support.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Cumulative percent reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.	Avail. 2009	25	29	33	Percentage

- Achieve a 33 percent cumulative reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.

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

- (+$2,500.0) This increase supports additional air toxics monitoring and assessment activities at high priority schools nationwide.

Statutory Authority:

CAA, Sections 103, 105, and 106.

Categorical Grant: Toxics Substances Compliance

Program Area: Categorical Grants
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
State and Tribal Assistance Grants	***$5,273.6***	***$5,099.0***	***$5,099.0***	***$0.0***
Total Budget Authority / Obligations	$5,273.6	$5,099.0	$5,099.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Toxic Substances Compliance grants program builds environmental partnerships with states and Tribes to strengthen their ability to address environmental and public health threats from toxic substances such as Polychlorinated Biphenyls (PCBs), asbestos and lead. State grants are used to ensure compliance with standards for the proper use, storage, and disposal of PCBs. Proper handling prevents persistent bio-accumulative toxic substances from contaminating food and water. The asbestos funds ensure compliance with standards to prevent exposure of school children, teachers, and staff to asbestos fibers in school buildings. The funds also support compliance with other Toxic Substances Control Act (TSCA) asbestos regulations such as the Asbestos Ban and Phase-out Rule. The program assures that asbestos and lead abatement workers have received proper training and certification to ensure protection during the abatement process and minimize the public's exposure to these harmful toxic substances.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA's Enforcement and Compliance Assurance program will continue to award state and Tribal grants to assist in the implementation of compliance and enforcement provisions of TSCA. These grants protect the public and the environment from PCBs, asbestos, and lead. States receiving grants for the PCB program and for asbestos programs must contribute 25 percent of the total cost of the grant. In FY 2010, EPA plans to continue to incorporate technology such as the use of portable personal computers and specific inspection software to improve efficiencies of the inspection process and support state and Tribal inspection programs.

Performance Targets:

Work under this program supports EPA's objective to achieve environmental protection through compliance. 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:

TSCA.

Categorical Grant: Tribal Air Quality Management

Program Area: Categorical Grants
Goal: Clean Air and Global Climate Change
Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$12,066.9***	***$13,300.0***	***$13,300.0***	***$0.0***
Total Budget Authority / Obligations	$12,066.9	$13,300.0	$13,300.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program includes funding for Tribal air pollution control agencies and/or Tribes. Through Clean Air Act (CAA) Section 105 grants, Tribes may develop and implement programs for the prevention and control of air pollution or implementation of national primary and secondary ambient air standards. Through CAA Section 103 grants, Tribal air pollution control agencies or Tribes, colleges, universities, or multi-tribe jurisdictional air pollution control agencies and/or non-profit organizations may conduct and promote research, investigations, experiments, demonstrations, surveys, studies, and training related to air pollution.

FY 2010 Activities and Performance Plan:

With EPA funding, Tribes will assess environmental and public health conditions on Tribal lands and, where appropriate, site and operate air quality monitors. Tribes will continue to develop and implement air pollution control programs for their reservations, acting "as states" to prevent and address air quality concerns. EPA will continue to fund organizations for the purpose of providing technical support, tools, and training for Tribes to build capacity to develop and implement programs as appropriate.

In addition, in FY 2010, Tribes will build expertise to effectively collaborate and negotiate in the early and later stages of energy development. They will conduct needed monitoring and modeling to assess impacts and develop guidance as related to energy development.

To improve the Air Quality Grants and Permitting Program, EPA has updated current grant allocation processes to ensure resources are properly targeted and will continue to develop measures of permit program efficiency and make program adjustments.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Cumulative percent reduction in the number of days with Air Quality Index	Avail. 2009	25	29	33	Percentage

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
	(AQI) values over 100 since 2003, weighted by population and AQI value.					

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Cumulative percent reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003 per grant dollar allocated to the States in support of the NAAQS program.	Avail. 2009	29	29	29	Percentage

- Achieve a 33 percent cumulative reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.

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

- No change in program funding.

Statutory Authority:

CAA, Sections 103 and 105.

Categorical Grant: Tribal General Assistance Program

Program Area: Categorical Grants
Goal: Compliance and Environmental Stewardship
Objective(s): Improve Human Health and the Environment in Indian Country

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$58,628.8***	***$57,925.0***	***$62,875.0***	***$4,950.0***
Total Budget Authority / Obligations	$58,628.8	$57,925.0	$62,875.0	$4,950.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

In 1992, Congress established the Indian Environmental General Assistance Program (GAP) to provide a mechanism for Federal efforts to assist Tribal governments in assuring environmental protection on Indian lands. The purpose of GAP is to support development of Tribal environmental protection programs. See http://www.epa.gov/indian/laws3.htm for more information.

GAP provides general assistance grants to build capacity to administer environmental regulatory programs that may be authorized by EPA in Indian country and provides technical assistance in the development of multimedia programs to address environmental issues on Indian lands. GAP grants help build the basic components of a Tribal environmental program which may include planning, developing, and establishing the administrative, technical, legal, enforcement, communication and outreach infrastructure. Some uses of GAP funds are to:

- Assess the status of a tribe's environmental condition;
- Develop appropriate environmental programs and ordinances;
- Conduct public education and outreach efforts to ensure that Tribal communities are informed and able to participate in environmental decision-making; and
- Promote communication and coordination between Federal, state, local and Tribal environmental officials.

FY 2010 Activities and Performance Plan:

In FY 2010, GAP grants will assist Tribal governments to build environmental capacity to assess environmental conditions, utilize available Federal and other information, and build environmental programs tailored to their needs. GAP funding levels will help 45 additional tribes develop environmental programs and will sustain the ability of current recipients to maintain access to an environmental presence in Indian country. These grants also will be used to develop environmental education and outreach programs, develop and implement integrated

solid waste management plans, and alert EPA to serious conditions that pose immediate public health and ecological threats.

EPA continues to improve program accountability by implementing a revised database system called the Tribal Program Management System (TPMS) to help standardize, centralize, and integrate regional data, and assign accountability for data quality. In FY 2010, EPA will continue working to enhance the GAP Online workplan development and reporting system for improved data management and access to grant information. This new electronic system, in conjunction with the updated guidance, helps emphasize outcome-based results.

An independent program evaluation of the GAP program was conducted to determine GAP's effectiveness in building Tribal environmental capacity. The reports concluded that GAP is successful in building a foundation of environmental capacity among tribes, as defined as capability in one or more of five indicator areas – technical, legal, enforcement, administrative and communications. Although the extent of capacity building varies across indicator areas for tribes, GAP funding is essential for tribes to achieve their environmental goals. See "Evaluation of the Tribal General Assistance Program (GAP)" http://intranet.epa.gov/Program_Evaluation_Library/pdfs/GAPFinalReport.pdf for more information.

The Inspectors General of EPA and the Department of Interior jointly released a report in May 2007, "Tribal Successes, Protecting the Environmental and Natural Resources," which highlights successful environmental protection practices by tribes. EPA's Tribal activities were positively viewed in this report. EPA will continue efforts to further assist tribes in establishing environmental protection through collaboration, partnerships and other practices that lead to Tribal success. See "Tribal Success, Protecting the Environment and Natural Resources": http://www.epa.gov/oig/reports/2007/20070503-2007-P-00022JT.pdf for more information.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of Tribes conducting EPA approved environmental monitoring and assessment activities in Indian country (cumulative.)	34	21	23	25	Percent of Tribes

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of Tribes with an environmental program (cumulative).	28	57	60	63	Percent of Tribes

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Efficiency	Number of environmental programs implemented in Indian Country per million dollars.	Data unavailable	14.1	14.2	12.5	Programs

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of Tribes implementing federal regulatory environmental programs in Indian country (cumulative).	11	6	7	8	Percent of Tribes

The efficiency measure for the GAP program reads: "*Number of environmental programs implemented in Indian country per million dollars."* This measure reflects environmental program implementation in Indian country in relation to the level of dollars available to tribes under the EPA program statutorily targeted to this objective. It is expressed as a ratio between environmental programs implemented and million dollars of GAP funding available to tribes.

- In FY 2010, EPA will operate at an efficiency of approximately 12.5 programs per million dollars.

- In FY 2010, all federally-recognized tribes and intertribal consortia, a universe of 572 eligible entities, will have access to an environmental presence.

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

- (+$4,950.0) This increase will allow 45 more tribes to have an environmental presence in Indian country to support environmental infrastructure and capacity building efforts.

Statutory Authority:

Indian Environmental General Assistance Program Act, 42 U.S.C. § 4368b (1992), as amended.

Categorical Grant: Underground Injection Control (UIC)

Program Area: Categorical Grants
Goal: Clean and Safe Water
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$12,114.5***	***$10,891.0***	***$10,891.0***	***$0.0***
Total Budget Authority / Obligations	$12,114.5	$10,891.0	$10,891.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Underground Injection Control (UIC) program is implemented by Federal and state government agencies that oversee underground injection activities in order to prevent contamination of underground sources of drinking water. Traditional underground injection is the disposal of fluids beneath the earth's surface in porous rock formations through wells or other similar conveyance systems. Billions of gallons of fluids are injected underground, including 89 percent of hazardous waste that is land disposed and the practice is now being considered for long-term storage of carbon dioxide.

When wells are properly sited, constructed, and operated, underground injection is an effective method of managing fluids. The Safe Drinking Water Act established the UIC program to provide safeguards so that injection wells do not endanger current and future underground sources of drinking water. The most accessible underground fresh water is stored in shallow geological formations (*i.e.*, shallow aquifers), and is the most vulnerable to contamination.

EPA provides financial assistance in the form of grants to states that have primary enforcement authority (primacy) to implement and maintain UIC programs. Eligible Indian tribes who demonstrate intent to achieve primacy also may receive grants for the initial development of UIC programs and be designated for treatment as a "state" if their programs are approved. Where a jurisdiction is unable or unwilling to assume primacy, EPA uses grant funds for direct implementation of Federal UIC requirements. EPA directly implements programs in ten states and shares responsibility in seven states.

(See http://www.epa.gov/safewater/uic.html for more information.)

FY 2010 Activities and Performance Plan:

Ensuring safe underground injection of fluids, including waste-fluids, is a fundamental component of a comprehensive source water protection program that, in turn, is a key element in the Agency's multi-barrier approach. The UIC program continues to manage or close the approximately 700,000 shallow injection wells (Class V) to protect our ground water resources.

In FY 2010, states and EPA (where EPA directly implements) will continue to carry out regulatory functions for all well types. In addition, states and EPA will continue to process UIC permit applications for experimental carbon sequestration projects and gather information from these pilots to facilitate the permitting of large scale commercial carbon sequestration following finalization of the GS regulation. Similarly, states and EPA will process UIC permits for other nontraditional injection streams such as desalination brines and treated waters injected for storage and recovered at a later time.

The program is working to develop an annual performance measure and efficiency measure to demonstrate the protection of source water quality.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of identified Class V motor vehicle waste disposal wells and other high priority Class V wells closed or permitted.	88	90	75	80	Percent Class V Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches include effective treatment & source water protection.	92	90	90	90	Percent Population

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of deep injection wells that are used to inject industrial, municipal or hazardous wastes (Class I) that lose mechanical integrity and are returned to compliance within 180 days thereby reducing the potential to endanger underground			89	92	Percent Class I Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
	sources of drinking water.					

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of deep injection wells that are used to enhance oil/natural gas recovery or for the injection of other (Class II) fluids associated with oil and natural gas production that have lost mechanical integrity and are returned to compliance within 180 days thereby reducing the potential to endanger underground sources of drinking water.				89	Percent Class II Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of deep injection wells that are used for salt solution mining (Class III) that lose mechanical integrity and are returned to compliance within 180 days thereby reducing the potential to endanger underground sources of drinking water.			91	93	Percent Class III Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of identified Class V motor vehicle waste disposal wells and other high priority Class V wells closed or permitted.	88	90	75	80	Percent Class V Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches include effective treatment & source water protection.	92	90	90	90	Percent Population

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of deep injection wells that are used to inject industrial, municipal or hazardous wastes (Class I) that lose mechanical integrity and are returned to compliance within 180 days thereby reducing the potential to endanger underground sources of drinking water.			89	92	Percent Class I Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of deep injection wells that are used to enhance oil/natural gas recovery or for the injection of other (Class II) fluids associated with oil and natural gas production that have lost mechanical integrity and are returned to compliance within 180 days thereby reducing the potential to endanger underground sources of drinking water.				89	Percent Class II Wells

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Output	Percent of deep injection wells that are used for salt solution mining (Class III) that lose mechanical integrity and are returned to compliance within 180 days thereby reducing the potential to endanger underground sources of drinking water.			91	93	Percent Class III Wells

EPA has developed annual measures for the UIC program that support the long-term targets. These measures are indicators of the effectiveness of the UIC program in preventing contamination of underground sources of drinking water (USDWs) and protecting public health. These measures demonstrate how the UIC program is helping to reduce risks to underground sources of drinking water and protect public health.

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

- No change in program funding.

Statutory Authority:

SDWA.

Categorical Grant: Underground Storage Tanks

Program Area: Categorical Grants
Goal: Land Preservation and Restoration
Objective(s): Preserve Land

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$3,600.7***	***$2,500.0***	***$2,500.0***	***$0.0***
Total Budget Authority / Obligations	$3,600.7	$2,500.0	$2,500.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

While the Energy Policy Act of 2005 expanded the eligible use of LUST funds to include certain release prevention/detection activities, it did not authorize LUST funds for all prevention/detection activities. Thus, some states still need STAG money to fund some basic programmatic functions not otherwise authorized for LUST funding. EPA recognizes that the size and diversity of the regulated community puts state authorities in a good position to regulate Underground Storage Tanks (USTs) and to set priorities. In furtherance of that goal, EPA provides funding to states under the authority of Section 2007(f)(2) of the Solid Waste Disposal Act (SWDA), through Performance Partnership Agreements and through the UST categorical grants for release detection and release prevention activities to encourage owners and operators to properly operate and maintain their USTs. For more information, refer to http://www.epa.gov/swerust1/overview.htm.

EPA will make grants to states under Section 2007 of the Solid Waste Disposal Act to support core program activities as well as some Energy Policy Act (EPAct) of 2005 leak prevention activities. Major activities for these Underground Storage Tank (UST) categorical grants focus on developing and maintaining state programs with sufficient authority and enforcement capabilities to operate in lieu of the Federal program, and ensuring that owners and operators routinely and correctly monitor all regulated tanks and piping in accordance with UST regulations.[8] EPA also will assist the states in implementing the EPAct provisions such as conducting on-site inspections on the three-year cycle, prohibiting delivery to noncompliant tanks, and requiring either secondary containment for new tank systems or financial responsibility for manufacturers and installers.

There are over 623,000 active USTs at approximately 235,000 sites that are regulated by the UST technical regulations under Subtitle I of Resource Conservation and Recovery Act (RCRA). These regulations seek to ensure that USTs are designed and operated in a manner that prevents the tanks from leaking, and when leaks do occur, to detect and clean up those leaks as soon as possible. EPA provides funding to states, tribes, and intertribal consortia, regulates these programs, develops guidelines, and provides technical assistance to develop state capacity to

[8] Refer to http://www.epa.gov/OUST/fedlaws/title42ch82-IX12-08.pdf.

encourage owners and operators to properly operate and maintain their underground storage tanks.

FY 2010 Activities and Performance Plan:

In FY 2010, EPA will continue to focus attention on the need to bring all UST systems into compliance with release detection and release prevention requirements, and implement the provisions of EPAct. States will continue to use the UST categorical grant funding to implement their leak prevention and detection programs.[9] Specifically with these UST categorical grants, states will fund such activities as:

- Approving specific technologies to detect leaks from tanks;
- Ensuring that tank owners and operators are complying with notification and other requirements;
- Ensuring equipment compatibility;
- Conducting inspections;
- Implementing operator training;
- Prohibiting delivery for non-complying facilities;
- Seeking state program approval to operate the UST program in lieu of the Federal program; and
- Requiring secondary containment or financial responsibility for tank manufacturers and installers.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Increase the percentage of UST facilities that are in significant operational compliance (SOC) with both release detection and release prevention requirements by 0.5% over the previous year's target.	66	68	65	65.5	percent

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Minimize the number of confirmed releases at UST facilities to 9,000 or fewer each year.	7,364	<10,000	<9,000	<9,000	UST releases

[9] For more information on grant guidelines under EPAct see: http://www.epa.gov/OUST/fedlaws/epact_05.htm.

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

- No change in program funding.

Statutory Authority:

SWDA of 1976, as amended by the Superfund Amendments and Reauthorization Act of 1986 (Subtitle I), Section 2007(f), 42 U.S.C. 6916(f)(2); EPAct of 2005, Title XV - Ethanol And Motor Fuels, Subtitle B - Underground Storage Tank Compliance, Sections 1521 - 1533, P.L. 109-58, 42 U.S.C. 15801.

Categorical Grant: Wetlands Program Development

Program Area: Categorical Grants
Goal: Healthy Communities and Ecosystems
Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2008 Actuals	FY 2009 Enacted	FY 2010 Pres Bud	FY 2010 Pres Bud v. FY 2009 Enacted
State and Tribal Assistance Grants	***$15,985.2***	***$16,830.0***	***$16,830.0***	***$0.0***
Total Budget Authority / Obligations	$15,985.2	$16,830.0	$16,830.0	$0.0
Total Workyears	1.0	0.0	0.0	0.0

Program Project Description:

The Wetland Program Development Grants (WPDG) enable EPA to provide technical and financial support to assist states, tribes, and local governments toward the national goal of an overall increase in the acreage and condition of wetlands. Grants are used to develop new or refine existing state and Tribal wetland programs in one or more of the following areas: monitoring and assessment, voluntary restoration and protection, regulatory programs, and wetland water quality standards. States and tribes develop program elements based on their goals and resources. Grants support development of state and Tribal wetland programs that further the goals of the Clean Water Act (CWA) and improve water quality in watersheds throughout the country. Grants are awarded on a competitive basis under the authority of Section 104(b)(3) of the CWA. See http://www.epa.gov/owow/wetlands/initiative/#financial for more information.

FY 2010 Activities and Performance Plan:

Strong state and Tribal wetland programs are an essential complement to the Federal CWA Section 404 regulatory program. The WPDGs are EPA's primary resource for supporting state and Tribal wetland programs. Resources in FY 2010 will assist states and tribes to develop and enhance any of four core elements of a comprehensive program: monitoring and assessment, voluntary restoration and protection, regulatory programs, and wetland water quality standards. Through these program elements, states and tribes can assess wetland location and condition, document stresses or improvements to wetland condition, provide incentives for wetland restoration and protection, and develop regulatory controls to avoid, minimize, and compensate for wetland impacts. For further information on the core elements of a state/tribal wetland program please see: http://www.epa.gov/owow/wetlands/initiative/estp.html.

The 2006 National Wetlands Inventory Status and Trends Report, released by the U.S. Fish and Wildlife Service (FWS), reports the quantity and type of wetlands in the coterminous United States. The report shows that overall gains in wetland acres exceeded overall losses from 1998 through 2004 at a rate of 32,000 acres per year. This gain is primarily attributable to an increase in unvegetated freshwater ponds, which may have varying functional value.

Performance Targets:

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	In partnership with the U.S. Army Corps of Engineers, states, and tribes, achieve no net loss of wetlands each year under the Clean Water Act Section 404 regulatory program.	Data Avail 12/2009	No Net Loss	No Net Loss	No Net Loss	Acres

Measure Type	Measure	FY 2008 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target	Units
Outcome	Number of acres restored and improved, under the 5-Star, NEP, 319, and great waterbody programs (cumulative)	82,875	75,000	88,000	96,000	Acres/year

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

- No change in program funding.

Statutory Authority:

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; CWA; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; WRDA; 1909 The Boundary Waters Treaty; 1978 GLWQA; 1987 GLWQA; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy; U.S.-Canada Agreements.