

**Environmental Protection Agency  
2009 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2009 Annual Performance Plan and Congressional Justification**

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

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b>State and Tribal Assistance Grants</b>					
Budget Authority	\$3,337,543.9	\$2,744,450.0	\$2,937,051.0	\$2,621,952.0	(\$315,099.0)
Total Workyears	0.0	0.0	0.0	0.0	0.0

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

<b>Program Project</b>	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
State and Tribal Assistance Grants (STAG)					
Infrastructure Assistance: Clean Water SRF	\$1,039,998.4	\$687,554.0	\$689,080.0	\$555,000.0	(\$134,080.0)
Infrastructure Assistance: Drinking Water SRF	\$800,695.0	\$842,167.0	\$829,029.0	\$842,167.0	\$13,138.0
Congressionally Mandated Projects	\$150,200.2	\$0.0	\$143,723.0	\$0.0	(\$143,723.0)
Infrastructure Assistance: Alaska Native Villages	\$34,907.5	\$15,500.0	\$24,610.0	\$15,500.0	(\$9,110.0)
Brownfields Projects	\$85,865.8	\$89,258.0	\$93,518.0	\$93,558.0	\$40.0
Clean School Bus Initiative	\$4,523.6	\$0.0	\$0.0	\$0.0	\$0.0
Diesel Emissions Reduction Grant Program					
EPAAct & Related Authorities Implementation	\$0.0	\$35,000.0	\$49,220.0	\$49,220.0	\$0.0
CA Emission Reduction Project Grants	\$0.0	\$0.0	\$9,844.0	\$0.0	(\$9,844.0)
Subtotal, Diesel Emissions Reduction Grant Program	\$0.0	\$35,000.0	\$59,064.0	\$49,220.0	(\$9,844.0)
Infrastructure Assistance: Mexico Border	\$96,452.7	\$10,000.0	\$19,688.0	\$10,000.0	(\$9,688.0)
Subtotal, State and Tribal Assistance Grants (STAG)	\$2,212,643.2	\$1,679,479.0	\$1,858,712.0	\$1,565,445.0	(\$293,267.0)
Categorical Grants					
Categorical Grant: Beaches	\$10,573.4	\$9,900.0	\$9,746.0	\$9,900.0	\$154.0

<b>Program Project</b>	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
Protection					
Categorical Grant: Brownfields	\$50,556.9	\$49,495.0	\$48,723.0	\$49,495.0	\$772.0
Categorical Grant: Environmental Information	\$15,830.8	\$12,850.0	\$9,844.0	\$11,000.0	\$1,156.0
Categorical Grant: Hazardous Waste Financial Assistance	\$104,650.9	\$103,346.0	\$101,734.0	\$103,346.0	\$1,612.0
Categorical Grant: Homeland Security	\$3,730.2	\$4,950.0	\$4,873.0	\$4,950.0	\$77.0
Categorical Grant: Lead	\$22,935.5	\$13,564.0	\$13,352.0	\$13,564.0	\$212.0
Categorical Grant: Nonpoint Source (Sec. 319)	\$209,889.6	\$194,040.0	\$200,857.0	\$184,540.0	(\$16,317.0)
Categorical Grant: Pesticides Enforcement	\$19,063.6	\$18,711.0	\$18,419.0	\$18,711.0	\$292.0
Categorical Grant: Pesticides Program Implementation	\$13,319.3	\$12,970.0	\$12,768.0	\$12,970.0	\$202.0
Categorical Grant: Pollution Control (Sec. 106)					
Monitoring Grants	\$13,246.5	\$18,500.0	\$18,211.0	\$18,500.0	\$289.0
Categorical Grant: Pollution Control (Sec. 106) (other activities)	\$197,964.3	\$203,164.0	\$199,995.0	\$203,164.0	\$3,169.0
Subtotal, Categorical Grant: Pollution Control (Sec. 106)	\$211,210.8	\$221,664.0	\$218,206.0	\$221,664.0	\$3,458.0
Categorical Grant: Pollution Prevention	\$6,121.9	\$5,940.0	\$4,863.0	\$4,940.0	\$77.0
Categorical Grant: Public Water System Supervision (PWSS)	\$97,461.9	\$99,100.0	\$97,554.0	\$99,100.0	\$1,546.0
Categorical Grant: Radon	\$7,915.0	\$8,074.0	\$7,948.0	\$8,074.0	\$126.0
Categorical Grant: Sector Program	\$1,360.9	\$2,228.0	\$1,209.0	\$1,828.0	\$619.0
Categorical Grant: State and Local Air Quality Management	\$208,567.3	\$185,180.0	\$216,825.0	\$185,580.0	(\$31,245.0)
Categorical Grant: Targeted Watersheds	\$4,582.0	\$0.0	\$9,844.0	\$0.0	(\$9,844.0)
Categorical Grant: Toxics Substances Compliance	\$5,710.3	\$5,099.0	\$5,019.0	\$5,099.0	\$80.0
Categorical Grant: Tribal Air Quality Management	\$11,840.5	\$10,940.0	\$10,769.0	\$13,300.0	\$2,531.0
Categorical Grant: Tribal General Assistance Program	\$61,569.8	\$56,925.0	\$56,037.0	\$57,925.0	\$1,888.0
Categorical Grant: Underground Injection Control (UIC)	\$10,150.8	\$10,891.0	\$10,721.0	\$10,891.0	\$170.0
Categorical Grant: Underground Storage Tanks	\$29,459.4	\$22,274.0	\$2,461.0	\$22,800.0	\$20,339.0
Categorical Grant: Wastewater Operator Training	\$828.1	\$0.0	\$0.0	\$0.0	\$0.0
Categorical Grant: Water Quality Cooperative Agreements	\$1,258.1	\$0.0	\$0.0	\$0.0	\$0.0

<b>Program Project</b>	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
Categorical Grant: Wetlands Program Development	\$16,313.7	\$16,830.0	\$16,567.0	\$16,830.0	\$263.0
Subtotal, Categorical Grant: Wetlands Program Development	\$16,313.7	\$16,830.0	\$16,567.0	\$16,830.0	\$263.0
Subtotal, Categorical Grants	\$1,124,900.7	\$1,064,971.0	\$1,078,339.0	\$1,056,507.0	(\$21,832.0)
TOTAL, EPA	\$3,337,543.9	\$2,744,450.0	\$2,937,051.0	\$2,621,952.0	(\$315,099.0)

<b>FY 2009 President's Budget</b>					
<b>STAG Resources</b>					
<b>(Dollars in Thousands)</b>					
		<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>
Alaskan Native Villages		\$34,907.5	\$15,500.0	\$24,610.0	\$15,500.0
Brownfields Infrastructure Projects		\$85,865.8	\$89,258.0	\$93,518.0	\$93,558.0
Clean School Bus Initiative*		\$4,523.6	\$0.0	\$0.0	\$0.0
Clean Water State Revolving Fund		\$1,039,998.4	\$687,554.0	\$689,080.0	\$555,000.0
Congressional Projects		\$150,200.2	\$0.0	\$143,723.0	\$0.0
Diesel Emission Reduction Grants		\$0.0	\$35,000.0	\$59,064.0	\$49,220.0
Drinking Water State Revolving Fund		\$800,695.0	\$842,167.0	\$829,029.0	\$842,167.0
Mexico Border		\$96,452.7	\$10,000.0	\$19,688.0	\$10,000.0
State/Tribal Categorical Grant Assistance		\$1,124,900.7	\$1,064,971.0	\$1,078,339.0	\$1,056,507.0
Rescission of Balances from Prior Years		\$0.0	-\$5,000.0	-\$5,000.0	-\$10,000.0
<b>TOTAL</b>		<b>\$3,337,543.9</b>	<b>\$2,739,450.0</b>	<b>\$2,932,051.0</b>	<b>\$2,611,952.0</b>
* The Clean School Bus Initiative activities are now part of the Diesel Emission Reduction Grants program.					

**Program Projects In STAG**  
(Dollars in Thousands)

<b>Program Project</b>	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2008 Enacted v. FY 2009 Pres Bud</b>
Brownfields Projects	\$85,865.8	\$89,258.0	\$93,518.0	\$93,558.0	\$40.0
Categorical Grant: Beaches Protection	\$10,573.4	\$9,900.0	\$9,746.0	\$9,900.0	\$154.0
Categorical Grant: Brownfields	\$50,556.4	\$49,495.0	\$48,723.0	\$49,495.0	\$772.0
Categorical Grant: Environmental Information	\$15,830.8	\$12,850.0	\$9,844.0	\$11,000.0	\$1,156.0
Categorical Grant: Hazardous Waste Financial Assistance	\$104,650.9	\$103,346.0	\$101,734.0	\$103,346.0	\$1,612.0
Categorical Grant: Homeland Security	\$3,730.2	\$4,950.0	\$4,873.0	\$4,950.0	\$77.0
Categorical Grant: Lead	\$22,935.5	\$13,564.0	\$13,352.0	\$13,564.0	\$212.0
Categorical Grant: Nonpoint Source (Sec. 319)	\$209,889.6	\$194,040.0	\$200,857.0	\$184,540.0	(\$16,317.0)
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Categorical Grant: Pollution Prevention	\$6,121.9	\$5,940.0	\$4,863.0	\$4,940.0	\$77.0
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Categorical Grant: Radon	\$7,915.0	\$8,074.0	\$7,948.0	\$8,074.0	\$126.0
Categorical Grant: Sector Program	\$1,360.9	\$2,228.0	\$1,209.0	\$1,828.0	\$619.0
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Categorical Grant: Targeted Watersheds	\$4,582.0	\$0.0	\$9,844.0	\$0.0	(\$9,844.0)
Categorical Grant: Toxics Substances Compliance	\$5,710.3	\$5,099.0	\$5,019.0	\$5,099.0	\$80.0
Categorical Grant: Tribal Air Quality Management	\$11,840.5	\$10,940.0	\$10,769.0	\$13,300.0	\$2,531.0
Categorical Grant: Tribal General Assistance Program	\$61,569.8	\$56,925.0	\$56,037.0	\$57,925.0	\$1,888.0
Categorical Grant: Underground Injection Control (UIC)	\$10,150.8	\$10,891.0	\$10,721.0	\$10,891.0	\$170.0
Categorical Grant: Underground Storage Tanks	\$29,459.4	\$22,274.0	\$2,461.0	\$22,800.0	\$20,339.0
Categorical Grant: Wastewater Operator Training	\$828.1	\$0.0	\$0.0	\$0.0	\$0.0
Categorical Grant: Water Quality Cooperative Agreements	\$1,258.1	\$0.0	\$0.0	\$0.0	\$0.0

Categorical Grant: Wetlands Program Development	\$16,313.7	\$16,830.0	\$16,567.0	\$16,830.0	\$263.0
Clean School Bus Initiative*	\$4,523.6	\$0.0	\$0.0	\$0.0	\$0.0
Congressionally Mandated Projects	\$150,200.2	\$0.0	\$143,723.0	\$0.0	(\$143,723.0)
Diesel Emission Reduction Grants	\$0.0	\$35,000.0	\$59,064.0	\$49,220.0	(\$9,844.0)
Infrastructure Assistance: Alaska Native Villages	\$34,907.5	\$15,500.0	\$24,610.0	\$15,500.0	(\$9,110.0)
Infrastructure Assistance: Clean Water SRF	\$1,039,998.4	\$687,554.0	\$689,080.0	\$555,000.0	(\$134,080.0)
Infrastructure Assistance: Drinking Water SRF	\$800,695.0	\$842,167.0	\$829,029.0	\$842,167.0	\$13,138.0
Infrastructure Assistance: Mexico Border	\$96,452.7	\$10,000.0	\$19,688.0	\$10,000.0	(\$9,688.0)

\*Clean School Bus Initiative activities are now part of the Diesel Emission Reduction Grants program.



## INFRASTRUCTURE / STAG PROJECT FINANCING

### *Infrastructure and Special Projects Funds*

The 2009 President's Budget includes a total of \$1.565 billion for EPA's Infrastructure programs in the State and Tribal Assistance Grant (STAG) account. Approximately \$1.413 billion will support EPA's Goal 2: Clean and Safe Water; \$103.6 million will support EPA's Goal 4: Healthy Communities and Ecosystems; and \$49.2 million will support Goal 1: Clean Air and Global Climate Change.

Infrastructure and targeted projects funding under the STAG appropriation provides financial assistance to states, municipalities, interstates, and Tribal governments to fund a variety of drinking water, wastewater, air and Brownfields environmental projects. These funds are essential to fulfill the Federal government's commitment to help our state, Tribal and local partners obtain adequate funding to construct the facilities required to comply with Federal environmental requirements and ensure public health and revitalize contaminated properties.

Providing STAG funds to capitalize State Revolving Fund (SRF) programs, EPA works in partnership with the states to provide low-cost loans to municipalities for infrastructure construction. As set-asides of the SRF programs, grants are available to Indian tribes and Alaska Native Villages for drinking water and wastewater infrastructure needs based on national priority lists. The Brownfields Environmental Program provides states, tribes, and political subdivisions (including cities, towns, and counties) the necessary tools, information, and strategies for promoting a unified approach to environmental assessment, cleanup, characterization, and redevelopment at sites contaminated with hazardous wastes and petroleum contaminants.

The resources included in this budget will enable the Agency, in conjunction with EPA's state, local, and Tribal partners, to achieve several important goals for 2009. Some of these goals include:

- 90 percent of the population served by community water systems will receive drinking water meeting all health-based standards.
- Award 107 assessment grants under the Brownfields program, bringing the cumulative total grants awarded to more than 1,260 by the end of FY 2009 and paving the way for productive reuse of these properties. Brownfields grantees will also leverage 3,800 cleanup and redevelopment jobs and \$685 million in cleanup and redevelopment funding.

### **Goal 1: Clean Air and Global Climate Change**

#### ***Diesel Emissions Reduction Grant Program***

In FY 2009, EPA will support the National Clean Diesel program, authorized in Sections 791-797 of the Energy Policy Act of 2005. This program focuses on reducing particulate matter (PM) by up to 95% from existing diesel engines, including on-highway and non-road equipment

and reducing other, smog-forming emissions such as nitrogen oxides and hydrocarbons. Five sectors are targeted for reduction: freight, construction, school buses, agriculture, and ports. Grants will be provided to eligible entities in areas of the country that are not meeting ambient air quality standards. This program will help provide immediate reductions by retrofitting the engines with emission control technologies sooner than would otherwise occur through normal turnover of the fleet because these engines often remain in service for 20 or more years. In 2009, EPA will issue and manage various categories of Diesel Emission Reduction grants. 70 percent of the total funding available will be used to establish: 1) competitive National Clean Diesel Campaign (NCDC) grants to directly fund and/or finance retrofits, rebuilds, and replacement as well as fuel switching and fuel efficiency measures associated with diesel trucks, ships, school buses and other diesel equipment; 2) up to 10 percent of those funds 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; and 3) competitive grants to help qualifying entities (states, local governments, ports, etc.) create innovative Air Quality Finance Authorities/Programs (AQFAs) that provide low cost, flexible loans for the purchase of new and cleaner used equipment, as recommended by the Agency's Environmental Finance Advisory Board (EFAB). 30 percent of the total funding available will be used in formula grants to states to implement state diesel emission reduction programs defined under the Diesel Emission Reduction Act (DERA). These funds will support EPA's Strategy for Sustainable Ports. The Ports initiative is comprised of many of the strategies and technologies implemented through all four aspects of the Diesel Emission Reduction Program, as noted above. Through this initiative EPA will reduce supply chain emissions associated with the movement of goods through ports.

## **Goal 2: Clean and Safe Water**

### ***Capitalizing Clean Water and Drinking Water State Revolving Funds***

The Clean Water and Drinking Water State Revolving Fund programs demonstrate a true partnership between states, localities and the Federal government. These programs provide Federal financial assistance to states, localities, and Tribal governments to protect the nation's water resources by providing funds for the construction of drinking water and wastewater treatment facilities. The state revolving funds are two important elements of the nation's substantial investment in sewage treatment and drinking water systems, which provides Americans with significant benefits in the form of reduced water pollution and safe drinking water.

EPA will continue to provide financial assistance for wastewater and other water projects through the Clean Water State Revolving Fund (CWSRF). CWSRF projects include nonpoint source, estuary, storm water, and sewer overflow projects. The dramatic progress made in improving the quality of wastewater treatment since the 1970s is a national success. In 1972, only 84 million people were served by secondary or advanced wastewater treatment facilities. Today, 99 percent of community wastewater treatment plants, serving 181 million people, use secondary treatment or better. Water infrastructure projects supported by the program contribute to direct ecosystem improvements by lowering the amount of nutrients and toxic pollutants in all

types of surface waters. While great progress has been made, many rivers, lakes and ocean/coastal areas still suffer an enormous influx of pollutants after heavy rains. The contaminants result in beach closures, infect fish and degrade the ability of the watersheds to sustain a healthy ecosystem.

The FY 2009 request includes \$555.0 million in funding for the CWSRF. Approximately \$26 billion has been provided to capitalize the CWSRF, more than three times the original Clean Water Act authorized level of \$8.4 billion. Total CWSRF funding available for loans since 1988 through June 2007, reflecting loan repayments, state match dollars, and other funding sources, exceeds \$65 billion, of which \$63 billion has been provided to communities as financial assistance. The following table illustrates the long-term financial picture for the CWSRF:

<b>Annual Federal Capitalization</b>	<b>Revolving Level</b>	<b>Time Span</b>
\$555 million through 2011 (\$6.8 billion total, 2004-2011)	\$3.4 billion (in 2001 \$)	2015 through 2040

The DWSRF is designed to be self-sustaining over time and will help offset the costs of ensuring safe drinking water supplies and assisting small communities in meeting their responsibilities. Since its inception in 1997, the Drinking Water State Revolving Fund (DWSRF) program has made available \$12.8 billion to finance 4,985 infrastructure improvement projects nationwide, with a return of \$1.73 for every \$1 of Federal funds invested. As of June 30, 2007, \$8.1 billion in capitalization grants have been awarded, amounting to loans/assistance of \$12.6 billion. The following table illustrates the long-term financial picture for the DWSRF:

<b>Annual Federal Capitalization</b>	<b>Revolving Level</b>	<b>Time Span</b>
\$842 million through 2018	\$1.2 billion (in 2001 \$)	2019 through 2039

**Set-Asides for Tribes:** To improve public health and water quality on Tribal lands, the Agency will continue the 1 ½ percent CWSRF set-aside for funding wastewater grants to tribes as provided in the Agency’s 2002 appropriation. The 2002 World Summit in Johannesburg adopted the goal of reducing the number of people lacking access to basic sanitation by 50 percent by 2015. Through this program, EPA contributes to this goal which will provide for the development of sanitation facilities for tribes and Alaska Native Villages.

***Private Activity Bonds***

Included in the President's Budget is a proposal to exempt Private Activity Bonds (PABs) used to finance drinking water and wastewater infrastructure from the private activity bond unified state volume cap. PABs are tax-exempt bonds issued by a State or local government, the proceeds of which are used by another entity for a public purpose or by the government entity itself for certain public-private partnerships. By removing drinking water and wastewater bonds from the volume cap, this proposal will provide States and communities greater access to PABs to help finance their water infrastructure needs and increase capital investment in the Nation's water infrastructure.

This Water Enterprise Bond proposal would provide an exception to the unified annual State volume cap on tax-exempt qualified private activity bonds for exempt facilities for the “furnishing of water” or “sewage facilities.” To ensure the long-term financial health and solvency of these drinking water and wastewater systems, communities using these bonds must have demonstrated a process that will move towards full-cost pricing for services within five years of issuing the Private Activity Bonds. This will help water systems become self-financing and minimize the need for future subsidies.

### ***Alaska Native Villages***

The President’s Budget provides \$15.5 million for Alaska native villages for the construction of wastewater and drinking water facilities to address serious sanitation problems. EPA will continue to work with the Department of Health and Human Services’ Indian Health Service, the State of Alaska, the Alaska Native Tribal Health Council and local communities to provide needed financial and technical assistance.

### **Goal 4: Healthy Communities and Ecosystems**

#### ***Brownfields Environmental Projects***

The President’s Budget includes \$93.6 million for Brownfields environmental projects. EPA will award grants for assessment activities, cleanup, and revolving loan funds (RLF). Additionally, this includes cleanup of sites contaminated by petroleum or petroleum products and environmental job training grants. In FY 2009, the funding provided will result in the assessment of 1,000 Brownfields properties. Using EPA grant dollars, the brownfields grantees will leverage cleanup and redevelopment jobs and \$900 million in cleanup and redevelopment funding.

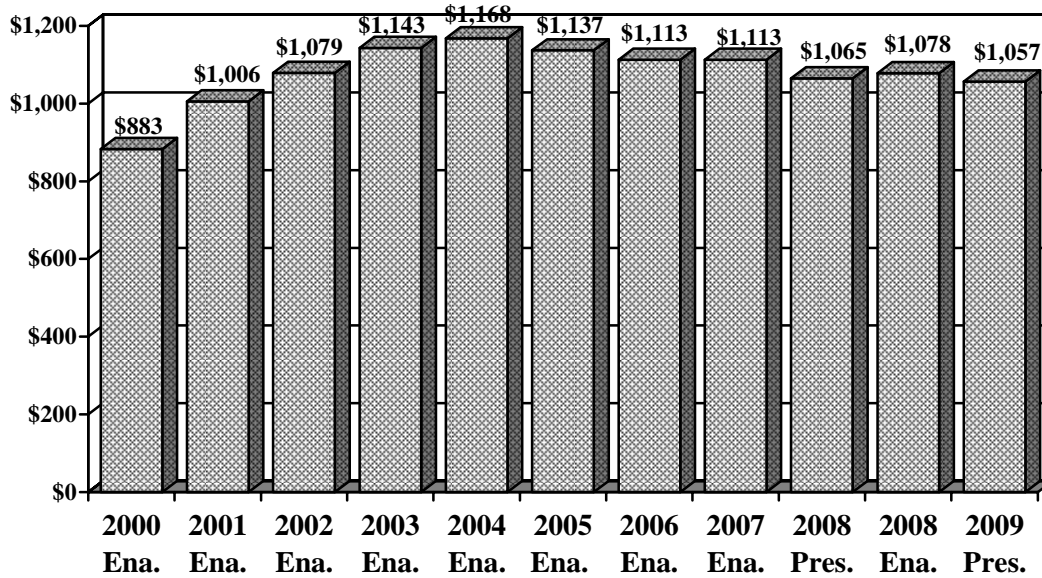
#### ***Mexico Border***

The President’s Budget includes a total of \$10.0 million for water infrastructure projects along the U.S./Mexico Border. The goal of this program is to reduce environmental and human health risks along the U.S./Mexico Border. EPA’s U.S./Mexico Border program provides funds to support the planning, design and construction of high priority water and wastewater treatment projects along the border. The Agency’s goal is to provide protection of people in the U.S.-Mexico border area from health risks by increasing the number of homes connected to potable water supply and wastewater collection and treatment systems.

#### ***Rescission of Balances from Prior Years***

EPA will continue to review old unliquidated obligations for potential rescission. In FY 2009, EPA will rescind \$10.0 million from no longer viable projects.

**CATEGORICAL GRANTS PROGRAM (STAG)**  
*(Dollars in millions)*



\*Does not account for the 2006 \$80.0 million rescission.

***Categorical Grants***

In FY 2009, EPA requests a total of \$1.057 billion for 21 “categorical” program grants for state, interstate organizations, non-profit organizations, intertribal consortia, and Tribal governments. EPA will continue to pursue its strategy of building and supporting state, local and Tribal capacity to implement, operate, and enforce the Nation’s environmental laws. Most environmental laws envision establishment of a decentralized nationwide structure to protect public health and the environment. In this way, environmental goals will ultimately be achieved through the actions, programs, and commitments of state, Tribal and local governments, organizations and citizens.

In FY 2009, EPA will continue to offer flexibility to state and Tribal governments to manage their environmental programs as well as provide technical and financial assistance to achieve mutual environmental goals. First, EPA and its state and Tribal partners will continue implementing the National Environmental Performance Partnership System (NEPPS). NEPPS is designed to allow states more flexibility to operate their programs, while increasing emphasis on measuring and reporting environmental improvements. Second, Performance Partnership Grants (PPGs) will continue to allow states and tribes funding flexibility to combine categorical program grants to address environmental priorities.

Also, to help improve EPA's grants management, the Agency is working with the states to establish a standardized template for states to use in developing and submitting their workplans for continuing environmental program grants. Based on experience with initial template

strategies gained in FY 2007 and FY 2008, EPA will continue to partner with states on implementation in FY 2009.

**HIGHLIGHTS:**

***State & Local Air Quality Management, Radon, and Tribal Air Quality Management Grants***

The FY 2009 request includes \$207.0 million for Air State and Local Assistance grants to support state, local, and Tribal air programs, as well as radon programs. Grant funds for State and Local Air Quality Management and Tribal Air Quality Management are requested in the amounts of \$185.6 million and \$13.3 million, respectively. These funds provide resources to multi-state, state, local, and Tribal air pollution control agencies for the development and implementation of programs for the prevention and control of air pollution or for the implementation of national ambient air standards set to protect public health and the environment. In FY 2009, EPA will continue to work with state and local air pollution control agencies to develop or implement state implementation plans (SIPs) for the 8-hour ozone standard, the fine particle (PM-2.5) standard, and regional haze. States submitted the 8-hour ozone SIPs to EPA in FY 2007 and will continue with their implementation in FY 2009. In FY 2009 states will also continue to work on implementation of their PM-2.5 and regional haze SIPs. EPA will work with Federally-recognized Tribal governments nationwide to continue development and implementation of tribal air quality management programs. Tribes are active in protection of the 4% of the land mass of the United States over which they have sovereignty, and work closely with EPA to monitor criteria pollutants and air toxics. Tribes participate extensively in national monitoring networks, and operate and report data from over 300 monitors. Grants also will be provided to states (\$3.9 million) and tribes (\$2.4 million) to help them work with sources to permit new energy projects and ensure that all Federal environmental laws are considered in the permitting activity. Lastly, this request includes \$8.1 million for Radon grants to continue to focus efforts on priority activities to achieve health risk reduction.

***Pesticide Enforcement, Toxics Substance Compliance, & Sector Program Grants***

The FY 2009 request includes \$25.6 million to build environmental enforcement partnerships with states and tribes and to strengthen their ability to address environmental and public health threats. The enforcement state grants request consists of \$18.7 million for Pesticides Enforcement, \$5.1 million for Toxic Substances Enforcement Grants, and \$1.8 million for Sector Grants. State and Tribal enforcement grants will be awarded to assist in the implementation of compliance and enforcement provisions of the Toxic Substances Control Act (TSCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). These grants support state and Tribal compliance activities to protect the environment from harmful chemicals and pesticides.

Under the Pesticides Enforcement Grant program, EPA provides resources to states and Indian tribes to conduct FIFRA compliance inspections and take appropriate enforcement actions and implement programs for farm worker protection. Under the Toxic Substances Compliance Grant program, states receive funding for compliance inspections of asbestos and polychlorinated

biphenyls (PCBs). States also received funding for implementation of the state lead-based paint certification and training, and abatement notification compliance and enforcement program. The funds will complement other Federal program grants for building state capacity for lead abatement, and enhancing compliance with disclosure, certification and training requirements. Under the Sector program grants, EPA builds environmental partnerships with states and tribes to strengthen their ability to address environmental and public health threats, including contaminated drinking water, pesticides in food, hazardous waste, toxic substances, and air pollution. These grants also support state agencies implementing authorized, delegated, or approved environmental programs.

### ***Pesticides Program Implementation Grants***

The FY 2009 request includes \$13.0 million for Pesticides Program Implementation grants. These resources will assist states, tribes, and partners with pesticide worker safety activities, protection of endangered species and water sources, and promotion of environmental stewardship approaches to pesticide use. In addition, the Agency provides grants to promote stronger Tribal pesticide programs. 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. Pesticides Program Implementation Grants help state programs stay current with changing requirements.

### ***Lead Grants***

The FY 2009 request includes \$13.6 million for Lead grants. This funding will support the development of authorized programs, including work under the new Lead Rule, in both states and tribes to prevent lead poisoning through the training of workers who remove lead-based paint, the accreditation of training programs, the certification of contractors, and renovation education programs. Another activity that this funding will support is the collection of lead data to determine the nature and extent of the lead problem within an area so that states, tribes and the Agency can better target remaining areas of high risk. In FY 2009, EPA expects to reduce the number of child lead poisoning cases to 90,000 which would put the Agency on target to eliminate childhood lead poisoning as a public health concern by 2010.

In FY 2009, 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 intertribal consortia, territories, institutions of higher learning, and nonprofit organizations. In addition, EPA will continue a grant program initiated in FY 2007 which focuses on low-income communities through grants to national organizations engaged in working with these communities. This grant program is designed to help national and community organizations reach under-served populations that may have a disproportionate number of children with elevated blood lead levels.

### ***Pollution Prevention Grants***

The FY 2009 request includes \$4.9 million for Pollution Prevention grants. The program provides grant funds to deliver technical assistance to small and medium-sized businesses. The goal is to assist businesses and industries with identifying improved environmental strategies and solutions for reducing waste at the source. The program demonstrates that source reduction can be a cost-effective way of meeting or exceeding Federal and state regulatory requirements. In FY 2009, EPA is targeting a reduction of 494 million pounds of hazardous material, 1,792 million gallons of water conserved, \$68 million saved through reduction in pollution and 1,581 billion BTUs conserved.

### ***Environmental Information Grants***

In FY 2009, EPA requests \$11.0 million to continue the Environmental Information Exchange Network (Exchange Network) grant program. Started in 2002, the Exchange Network grant program provides states, territories, and tribes with assistance developing the information management and technology (IM/IT) capabilities they need to take full advantage of the potential benefits provided by the Exchange Network. Enhancing and expanding the Network improves environmental decision making and improves data quality, timeliness and accessibility while reducing the burden on those who provide it. Now that all 50 states, seven tribes, and one territory have nodes, the emphasis in FY 2009 has shifted from building-out IT infrastructure to upgrading technology and expanding environmental information management and exchange. Exchange Network grants also support the work of the Environmental Council of the States and the National Congress of American Indians, both of which are representatives of their respective environmental communities as well as conveners and information disseminators.

### ***State and Tribal Underground Storage Tanks Program***

The FY 2009 request includes \$22.8 million for Underground Storage Tank (UST) grants. In FY 2009, EPA will make grants to states under Section 2007 of the Solid Waste Disposal Act, available to support core program activities as well as the leak prevention activities under Title XV, Subtitle B of the Energy Policy Act of 2005 (EPAAct).

In FY 2009, EPA will continue to focus attention on the need to bring all UST systems into compliance and keep them in compliance with the release detection and release prevention requirements. States will continue to use the UST categorical grant funding to implement their leak prevention and detection programs. Specifically with the UST categorical grants, states will fund such activities as seeking State Program Approval to operate the UST program in lieu of the Federal program, approving specific technologies to detect leaks from tanks, ensuring tank owners and operators are complying with notification requirements, and addressing equipment compatibility issues. EPA also will assist the states in implementing the EPAAct provisions ensuring that states are developing operator training by August 8, 2009. In addition, EPA will use funds for direct implementation of release detection or release prevention (spill, overfill, and corrosion protection requirements) programs on Tribal lands where EPA carries out the UST program.



### ***Hazardous Waste Financial Assistance Grants***

In FY 2009, EPA requests \$103.3 million for Hazardous Waste Financial Assistance grants. Hazardous Waste Financial Assistance grants are used for the implementation of the Resource Conservation and Recovery Act (RCRA) hazardous waste program, which includes permitting, authorization, waste minimization, enforcement, and corrective action activities. In FY 2009, EPA expects to increase the number of hazardous waste facilities with new or updated controls to prevent release by 100 facilities.

By the end of FY 2009, EPA and the authorized states also will control human exposures to contamination at 60 RCRA corrective action facilities (from our 2008 baseline of 3,746). Controlling migration of contaminated groundwater at 60 of these facilities and completing the construction of final remedies at 100 of these facilities also are targeted for FY 2009.

### ***Brownfields Grants***

In FY 2009, EPA requests \$49.5 million to continue the Brownfields grant program that provides assistance to states and tribes to develop and enhance their state and Tribal response programs. This funding will help states and tribes develop legislation, regulations, procedures, and guidance, to establish or enhance the administrative and legal structure of their response programs. In addition, grant funding will support technical outreach to address environmental justice issues and Brownfields research.

### ***Water Pollution Control (Clean Water Act Section 106) Grants***

The FY 2009 EPA request includes \$221.7 million for Water Pollution Control grants. These funds improve water quality standards through National Pollution Discharge Elimination System (NPDES) permitting, enhanced water quality monitoring activities and Total Maximum Daily Load (TMDL) development. EPA will work with states to implement the new rules governing discharges from Concentrated Animal Feeding Operations (CAFOs). States and authorized tribes will continue to review and update their water quality standards as required by the Clean Water Act. The Agency's goal is that 83 percent of state submissions will be approvable in 2009. EPA also encourages states to continually review and update the water quality criteria in their standards to reflect the latest scientific information from EPA and other sources. EPA's goal for 2009 is that 68 percent of states will have updated their standards to reflect the latest scientific information in the past three years. In FY 2009, \$18.5 million will be designated for states and tribes that participate in collecting statistically valid water monitoring data and implement enhancements in their water monitoring programs.

### ***Wetlands Grants***

In FY 2009, the request includes \$16.8 million for Wetlands Program grants. Through Wetlands Program Development Grants, states, tribes, and local governments receive technical and financial assistance that will support the Administration's goal of protecting, restoring, and enhancing 3 million acres of wetlands. These grants will do this through the development and

implementation of state and Tribal wetland programs that improve water quality in watersheds throughout the country as well as assist private landowners, educate local governments, and monitor and assess wetland quantity and quality.

### ***Public Water System Supervision Grants***

In FY 2009, EPA requests \$99.1 million for Public Water System Supervision (PWSS) grants. These grants provide assistance to implement and enforce National Primary Drinking Water Regulations to ensure the safety of the Nation's drinking water resources and to protect public health. In FY 2009, the Agency will emphasize that states use their PWSS funds to ensure that drinking water systems of all sizes achieve or remain in compliance and drinking water systems of all sizes are meeting new regulatory requirements, *e.g.*, Long Term 2 Enhanced Surface Water Treatment Rule and Ground Water Rule.

### ***Tribal General Assistance Program Grants***

In FY 2009, EPA's request includes \$57.9 million for the Tribal General Assistance Program (GAP) to help Federally-recognized tribes and intertribal consortia develop, implement and assume environmental programs. In FY 2009, 91% of Federally-recognized tribes and intertribal consortia, 526 out of a universe of 572 eligible entities, will have access to an environmental presence.

### ***Homeland Security Grants***

In FY 2009, the request includes \$5.0 million for Homeland Security grants to support states' efforts to work with drinking water and wastewater systems to develop and enhance emergency operations plans; conduct training in the implementation of remedial plans in small systems; and develop detection, monitoring and treatment technology to enhance drinking water and wastewater security. Fifty-six states and territories are eligible for Homeland Security grants.

### ***Underground Injection Control (UIC) Grants***

The FY 2009, EPA requests \$10.9 million for the Underground Injection Control grants program. Ensuring safe underground injection of waste materials is a fundamental component of a comprehensive source water protection program. Grants are provided to states that have primary enforcement authority (primacy) to implement and maintain UIC programs. EPA and the states will continue to address Classes I, II, and III existing wells determined to be in significant violation and Class V wells determined to be in violation in FY 2009. EPA and the states also will close or permit Motor Vehicle Waste Disposal wells (Class V) identified during FY 2009. In addition, states and EPA will 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 in the future.

### ***BEACH Act Grants***

The FY 2009 request includes \$9.9 million for the 35 states and territories with Great Lakes or coastal shorelines to protect public health at the Nation's beaches. The Beaches Environmental Assessment and Coastal Health Act (BEACH Act) of October 2000 authorizes EPA to award grants to help eligible states and territories develop and implement beach bacteria monitoring and notification programs. These programs inform the public about the risk of exposure to disease-causing microorganisms in coastal waters (including the Great Lakes).

### ***Non-Point Source Program Grants (NPS – Clean Water Act Section 319)***

In FY 2009, EPA requests \$184.6 million for Non-Point Source Program grants to states, territories, and tribes. These grants enable states to use a range of tools to implement their programs including: both non-regulatory and regulatory programs, technical assistance, financial assistance, education, training, technology transfer, and demonstration projects. The request also eliminates the statutory one-third of one-percent cap on Clean Water Act Section 319 Non-point Source Pollution grants that may be awarded to tribes. EPA's goal is to reduce annually the amount of runoff of phosphorus, nitrogen, and sediment through 319-funded projects by 4.5 million pounds, 8.5 million pounds, and 700,000 tons, respectively.

**Program Area: State and Tribal Assistance Grants (STAG)**

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$1,039,998.4</i></b>	<b><i>\$687,554.0</i></b>	<b><i>\$689,080.0</i></b>	<b><i>\$555,000.0</i></b>	<b><i>(\$134,080.0)</i></b>
Total Budget Authority / Obligations	\$1,039,998.4	\$687,554.0	\$689,080.0	\$555,000.0	(\$134,080.0)
Total Workyears	0.0	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 a set-aside of funding for tribes to better address serious water infrastructure problems and attendant health impacts. The 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. As of early 2008, the Federal government had invested about \$26 billion in the state CWSRFs. The revolving nature of the funds and substantial additions from states has magnified that investment to make available \$65 billion for loans since the program's inception.<sup>1</sup> The CWSRF program measures and tracks the average national rate at which available funds are loaned, assuring that the fund is working hard to support water quality infrastructure.

**FY 2009 Activities and Performance Plan:**

Recognizing the substantial remaining need for wastewater infrastructure, EPA will provide annual capitalization to the CWSRFs through 2011, meeting its total capitalization target of \$6.8 billion for 2004-2011. This continued Federal investment, along with other traditional sources of financing (including increased local revenues), will result in substantial progress toward addressing the nation's wastewater treatment needs, significantly contributing to the long-term

<sup>1</sup> 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.

environmental goal of watersheds attaining designated uses. EPA continues to work with states to meet several key objectives: fund projects designed as part of an integrated watershed approach, link projects to environmental results, and maintain the CWSRFs' excellent fiduciary condition.

The 2002 World Summit in Johannesburg 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.

The Clean Water State Revolving Fund Grant Program underwent a PART assessment in 2003 and received an "adequate" rating. The PART review called for improved measures that capture the broad range of public health and environmental benefits provided by the program. In response, EPA has worked with its state partners to develop improved performance measures that link CWSRF financing to the protection and restoration of our nation's waters. This effort led to the development of a new CWSRF benefits reporting system designed to track progress in meeting the public health and environmental goals of the program.

**Performance Targets:**

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Outcome	Number of waterbody segments identified by States in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).	1,409	1,166	1,550	1,660	Number of Segments

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Outcome	Percentage of all major publicly-owned treatment works (POTWs) that comply with their permitted wastewater discharge standards			86	86	Percent POTWs

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Output	Fund utilization rate for the CWSRF.	96.7	93.4	93.5	93.7	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. In addition, because the total capitalization remains approximately the same, the program is projected to meet its long-term revolving level target of \$3.4 billion.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (-\$134,080.0) This total is the net of the FY 2008 Omnibus 1.56% rescission and the FY 2009 budget request of \$555.0 million for the CWSRF. At this funding level, the total capitalization provided between fiscal years 2004 and 2011 will total \$6.8 billion. This is in line with the Administration policy established in the 2004 Budget. Because total capitalization remains the same, the program is expected to reach its long-term revolving level target of \$3.4 billion.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$800,695.0</i></b>	<b><i>\$842,167.0</i></b>	<b><i>\$829,029.0</i></b>	<b><i>\$842,167.0</i></b>	<b><i>\$13,138.0</i></b>
Total Budget Authority / Obligations	\$800,695.0	\$842,167.0	\$829,029.0	\$842,167.0	\$13,138.0
Total Workyears	0.0	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.

The Federal investment is designed to be used in concert with other sources of funds to address water quality needs. Capitalization grant funds also may be used by states to provide other types of assistance that promote prevention and encourage stronger drinking water system management programs. These optional state set-asides could potentially equal 31 percent of the state's capitalization grant. However, historically the states have set-aside a total of 16 percent of the funds awarded to them. For fiscal years 2006-2009, appropriated funds are allocated to the states in accordance with each state's proportion of total drinking water infrastructure need as determined by the 2003 Needs Survey and Assessment,<sup>2</sup> with the statutory constraint that each state and the District of Columbia receive no less than one percent of the allotment and the Virgin Islands and Pacific Trust Territories together receive 0.33 percent.

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 also reserves 1.5 percent of appropriated funds for Indian tribes and Alaska Native Villages, in accordance with Section 1452(i) of SDWA, as amended. These funds are awarded either directly to tribes or, on behalf of tribes, to the Indian Health Service through Interagency Agreements.

<sup>2</sup> Available at: [http://www.epa.gov/safewater/needssurvey/pdfs/2003/report\\_needssurvey\\_2003.pdf](http://www.epa.gov/safewater/needssurvey/pdfs/2003/report_needssurvey_2003.pdf).



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

**FY 2009 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. The DWSRF program supports states in helping public water systems fund infrastructure improvements needed to protect public health and achieve or maintain compliance with the SDWA. Through this program, states offer low interest loans to help public water systems across the nation make improvements or upgrades to their infrastructure. Also, the DWSRF provides additional financial support to small and disadvantaged communities through low or zero-interest loans. Every state that administers DWSRF funds must provide a minimum of 15 percent of available funds for loans to small communities, and has the option of providing up to 30 percent of available funds to state-defined disadvantaged communities. For FY 2009, the DWSRF program has set a target of providing over 445 additional infrastructure improvement projects to public water systems.

The DWSRF Program underwent a PART assessment in 2002 and a reassessment in 2004. The program received a rating of “adequate” in 2004. The reassessment 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 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Number of additional projects initiating operations.	438	430	440	445	Projects

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Fund utilization rate for the DWSRF.	88	85	86	89	Rate

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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.	91.5	94	90	90	Percent Population

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
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	89.5	90	Percent Systems

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$13,138.0) This change reflects restoration of the 1.56% rescission to all program projects. Funding will ensure that the Drinking Water SRF is on track to meet its long-term revolving level target of \$1.2 billion.

**Statutory Authority:**

SDWA.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b>\$34,907.5</b>	<b>\$15,500.0</b>	<b>\$24,610.0</b>	<b>\$15,500.0</b>	<b>(\$9,110.0)</b>
Total Budget Authority / Obligations	\$34,907.5	\$15,500.0	\$24,610.0	\$15,500.0	(\$9,110.0)
Total Workyears	0.0	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 2009 Activities and Performance Plan:**

The ANV Program is administered by the State of Alaska and provides infrastructure funding to Alaska Native Villages and rural Alaska communities which lack access to basic sanitation. The FY 2009 investment of \$15.5 million will leverage funding to provide an additional 500 to 900 homes in rural Alaska with wastewater service and drinking water that meets public health standards. In FY 2009, 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 be implementing its 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 also will develop a plan to institutionalize the management framework of this program to ensure continued program effectiveness.

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 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 2005 Alaska State single audit concluded that all findings in the previous (FY 2003 and 2004) audits had been addressed or were being resolved. There have been no new audit findings

or recommendations since that time. In the 2006 PART reassessment, the program received a rating of “adequate.” These findings help illustrate the potential effectiveness of new programmatic improvements.

The 2006 PART reassessment included a requirement for an enhancement of the State of Alaska web-based reporting system. These enhancements were completed by the State in calendar year 2007. In addition, the State of Alaska has completed an independent review of the Alaska Native Tribal Health Consortium financial process and records and will conduct follow-up activities based on its recommendations. EPA also will focus in the coming year on closing out completed projects and program grants, in order to document accomplishments and resolve any remaining grant issues. A standard format for final technical reports will be developed, and individual final technical reports will be provided for each completed grant.

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of serviceable rural Alaska homes with access to drinking water supply and wastewater disposal.	Data Avail Late 2008	92	94	96	Percent Homes

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Number of homes that received improved service per \$1,000,000 of Program funding.	29	60	45	50	Households

The results achieved for the ANV program efficiency measure have fluctuated significantly, with a significant drop in the FY 2007 actual efficiency results. This is due to the measure being based on the applications that are received by the Village Safe Water Program from the eligible communities in any given year, and the resulting ranking of these applications according to the Program priority system. Costs per home served will vary significantly, depending on whether the applicant community already has some established infrastructure or not.

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

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (-\$9,110.0) The Congressionally directed increase provided in the FY 2008 omnibus appropriation is not carried forward in the FY 2009 request. The FY 2009 investment will leverage funding to serve 500-900 homes. This total is the net change, including the restoration of the 1.56% rescission to all program projects.

**Statutory Authority:**

SDWA Amendments of 1996.

**Brownfields Projects**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b>\$85,865.8</b>	<b>\$89,258.0</b>	<b>\$93,518.0</b>	<b>\$93,558.0</b>	<b>\$40.0</b>
Hazardous Substance Superfund	\$4,420.0	\$0.0	\$0.0	\$0.0	\$0.0
Total Budget Authority / Obligations	\$90,285.8	\$89,258.0	\$93,518.0	\$93,558.0	\$40.0
Total Workyears	0.0	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. 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 to eligible entities and cooperative agreements authorized by CERCLA Section 104(k). The statute requires the Brownfields program to allocate 25 percent of the total available funds for CERCLA 104(k) grants to address sites contaminated by petroleum. With the funds requested, EPA will provide: 1) assessment and cleanup grants for recipients to inventory, characterize, assess, and conduct cleanup and redevelopment planning related to brownfields sites; 2) capitalization grants for Revolving Loan Funds (RLFs) to provide low interest loans for cleanups; 3) job training grants; 4) petroleum grants and 5) financial assistance to localities, states, tribes, and non-profit organizations for research, training, and technical assistance.

In a broader sense, 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.<sup>3</sup>

<sup>3</sup> Refer to [http://www.epa.gov/docs/swerosps/bf/partners/federal\\_partnerships.htm](http://www.epa.gov/docs/swerosps/bf/partners/federal_partnerships.htm).

**FY 2009 Activities and Performance Plan:**

In FY 2009, funding provided will result in the assessment of 1,000 brownfields properties and the cleanup of 60 brownfields properties. Brownfields grantees will leverage 5,000 cleanup and redevelopment jobs and \$900 million in cleanup and redevelopment funding. Other activities include:

- Funding and technical support for an estimated 129 assessment grants for recipients to inventory, assess, and conduct cleanup and redevelopment planning at brownfields sites.
- The Agency will award approximately seven RLF cooperative agreements of up to \$1,000,000 each per eligible entity. The RLF program which 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 grants.
- Funding also will support at least 96 grants to eligible entities to clean up properties. The Agency will award direct cleanup grants of up to \$200 thousand per site to communities and non-profits.
- Assessment and cleanup of abandoned underground storage tanks (USTs) and other petroleum contamination found on brownfields properties in approximately 45 brownfields communities.
- Brownfields job training and development grants of up to \$200 thousand each for a two year period. This funding will provide for at least 12 new job training grants for community residents to take advantage of new jobs leveraged by the assessment and cleanup of brownfields.
- Training, research and technical assistance grants and cooperative agreements as authorized under CERCLA Section 104(k)(6).
- Continued support for the showcase communities that demonstrate the benefits of interagency cooperative efforts in addressing environmental and economic issues related to Brownfields.

In 2003, the Brownfields program received an "adequate" PART rating, citing a 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 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Brownfield properties assessed.	Data Avail 2008	1,000	1,000	1000	Properties

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Outcome	Acres of Brownfields properties made ready for reuse.	Data Avail 2008	No Target Established	225	225	Acres

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Output	Billions of dollars of cleanup and redevelopment funds leveraged at Brownfields sites.	Data Avail 2008	0.9	0.9	0.9	Billions of Dollars

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Output	Number of properties cleaned up using Brownfields funding.	Data Avail 2008	60	60	60	Properties

The Brownfields Projects contributes overall to the Brownfields Program's goal and measures and also contributes to EPA efforts to assess and clean up brownfields, as described in EPA's FY 2006-2011 Strategic Plan.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$40.0) This change reflects a minor increase to this program.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$0.0</i></b>	<b><i>\$35,000.0</i></b>	<b><i>\$49,220.0</i></b>	<b><i>\$49,220.0</i></b>	<b><i>\$0.0</i></b>
CA Emission Reduction Project Grants	\$0.0	\$0.0	\$9,844.0	\$0.0	(\$9,844.0)
Total Budget Authority / Obligations	\$0.0	\$35,000.0	\$59,064.0	\$49,220.0	(\$9,844.0)
Total Workyears	0.0	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. 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.

Under the Energy Policy Act of 2005, 70 percent of the total funds appropriated will be used to provide national grants and loans that achieve diesel emission reductions. Up to 10 percent of those funds may be used for diesel emission emerging technology demonstration grants. Finally, 30 percent of the total funds appropriated will be used to provide formula grants to states to establish and support state grant or loan diesel emission reduction programs.

**FY 2009 Activities and Performance Plan:**

In FY 2009, EPA will issue and manage various categories of Diesel Emission Reduction grants including: (1)(a) 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 replacement as well as fuel switching and fuel efficiency measures associated with diesel trucks, ships, school buses and other diesel equipment. (b) 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;. (c) The Agency will establish a pilot project involving competitive grants to help



qualifying entities (states, local governments, ports etc) create innovative Air Quality Finance Authorities/Programs (AQFAs) that provide low cost, flexible loans for the purchase of new and cleaner used equipment, as recommended by the Agency's Environmental Finance Advisory Board EFAB). (2) 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 the DERA.

In FY 2009, EPA will begin an initiative focused on ports that will utilize many of the strategies and technologies implemented through all four aspects of the Diesel Emission Reduction Program, as noted above. Through this initiative, EPA will solicit proposals for projects that would reduce supply chain emissions associated with the movement of goods through ports. These proposals would then compete with other project proposals under the National Clean Diesel Campaign mentioned above. Explosive growth in international trade and goods movement is placing pressure on U.S. ports and our transportation supply chain infrastructure. Pollution from port related activities increasingly pose health and environmental risks to those living around ports, distribution centers and along major supply chain corridors where goods move through ports. Between 2004 and 2005, waterborne trade in the U.S. increased by 17% in volume and containerized cargo will triple by 2020. Coastal and inland port authorities, terminal operators, vessel owners, rail and trucking firms and their customers rely on diesel engines to move goods everyday. Total freight operations in 2005, contributed 2.2 million tons of NO<sub>x</sub>, 60,000 of PM and almost 400 million tons of CO<sub>2</sub> nationwide.

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. Funds will continue to support the Agency's well-established Clean School Bus Program.

### **Performance Targets:**

Work under this program supports multiple performance objectives. Currently, there are no performance measures specific to this program. EPA estimates that the \$49.2 million for Federal and State Diesel Emission Reduction grants/loans would leverage at least \$100 million in funding assistance and reduce PM by approximately 7,000 tons, achieving up to an estimated \$2.0 billion in health benefits.

### **FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (-\$9,844.0) This decrease reflects the discontinuation of a congressionally directed program to the San Joaquin and South Coast Air Quality Management Districts and reduces a congressionally directed increase in the FY 2008 Omnibus. All priority activities in this program can be funded within the base resources..

### **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: Mexico Border**

Program Area: State and Tribal Assistance Grants (STAG)

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<b>\$96,452.7</b>	<b>\$10,000.0</b>	<b>\$19,688.0</b>	<b>\$10,000.0</b>	<b>(\$9,688.0)</b>
Total Budget Authority / Obligations	\$96,452.7	\$10,000.0	\$19,688.0	\$10,000.0	(\$9,688.0)
Total Workyears	0.0	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 the appropriate 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 10 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 to improve water quality along the border through a range of pollution control sanitation projects, with the goal of restoring the quality of the majority of the currently impaired significant shared and transboundary surface waters by the year 2012. 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 2009 Activities and Performance Plan:**

In FY 2009, EPA will continue to support the construction of infrastructure that will connect and serve the homes of the border area residents with safe drinking water and wastewater treatment. Using previously funded projects as an indicator, we anticipate that the FY 2009 investment of \$10 million will fund 4-6 water infrastructure projects, benefiting approximately 32,000 people once completed. This level of funding will allow the program to meet its annual targets. The Agency also will continue to support the planned assessment of shared and transboundary surface waters to facilitate the collection, management, and exchange of environmental data essential for effective water management. In addition, the Agency will support the protection of public health at border area coastal beaches and improvements in efficiency of service provider operations.

Since 1994, Congress has appropriated approximately \$953 million to EPA for the U.S.-Mexico Border Water Infrastructure Program. Border Environment Infrastructure Fund (BEIF) funds currently at the NADBank are assigned to projects that are under development, in construction, or in project closeout. To ensure responsible fiscal management of these and future funds, in 2005 the Agency began implementing project management enhancements to strengthen the program and reduce the BEIF balance. 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 already led to improvements in the program’s unliquidated balances and project completions. As of December 2007, the program has completed 35 of 72 certified projects and reduced the unliquidated balance by \$91 million, to \$209 million.<sup>4</sup>

In FY 2008, EPA plans to conduct 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. The U.S. Mexico Border Water Infrastructure Program underwent a PART evaluation for the first time in 2004 and received a rating of “adequate.”

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Additional people served per million dollars (US and Mexico federal expenditures) (under development)	10,292	3,200	3,200	3,200	People/M

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of additional homes provided safe drinking water in the Mexican border area that lacked access to drinking water in 2003.	1,276	1,200	2,500	2,500	More Homes

<sup>4</sup> EPA is in the process of obligating an additional \$40.2 million to the NADBank for water infrastructure projects selected through the FY 2007/2008 prioritized project selection process.

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Outcome	Number of additional homes provided adequate wastewater sanitation in the Mexican border area that lacked access to wastewater sanitation in 2003.	73,475	70,750	15,000	15,000	More Homes

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (\$4,944.0) This reduces congressionally directed funding in the FY 2008 Omnibus, including a 1.56% rescission, for El Paso and Brownsville projects.
- (\$4,922.0) The requested level of funding will allow the Agency to fund approved projects to continue efforts toward providing access to safe drinking water and sanitary systems for underserved communities in the region. EPA is closely monitoring fund disbursements and project completion rates to ensure sufficient 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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$10,573.4</i>	<i>\$9,900.0</i>	<i>\$9,746.0</i>	<i>\$9,900.0</i>	<i>\$154.0</i>
Total Budget Authority / Obligations	\$10,573.4	\$9,900.0	\$9,746.0	\$9,900.0	\$154.0
Total Workyears	0.0	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 2009 Activities and Performance Plan:**

States and territories currently monitor 3,771 beaches. To continue making progress on monitoring beaches in FY 2009, 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:**

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
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.	95.2	92.6	92.6	93	Percent of Days/Season

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$154.0) This change reflects restoration of the 1.56% rescission to all program projects.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<b>\$50,556.9</b>	<b>\$49,495.0</b>	<b>\$48,723.0</b>	<b>\$49,495.0</b>	<b>\$772.0</b>
Total Budget Authority / Obligations	\$50,556.9	\$49,495.0	\$48,723.0	\$49,495.0	\$772.0
Total Workyears	0.0	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.

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.<sup>5</sup>

**FY 2009 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 funds to establish or enhance response programs across all 50 states, U.S. territories, and approximately 30 tribes.

In the 2003 PART process, the Brownfields program received an "adequate" rating, citing a 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.

<sup>5</sup> Refer to [http://www.epa.gov/docs/swerosps/bf/pubs/st\\_res\\_prog\\_report.htm](http://www.epa.gov/docs/swerosps/bf/pubs/st_res_prog_report.htm).



**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.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$772.0) This change reflects the restoration of the 1.56% rescission to all program projects. The additional funding will be provided to authorized grantees as part of their grant allocations to support Brownfields programs.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$15,830.8</i>	<i>\$12,850.0</i>	<i>\$9,844.0</i>	<i>\$11,000.0</i>	<i>\$1,156.0</i>
Total Budget Authority / Obligations	\$15,830.8	\$12,850.0	\$9,844.0	\$11,000.0	\$1,156.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

Exchange Network grants provide funding to states, territories, Federally-recognized Indian tribes, and Tribal consortia to support their participation in the Environmental Information Exchange Network. The Exchange Network is an Internet and standards-based, secure information network that facilitates electronic reporting, sharing, integration, analysis, and use of environmental data from many different sources. The Network has been designed and is being built using 21<sup>st</sup> Century information technology, eliminating archaic reporting mechanisms (paper, diskettes, etc.) that promoted errors and late submissions. The funding, which supplements state and tribal investments, helps EPA's partners acquire and develop the hardware and software needed to connect to the Exchange Network, and to develop or acquire the data they need for decision making using the Network.

**FY 2009 Activities and Performance Plan:**

In FY 2009, the Exchange Network Grants Program will emphasize activities in three areas:

1) Because all 50 state environmental agencies now have operational nodes (connections to the Network), the FY 2009 program will focus on developing sustainable Network infrastructure for tribes, territories, and links with other state and Federal agencies to continue to grow the Network.

2) The program will focus on the development and exchange of regulatory and non-regulatory data flows. The major emphasis of the grant program will be to expand the number of regulatory data flows and develop and exchange non-regulatory data flows such as surface water quality. Exchange Network partners also will need continued support to augment the data available to other partners through their nodes. These efforts will support partners' program and business needs by facilitating better environmental and health decisions. Finally, these grants will enable partners to re-engineer their business process to include health data and to integrate it with environmental information in ways not currently possible.

3) Another emphasis is supporting 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.

**Performance Targets:**

Work under this program supports multiple strategic objectives.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$1,000.0) This increase will allow more states and tribes to upgrade their data exchange connections to a new technology protocol, thereby improving standards, security and authentication.
- (+\$156.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

**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; and FY 2007, Public Law 109-54.

**Categorical Grant: Hazardous Waste Financial Assistance**

Program Area: Categorical Grants

Goal: Land Preservation and Restoration

Objective(s): Preserve Land; Restore Land

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$104,650.9</i>	<i>\$103,346.0</i>	<i>\$101,734.0</i>	<i>\$103,346.0</i>	<i>\$1,612.0</i>
Total Budget Authority / Obligations	\$104,650.9	\$103,346.0	\$101,734.0	\$103,346.0	\$1,612.0
Total Workyears	0.0	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 2009 Activities and Performance Plan:**

In FY 2009, the following activities will be 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 FY 2009 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 FY 2009 goals for the RCRA Corrective Action program.

This program was included in the 2004 PART review of the RCRA Base, Permits and Grants program, which received an overall rating of “adequate.” During the PART, EPA developed an efficiency measure that will show, over time, the RCRA facilities under control per million dollars of program cost. The FY 2005 baseline was set in July 2006, and the program began reporting this efficiency measure target information in FY 2007.

**Performance Targets:**

Work under this program supports the objectives of preserving and restoring land. Currently, there are no performance measures specific to this program.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$1,612.0) This change reflects restoration of the 1.56% rescission to all program projects. The additional funding will be made available to all authorized grantees as part of their 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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<b>\$3,730.2</b>	<b>\$4,950.0</b>	<b>\$4,873.0</b>	<b>\$4,950.0</b>	<b>\$77.0</b>
Total Budget Authority / Obligations	\$3,730.2	\$4,950.0	\$4,873.0	\$4,950.0	\$77.0
Total Workyears	0.0	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 2009 Activities and Performance Plan:**

In FY 2009, EPA will award homeland security grants to states and territories to support their efforts to work with drinking water and wastewater systems to:

- Develop and enhance drinking water and wastewater utilities' preparedness capabilities;
- Improve emergency response coordination and communications; and
- Develop specific materials focused on improving security.

EPA homeland security grants will be awarded to 56 states and territories. These grants will improve operations of drinking water utilities through training and improved emergency response coordination (e.g., mutual aid agreements), communications, and preparedness. In addition, these resources will facilitate the development of materials (e.g., documents and training materials) focused on improving security and emergency response. See <http://cfpub.epa.gov/safewater/watersecurity/financeassist.cfm> for more information.

**Performance Targets:**

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

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$77.0) This change reflects restoration of the 1.56% rescission to all program projects.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b>\$22,935.5</b>	<b>\$13,564.0</b>	<b>\$13,352.0</b>	<b>\$13,564.0</b>	<b>\$212.0</b>
Total Budget Authority / Obligations	\$22,935.5	\$13,564.0	\$13,352.0	\$13,564.0	\$212.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

EPA's Lead Risk Reduction program alleviates the threat to human health, particularly to young children, posed by exposure to lead-based paint and other sources of lead in the environment. The program is an important contributor to the Federal government's goal to virtually eliminate childhood lead poisoning by 2010, and that goal is its key performance measure. To accomplish the goal, the Agency will:

- Establish hazard control methods and standards to ensure that homeowners and others have access to safe, reliable and effective methods to reduce lead exposure;
- Maintain a national infrastructure of lead remediation professionals trained and certified to implement those standards; and
- Provide information to housing occupants so they can make informed decisions about lead hazards in their homes.

The Lead Categorical Grant program contributes to the Lead program's goals by maintaining a national infrastructure of trained and certified lead remediation professionals and supporting targeted outreach to 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 2009 Activities and Performance Plan:**

In FY 2009, 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 2009, EPA will focus on implementation of a final regulation to address lead-safe work practices for renovation, repair, and painting. Activities will likely include training and certification requirements as well as updating accreditation requirements for training courses.

To meet the Federal goal of eliminating childhood lead poisoning as a public health concern 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 2009 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. In addition, EPA will continue a grant program initiated in FY 2007 which focuses on low-income communities through grants to national organizations engaged in working with these communities. This grant program is designed to help national organizations and community organizations reach under-served populations that may have a disproportionate number of children with elevated blood lead levels.

The Lead program underwent its first PART assessment in 2005, receiving a “moderately effective” rating and the third highest points rating awarded to EPA programs through that date. Through the PART, EPA introduced a new long-term and annual results measure (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 a new efficiency measure (annual percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process). Through the PART Improvement Plan process, EPA 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. In FY 2009, the Agency will implement recently completed PART follow-up actions to improve measures used in the State Grant Reporting Template and to further improve results reporting from program partners. For more information, visit <http://www.epa.gov/opptintr/lead/index.html>.

### **Performance Targets:**

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

### **FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$212.0) This change reflects restoration of the 1.56% rescission to all program projects.

### **Statutory Authority:**

TSCA.

**Categorical Grant: Nonpoint Source (Sec. 319)**

Program Area: Categorical Grants

Goal: Clean and Safe Water

Objective(s): Protect Water Quality

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b>\$209,889.6</b>	<b>\$194,040.0</b>	<b>\$200,857.0</b>	<b>\$184,540.0</b>	<b>(\$16,317.0)</b>
Total Budget Authority / Obligations	\$209,889.6	\$194,040.0	\$200,857.0	\$184,540.0	(\$16,317.0)
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

Nonpoint source pollution 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 NPS pollution that has occurred in the past and by preventing or minimizing new NPS pollution.

Section 319 broadly authorizes states to use a range of tools to implement their programs, including: both 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 2009 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 2009, 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 of pollutants of concern; the sources' relative significance; available cost-effective techniques to address those sources;

availability of needed resources, authorities and community involvement to affect 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 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.

In 2004, the Section 319 Nonpoint Source Program underwent a PART review and received an overall rating of "adequate." The Nonpoint Source Program created three annual output measures and one long-term outcome measure. 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 3 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, like pathogens, temperature, or acidity.

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Additional pounds (in millions) of reduction to total nitrogen loadings.	Data Avail 2008	8.5	8.5	8.5	Lbs in Millions

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Reduction in phosphorus loadings (millions of pounds).	Data Avail 2008	4.5	4.5	4.5	Lbs in Millions

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Output	Additional tons of reduction to total sediment loadings.	Data Avail 2008	700,000	700,000	700,000	Tons of Reductions

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (-\$16,317.0) This total is the net of a reduction of congressionally directed funding in the FY 2009 Omnibus and a programmatic reduction of \$9.5 million for the nonpoint source program. EPA and the states have typically exceeded their targets for sediment and nutrient loadings and EPA will work with states to ensure continued focus on high priority activities to restore impaired waters. This total also includes the restoration of the FY 2008 Omnibus 1.56% rescission.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$19,063.6</i>	<i>\$18,711.0</i>	<i>\$18,419.0</i>	<i>\$18,711.0</i>	<i>\$292.0</i>
Total Budget Authority / Obligations	\$19,063.6	\$18,711.0	\$18,419.0	\$18,711.0	\$292.0
Total Workyears	0.0	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 problems relating to pesticide worker safety protection, ineffective 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.<sup>6</sup>

**FY 2009 Activities and Performance Plan:**

In FY 2009, 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.

EPA refined PART measure data collection procedures with a Federal and state workgroup in 2005 for the EPA Pesticide Enforcement Grant Program that received an “ineffective” rating in 2004. EPA negotiated final commitments for the collection of new data for pesticide enforcement grant PART measures with states and tribes in 2006 based on PART-approved measures. EPA began to receive this data in January 2007 and has started to analyze the data.

<sup>6</sup> For additional information, refer to: [www.epa.gov/compliance/state/grants/fifra.html](http://www.epa.gov/compliance/state/grants/fifra.html).

**Performance Targets:**

The “ineffective” PART rating for this program in 2004 reflected the absence of data needed to implement program outcome and efficiency measures called for by the PART. To address this problem, new measures were developed by the program, and approved by OMB during the 2004 PART review. In FY 2005, EPA negotiated performance data collection requirements with grantees for the new outcome and efficiency measures. EPA began to receive grantees' data in January 2007 and has started to analyze the information to develop program metrics for demonstrating results.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$292.0) This change reflects restoration the 1.56% rescission to all program projects.

**Statutory Authority:**

FIFRA.

**Categorical Grant: Pesticides Program Implementation**

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

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<b>\$13,319.3</b>	<b>\$12,970.0</b>	<b>\$12,768.0</b>	<b>\$12,970.0</b>	<b>\$202.0</b>
Total Budget Authority / Obligations	\$13,319.3	\$12,970.0	\$12,768.0	\$12,970.0	\$202.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

The Agency provides grants to assist states, tribes and partners with worker safety activities, protection of endangered species and water sources, and promotion of environmental stewardship. In addition, the Agency provides grants to promote stronger Tribal pesticide programs. 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 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 2009 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 184 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/oppbpd1/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/>.

**Performance Targets:**

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

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$202.0) This change reflects restoration of the 1.56% rescission to all program projects.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$211,210.8</i>	<i>\$221,664.0</i>	<i>\$218,206.0</i>	<i>\$221,664.0</i>	<i>\$3,458.0</i>
Total Budget Authority / Obligations	\$211,210.8	\$221,664.0	\$218,206.0	\$221,664.0	\$3,458.0
Total Workyears	0.0	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 assessment and 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 fund services from non-profit organizations to assist Regional Offices overseeing direct implementation programs through the Senior Environmental Employment (SEE) program. The grants may also be used to provide “in-kind” support through an EPA contract if a state or tribe requests that part of their allotment be used to purchase equipment or services.

**FY 2009 Activities and Performance Plan:**

This program supports states, interstate agencies, and tribes in their efforts to implement key CWA programs that will restore and improve the quality of waters, allowing the Agency to achieve the long-term national goal of assessing all waters, protecting high quality waters, and addressing over 2,250 impaired waters by 2012. Through the Section 106 grant program, the Agency continues to support prevention and control measures of state water quality management programs: standards development; monitoring; permitting and enforcement; advice and assistance to local agencies; and the provision of training and public information. The Water Pollution Control Program is helping to foster a watershed protection approach at the state level by encouraging states to address water quality problems holistically, thereby targeting resources for efficient program management.

EPA will collaborate with state and Tribal partners to further enhance water monitoring programs consistent with comprehensive monitoring strategies and to collaborate on statistically valid surveys of the condition of the nation’s waters. In FY 2009, states and tribes, working with

EPA, will issue a report on the statistically-valid baseline conditions of lakes nationwide. States and tribes also will be analyzing samples for a statistically-valid survey of baseline conditions in rivers and a second survey of wadeable streams to determine trends in stream conditions. A report on trends in streams and the baseline condition of rivers will be issued in 2011. States and tribes, working with EPA, will design and collect field data for a fourth survey of coastal water conditions. In addition, planning for a survey of wetlands is underway. The intent is that surveys of the nation's waters will be repeated periodically to track trends in water quality, giving decision makers and the public the information they need to determine the effectiveness of the Agency's investments in water quality protection.

In FY 2009, \$18.5 million will be designated for states and tribes that participate in collecting statistically valid water monitoring data and implement enhancements in their water monitoring programs. EPA will continue to work closely with the states to adopt statistically-valid surveys into their state-level monitoring program. Unless at least five additional states meet the criteria for improvement, a portion of the capacity-building funds in the monitoring initiative will be reallocated in FY 2009 to those states that are implementing state-level statistically-valid surveys.

States, interstate agencies, and tribes continue to foster a "watershed approach" as the guiding principle of their clean water programs. Development of TMDLs for an impaired waterbody is a critical tool for meeting water restoration goals. In watersheds where quality standards are not attained, states will be developing TMDLs, watershed plans or other appropriate mechanisms that, when implemented, will result in attainment of water quality standards. States and EPA have made significant progress in the development and approval of TMDLs (cumulatively almost 22,000 state TMDLs were completed through FY 2007) and we expect to develop more than 3,000 additional TMDLs in FY 2009. Resources in this program will continue to support TMDL implementation (including through issuance of permits that include limitations consistent with TMDLs); states will be encouraged to ensure that TMDLs are implemented.

The states will continue to implement the "*Permitting for Environmental Results Strategy*," which focuses limited 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. In the second quarter of 2008, EPA expects to finalize a rule that incorporates financial incentives for states that implement adequate National Pollutant Discharge Elimination System (NPDES) fee systems. In FY 2009, EPA will award funds to states that choose to participate in this voluntary program.

New rules will be finalized in FY 2008 for discharges from Concentrated Animal Feeding Operations (CAFOs), and states will work to assure that permits cover all discharging CAFOs by February 27, 2009. In addition, states will continue to ensure that all Phase II municipal separate storm sewer systems (MS4s) and construction sites covered by Phase II of the storm water program are covered by permits.

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 83 percent of state and territorial submissions will be approvable in FY 2009. 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 2009 is that 68 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 Water Pollution Control Grants program underwent a PART evaluation in 2005 and received a rating of “adequate.” The Agency has been successful in meeting or exceeding performance targets agreed to during this process. The PART review identified areas requiring improvement plans (follow-up actions). In response, the Agency:

- Continues to target, through an allocation formula, a portion of the appropriated funds to support statistically-valid surveys of water condition; and
- Drafted a rule which will provide incentives, through a set-aside of appropriated funds, for states to implement or improve their permit fee programs, increasing the resources available for water quality programs. EPA announced the proposed rule and conducted a public comment process, which included a public meeting and two comment periods, during FY 2007. The Agency expects to finalize the rule in the second quarter of 2008.

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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.	66.1	67	68	68	Percent States/Terr.

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Ouput	Percentage of high priority state NPDES permits that are scheduled to be reissued.	112	95	95	95	Percent Permits

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Cost per water segment restored.	512,735	615,694	684,200	725,902	Cost Per Segment

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Ouput	Number of TMDLs that are established by States and approved by EPA on schedule consistent with national policy (cumulative).	21,685	20,232	28,527	31,587	TMDLs

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Ouput	Percentage of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.	Data Avail 2008	22.5	22.5	22.5	Percentage Dischargers

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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).	1,409	1,166	1,550	1,660	Number of Segments

EPA works with states to ensure they develop TMDLs for impaired waters within a timeframe consistent with national policy (*i.e.*, 8 to 13 years). In August of 2007, EPA adopted a clarification to the TMDL counting methodology to more directly reflect the pollutants addressed in TMDLs. As a result of this counting methodology change, the cumulative fiscal year Water Pollution Control Actuals have been revised, resulting in a cumulative net reduction of 1,057

TMDLs. Actuals and targets for fiscal year 2007 and earlier were also adjusted consistent with this revised methodology.

Note: Because a TMDL is a plan for attaining water quality standards, the terms “approved” and “established” refer to the completion of the TMDL itself and not necessarily its implementation.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$3,458.0) This change reflects restoration of the 1.56% rescission to all program projects and will be used to restore baseline funding for the probabilistic monitoring initiative, restore baseline funding for Tribal and interstate programs, and provide additional funds to states that implement the NPDES permit fee incentive rule.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<b>\$6,121.9</b>	<b>\$5,940.0</b>	<b>\$4,863.0</b>	<b>\$4,940.0</b>	<b>\$77.0</b>
Total Budget Authority / Obligations	\$6,121.9	\$5,940.0	\$4,863.0	\$4,940.0	\$77.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

The Pollution Prevention 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 2009 Activities and Performance Plan:**

The goal of the P2 Grants Program is to assist 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.

The 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's Pollution Prevention Program, including this Categorical Grant Program, underwent PART review in 2006 and received a “moderately effective” rating and the third highest point rating awarded to EPA programs through that date, confirming that the program produces important environmental results in a well-managed and efficient manner. The PART improvement plan recommended that EPA obtain and evaluate Science Advisory Board Report recommendations for improving performance measures to better demonstrate Pollution Prevention results, work to reduce barriers confronted by industry and others in attempting to implement source reduction, fully implement Grant Track and the P2 State Reporting System, and develop additional efficiency measures, all of which will be brought to completion prior to and during FY 2009.

**Performance Targets:**

Activities for this appropriation support PART measures listed for the Pollution Prevention Program funded under EPA’s Environmental Program Management account.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$77.0) This change reflects restoration of the 1.56% restoration to all program projects.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<b>\$97,461.9</b>	<b>\$99,100.0</b>	<b>\$97,554.0</b>	<b>\$99,100.0</b>	<b>\$1,546.0</b>
Total Budget Authority / Obligations	\$97,461.9	\$99,100.0	\$97,554.0	\$99,100.0	\$1,546.0
Total Workyears	0.0	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 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 2009 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 2009, 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” ); and
- 3) Data quality issues are identified and addressed.

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. The Public Water System Supervision Grant program was included in the 2004 PART review and received an overall rating of “adequate.”

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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	89.5	90	Percent Systems

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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.	91.5	94	90	90	Percent Population

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$1,546.0) This change reflects restoration of the 1.56% rescission to all program projects across all programs. These funds will support the Administrator's commitment of ensuring clean and safe water.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$7,915.0</i></b>	<b><i>\$8,074.0</i></b>	<b><i>\$7,948.0</i></b>	<b><i>\$8,074.0</i></b>	<b><i>\$126.0</i></b>
Total Budget Authority / Obligations	\$7,915.0	\$8,074.0	\$7,948.0	\$8,074.0	\$126.0
Total Workyears	0.0	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 2009 Activities and Performance Plan:**

In FY 2009, states will:

- Continue to focus their efforts on increasing 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.
- Work with EPA to align performance measures.

The Indoor Air program received a rating of “moderately effective” during a 2005 PART assessment. 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:**

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Efficiency	Total Cost (public and private) per future premature cancer death prevented through lowered radon exposure.		No Target Established	No Target Established	415,000	Dollars

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Outcome	Number of additional homes (new and existing) with radon reducing features	late 2008	190,000	225,000	265,000	Homes

Program goals are the result of the total funding the program area receives through EPM, S&T, and SIRG funding.

In FY 2009, EPA’s goal is to add 265,000 homes with radon reducing features, bringing the cumulative number of U.S. homes with radon reducing features to over 2 million. EPA estimates that this cumulative number will prevent approximately 875 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 2009.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$126.0) This change reflects restoration of the FY 2008 Omnibus 1.56% rescission and will support enhanced radon efforts in high priority radon areas.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$1,360.9</i></b>	<b><i>\$2,228.0</i></b>	<b><i>\$1,209.0</i></b>	<b><i>\$1,828.0</i></b>	<b><i>\$619.0</i></b>
Total Budget Authority / Obligations	\$1,360.9	\$2,228.0	\$1,209.0	\$1,828.0	\$619.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

Strong state and Tribal Enforcement and Compliance Assurance programs are essential to EPA’s long-term strategic objective: to identify and reduce significant noncompliance in high priority areas, while maintaining a strong enforcement presence in all regulatory program areas. Effective partnerships between EPA and government co-implementers are crucial for success in implementing sector approaches.

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 also support state and Tribal agencies that are responsible for implementing authorized, delegated, or approved environmental programs.<sup>7</sup>

**FY 2009 Activities and Performance Plan:**

In FY 2009, EPA will continue at a reduced level to support states and tribes in their efforts to build, implement, or improve compliance capacity for authorized, delegated, or approved environmental programs. The sector program also seeks to foster innovation.

FY 2009 annual funding priorities for the multi-media grants program include: 1) improving compliance data quality, 2) modernizing data systems, 3) improving public access to enforcement and compliance data, 4) improving outcome measurement, and 5) providing compliance training to tribes to enhance their compliance monitoring capacity. The grants and/or cooperative agreements are competed for nationally and each funding priority is targeted towards enhancing state and Tribal capacity and capability. Additionally, funding priority is targeted towards addressing needs that may be identified by states, tribes, or state and Tribal associations/organizations.

<sup>7</sup> For more information, refer to: [www.epa.gov/compliance/state/grants/stag/index.html](http://www.epa.gov/compliance/state/grants/stag/index.html)

The EPA Enforcement of Environmental Laws (Civil) PART program received an “adequate” rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

**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 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$600.0) This reflects an increase to the states for the transition to the Integrated Compliance Information System-National Pollutant Discharge Elimination System (ICIS-NPDES), especially in the area of data migration (i.e., transferring data from PCS to ICIS-NPDES and ensuring its quality). The increase would also support other efforts under this Program, for example: 1) general capacity building for states and tribal compliance and enforcement programs; 2) specialized training for states to enhance their involvement in EPA's national compliance and enforcement priorities; and 3) Air Facility System (AFS) Data Quality and Completeness activities which support the Clean Air Act (CAA) enforcement and compliance program.
- (+\$19.0) This change reflects restoration of the 1.56% rescission to all program projects.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$208,567.3</i>	<i>\$185,180.0</i>	<i>\$216,825.0</i>	<i>\$185,580.0</i>	<i>(\$31,245.0)</i>
Total Budget Authority / Obligations	\$208,567.3	\$185,180.0	\$216,825.0	\$185,580.0	(\$31,245.0)
Total Workyears	0.0	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. Please see <http://www.epa.gov/oar/caa/> for more details.

**FY 2009 Activities and Performance Plan:**

This program funds more than 100 state and local air pollution control agencies and an interstate air pollution transport commission to implement the requirements of the Clean Air Act. States submitted State Implementation Plans (SIPs) for the 8-hour ozone NAAQS to EPA in FY 2007 and submitted Regional haze SIPs in December 2007. States also will submit fine particle (PM<sub>2.5</sub>) SIPs in April 2008. Although there is no definite schedule for updating 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 2009, EPA will work with states to correct any deficiencies in their FY 2007 and FY 2008 SIP submissions, and provide technical assistance in implementing their plans for the 8-hour ozone standard, the PM<sub>2.5</sub> standard, and Regional haze.

In 2007, EPA proposed and requested comments on a range of options for revising the ozone standard. Any new ozone standards will be published in final form in the spring of 2008. EPA will provide assistance to state and local air agencies in developing recommendations, by 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 2006, EPA revised the PM<sub>2.5</sub> NAAQS for 24-hour concentrations making it more stringent. In connection with this NAAQS revision, about 50 existing PM<sub>2.5</sub> monitoring sites began in FY 2008 to sample for PM<sub>2.5</sub> every day, instead of every third day, to provide greater accuracy in eventual attainment/nonattainment designations. Although the final rule did not revise the required numbers of PM<sub>2.5</sub> monitors or how they must be sited, a number of states voluntarily shifted monitoring equipment to new locations to investigate possible problem areas with respect to the revised NAAQS. As of December 2007, states submitted their recommendations to EPA regarding attainment/nonattainment status with respect to the 24-hour PM<sub>2.5</sub> NAAQS. In FY 2009, the states will be working with EPA to finalize designations. Once designations are complete, states will be given three years to develop and submit SIP revisions that demonstrate how and when their nonattainment areas will come into attainment.

Concurrent with the promulgation of the revised PM<sub>2.5</sub> NAAQS, EPA issued final regulations that eliminated or reduced a number of specific minimum requirements for air quality monitoring, especially monitoring for four NAAQS pollutants: carbon monoxide, sulfur dioxide, nitrogen dioxide, and lead, for which violations of the standards are now extremely uncommon. These regulatory changes will allow the states, with EPA oversight, to streamline their monitoring networks for these four pollutants and reduce costs. Also, EPA expects less, but still significant, streamlining of PM-10 monitoring networks, even though the minimum requirements were not changed. The number of PM-10 monitors currently in place exceeds minimum requirements, and many monitors are located in areas with low PM-10 concentrations. EPA believes that ozone and PM<sub>2.5</sub> networks should remain about their current size, with some shifting of sites for better data value.

The October 2006 final PM<sub>2.5</sub> NAAQS rule also established a new requirement for a small 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<sub>10-2.5</sub> mass concentrations and speciation profiles, types of monitoring not previously required anywhere. EPA and states already have been working together on a voluntary basis to establish this network. In FY 2009, more states will start selecting the sites for this newly required form of monitoring, acquire 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.

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 2009, funds for air toxic ambient monitoring will support the National Air Toxics Trends Stations (NATTS), consisting of 24 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 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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.	Data Avail 2008	21	26	29	Percentage

- Achieve a 29 percent cumulative reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.
- Achieve a 23 percent cumulative reduction in the average number of days, during the ozone season, that the ozone standard is exceeded in non-attainment areas, weighted by population.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (-\$3,500.0) This reflects EPA’s transfer of ownership and operation of air sampling equipment in the California Mexico Air Monitoring Network to the State of Baja California, Mexico, and the completion of air toxics analyses for the Great Lakes. This also reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission. All priority activities in this program can be funded within base resources.
- (+\$3,900.0) This funding increase supports state and local work for effective and early collaboration on energy projects to ensure the seamless integration of the Federal National Environmental Policy Act (NEPA) and state requirements, and to reduce state/Federal regulatory redundancy. This includes building expertise to effectively collaborate and negotiate in the early and later stages of energy development, and conducting needed monitoring and modeling to assess impacts and develop guidance, as related to energy development.
- (-\$17,000.0) This reduction reflects a shift in grant authority used to fund the particulate matter (PM) monitoring network from Section 103 of the Clean Air Act to Section 105 and also reflects the fact that the PM network is beyond the demonstration phase and is now an operational system. Section 105 grants fund state or local air planning agencies to implement and maintain the National Ambient Air Quality Standards and require a 40% match from recipients. The Section 103 authority is specifically for research and demonstration efforts and has no matching requirement. This also reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission. All priority activities in this program can be funded within base resources.

- (-\$14,645.0) This reduction reflects substantial progress that has been made in attaining the NAAQS for lead and carbon monoxide (CO). State efforts are now focused on maintaining compliance with the lead and CO NAAQS and therefore funding for these activities reflects this shift. The federal motor vehicle control program and existing state and local programs will maintain carbon monoxide at levels meeting NAAQS. In addition, new national programs, such as CAIR, will reduce SO<sub>2</sub> and NO<sub>x</sub> as part of the program for reducing particulate emissions and the implementation of these programs will allow states to leverage existing resources to maximize cost-effectiveness of their efforts. This also reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission. All priority activities in this program can be funded within base resources.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$5,710.3</i>	<i>\$5,099.0</i>	<i>\$5,019.0</i>	<i>\$5,099.0</i>	<i>\$80.0</i>
Total Budget Authority / Obligations	\$5,710.3	\$5,099.0	\$5,019.0	\$5,099.0	\$80.0
Total Workyears	0.0	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 to school children, teachers and staff to asbestos fibers in school buildings as well as other asbestos regulations such as the Asbestos Ban and Phaseout Rule.<sup>8</sup> The program also 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 2009 Activities and Performance Plan:**

In FY 2009, EPA's Enforcement and Compliance Assurance program will continue to award state and Tribal compliance monitoring grants to assist in the implementation of compliance and enforcement provisions of the Toxic Substances Control Act (TSCA). These grants support state and Tribal compliance monitoring and enforcement activities to protect the public and the environment from PCBs, asbestos and lead. States receiving grants for the PCB program and for non-waiver asbestos programs must contribute 25 percent of the total cost of the grant. In FY 2009, EPA plans to continue to incorporate technology such as the use of portable personal computers to improve efficiencies of the inspection process.

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<sup>8</sup> In July, 1989, EPA promulgated the Asbestos Ban and Phaseout Rule (40 CFR 763 Subpart 1). The 1989 EPA rule banned the U.S. manufacture, importation, processing, or distribution in commerce of many asbestos-containing product categories. The rule was vacated and remanded by the U.S. Fifth Circuit Court of Appeals in 1991. Six product categories remained banned. The six asbestos-containing product categories that are still subject to the asbestos ban include: 1) corrugated paper, 2) roll-board, 3) commercial paper, 4) specialty paper, 5) flooring felt and 6) new uses of asbestos.

The EPA Enforcement of Environmental Laws (Civil) PART program received an “adequate” rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

**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 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$80.0) This change reflects restoration of the 1.56% rescission to all program projects.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$11,840.5</i>	<i>\$10,940.0</i>	<i>\$10,769.0</i>	<i>\$13,300.0</i>	<i>\$2,531.0</i>
Total Budget Authority / Obligations	\$11,840.5	\$10,940.0	\$10,769.0	\$13,300.0	\$2,531.0
Total Workyears	0.0	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. Allowable activities are described in "Guidance for Funding Air and Radiation Activities Using the STAG Appropriation," issued by the Office of Air and Radiation on November 12, 1999.

**FY 2009 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 2009, Tribes will build expertise to effectively collaborate and negotiate in the early and later stages of energy development, and will conduct needed monitoring and modeling to assess impacts and develop guidance, as related to energy development.

The Air Quality Grants and Permitting Program, PARTed in 2005, received a rating of "ineffective." 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 to ensure targets are met by December 2008.

**Performance Targets:**

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
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.	Data Avail 2008	21	26	29	Percentage

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$2,360.0) This funding increase supports Tribal work for effective and early collaboration on energy projects to ensure the seamless integration of the Federal National Environmental Policy Act (NEPA) and Tribal requirements, and to reduce Tribal/Federal regulatory redundancy.
- (+\$171.0) This total reflects restoration of the FY 2008 Omnibus 1.56% rescission and will support working with tribes on monitoring and development of clean air plans for Tribal programs.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<i>State and Tribal Assistance Grants</i>	<i>\$61,569.8</i>	<i>\$56,925.0</i>	<i>\$56,037.0</i>	<i>\$57,925.0</i>	<i>\$1,888.0</i>
Total Budget Authority / Obligations	\$61,569.8	\$56,925.0	\$56,037.0	\$57,925.0	\$1,888.0
Total Workyears	0.0	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. GAP funds are used 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 2009 Activities and Performance Plan:**

In FY 2009, 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. Additional funds will allow 9 more tribes (for a total of 526 tribes) to have access to an environmental presence in Indian country under EPA programs. 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.



Since FY 2005, EPA has improved program accountability by implementing a new database system, the Objective 5.3 Reporting System, to standardize, centralize, and integrate regional data and assign accountability for data quality. Currently, EPA is working to develop and deploy the GAP Online work plan development and reporting system for improved data management and real-time access to grant information. This new electronic system, in conjunction with the updated guidance, helps emphasize outcome-based results.

The Tribal GAP program underwent its second PART assessment in 2007 and received an overall rating of “moderately effective.” As a result, EPA has set ambitious goals and revised GAP performance measures to strengthen their relevance and accuracy.

In FY 2007, an independent program evaluation of the GAP program was conducted to determine GAP’s effectiveness in building Tribal environmental capacity. The findings conclude that GAP is successful in building the 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](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. In FY 2009, EPA will 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 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of Tribes conducting EPA approved environmental monitoring and assessment activities in Indian country (cumulative.)			21	23	Percent Tribes

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of Tribes with an environmental program (cumulative).			57	60	Percent Tribes

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Number of environmental programs implemented in Indian Country per million dollars.	14.1	12.5	12.5	12.3	Programs

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of Tribes implementing federal regulatory environmental programs in Indian country (cumulative).			6	7	Percent 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 2009, EPA will operate at an efficiency of approximately 14.2 programs per million dollars. This efficiency level is consistent with the amount of funding received.
- In FY 2009, 526 Federally-recognized tribes and intertribal consortia, or 91 percent of a universe of 572 eligible entities, will have access to an environmental presence.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$1,000.0) Additional funds will allow 9 more tribes (for a total of 526 tribes) to have access to an environmental presence in Indian country under EPA programs.
- (+\$888.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

**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)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$10,150.8</i></b>	<b><i>\$10,891.0</i></b>	<b><i>\$10,721.0</i></b>	<b><i>\$10,891.0</i></b>	<b><i>\$170.0</i></b>
Total Budget Authority / Obligations	\$10,150.8	\$10,891.0	\$10,721.0	\$10,891.0	\$170.0
Total Workyears	0.0	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% 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 may also 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 2009 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 2009, states and EPA (where EPA directly implements) will continue to carry out regulatory functions for all well types. In addition, states and EPA will 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 in the future. Similarly, states and EPA will process UIC permits for other nontraditional injection streams such as drinking water treatment residuals, desalination brines, and treated waters injected for storage and recovered at a later time.

The Underground Injection Control Grant program underwent a PART review in 2004 and received a rating of “adequate” from OMB. 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 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of identified Class V motor vehicle waste disposal wells closed or permitted.	85	88	90	75*	Percent of Wells

\*The target reduction in FY 2009 reflects increased regional efforts to identify Class V wells. Permitting and closure efforts are not expected to decrease.

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of prohibited Class IV and high-priority, identified, potentially endangering Class V wells closed or permitted in ground-water based source water areas.	76	N/A	96	86	Percent of Wells

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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 incl. effective treatment &	91.5	94	90	90	Percent of Population

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
	source water protection.					

<b>Measure Type</b>	<b>Measure</b>	<b>FY 2007 Actual</b>	<b>FY 2007 Target</b>	<b>FY 2008 Target</b>	<b>FY 2009 Target</b>	<b>Units</b>
Output	Percentage of Class I, II, and III wells that maintain mechanical integrity without a failure that releases contaminants to underground sources of drinking water.	98	N/A	98	98	Percent of Wells

EPA also 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 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$170.0) This change reflects restoration of the 1.56% rescission to all program projects.

**Statutory Authority:**

SDWA.

**Categorical Grant: Underground Storage Tanks**

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

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$29,459.4</i></b>	<b><i>\$22,274.0</i></b>	<b><i>\$2,461.0</i></b>	<b><i>\$22,800.0</i></b>	<b><i>\$20,339.0</i></b>
Total Budget Authority / Obligations	\$29,459.4	\$22,274.0	\$2,461.0	\$22,800.0	\$20,339.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

**Program Project Description:**

EPA will make grants to states under Section 2007 of the Solid Waste Disposal Act to support core program activities as well as the Energy Policy Act (EPA) 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.<sup>9</sup> EPA also will assist the states in implementing the EPA provisions ensuring that states are developing operator training by August 8, 2009, 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. In addition, EPA will use funds for direct implementation of release detection or release prevention (spill, overflow, and corrosion protection requirements) programs on Tribal lands where EPA carries out the UST program.

There are approximately 630 thousand active USTs at approximately 238 thousand 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. Because of the size and diversity of the regulated community, state authorities are in the best position to regulate USTs and to set priorities.<sup>10</sup> States have been the primary implementers of the UST program since its inception in 1984. In FY 2009, EPA will make grants or cooperative agreements to states and tribes, and/or Intertribal Consortia for activities authorized by the EPA.<sup>11</sup>

<sup>9</sup> Refer to <http://www.epa.gov/OUST/fedlaws/cfr.htm>.

<sup>10</sup> Refer to <http://www.epa.gov/swerust1/overview.htm>.

<sup>11</sup> Refer to [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109\\_cong\\_public\\_laws&docid=f:publ058.109.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ058.109.pdf) (scroll to Title XV - Ethanol And Motor Fuels, Subtitle B – Underground Storage Tank Compliance, on pages 500-513 of the pdf file).

**FY 2009 Activities and Performance Plan:**

In FY 2009, 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 EPCRA. States will continue to use the UST categorical grant funding to implement their leak prevention and detection programs. Specifically with these UST categorical grants, states will fund such activities as:<sup>12</sup>

- Mandatory inspections every three years for all underground storage tanks,
- Operator training,
- Prohibition of delivery for non-complying facilities,
- Secondary containment or financial responsibility for tank manufacturers and installers,
- Seeking state program approval to operate the UST program in lieu of the Federal program,
- Approving specific technologies to detect leaks from tanks,
- Ensuring that tank owners and operators are complying with notification and other requirements, and
- Equipment compatibility.

To help prevent future releases, EPA will continue to help tribes develop the capacity to administer UST programs, such as providing funding to support training for Tribal staff and to educate owners and operators in Indian Country about UST requirements.

The UST (prevention) program received an overall PART rating of “moderately effective” in 2006. As a component of the program’s improvement plan, EPA worked with its state partners to develop an efficiency measure of the annual confirmed releases per the annual underground storage tanks leak prevention costs.

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Increase the rate of significant operational compliance by 1% over the previous year's target.	63%	67	68	69	percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	No more than 10,000 confirmed releases per year.	7,570	<10,000	<10,000	<10,000	UST releases

<sup>12</sup> For more information on grant guidelines under EPCRA see: <http://www.epa.gov/OUST/fedlaws>

The program has set a challenging and ambitious goal of increasing significant operational compliance (SOC) by 1 percent per year from the 2004 baseline of 64 percent. The program did not meet the GPRA goal for the SOC rate in FY 2007 because some states inspected previously uninspected facilities in response to the EPAct, which likely led to lower compliance rates.

The program also measures confirmed releases reported each year, with a goal of fewer than 10,000 releases each year. Between FYs 1999 and 2007, confirmed UST releases averaged 9,052. In FY 2007, there were 7,570 confirmed UST releases.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$20,339.0) This increase will support prevention activities required under the Energy Policy Act of 2005 within the STAG appropriation. This is a shift between the LUST appropriation and the STAG appropriation designed to better engage the states. This change also includes restoration of the 1.56% rescission to all program projects.

**Statutory Authority:**

SWDA of 1976, as amended by the Superfund Reauthorization Amendments of 1986 (Subtitle D), 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; Tribal Grants: P.L. 105-276.



**Categorical Grant: Wetlands Program Development**

Program Area: Categorical Grants

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	<b>FY 2007 Actuals</b>	<b>FY 2008 Pres Bud</b>	<b>FY 2008 Enacted</b>	<b>FY 2009 Pres Bud</b>	<b>FY 2009 Pres Bud v. FY 2008 Enacted</b>
<b><i>State and Tribal Assistance Grants</i></b>	<b><i>\$16,313.7</i></b>	<b><i>\$16,830.0</i></b>	<b><i>\$16,567.0</i></b>	<b><i>\$16,830.0</i></b>	<b><i>\$263.0</i></b>
Total Budget Authority / Obligations	\$16,313.7	\$16,830.0	\$16,567.0	\$16,830.0	\$263.0
Total Workyears	1.0	0.0	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 nation’s wetlands. Grants are used to develop new or refine existing state and Tribal wetland monitoring, assessment, restoration, and management programs and to conduct regulatory and protection work. Grants are awarded on a competitive basis under the authority of Section 104(b)(3) of the Clean Water Act (CWA). Grants support development of state and Tribal wetland programs that further the goals of the CWA and improve water quality in watersheds throughout the country. Many states and some tribes have developed wetland protection programs that assist private landowners, educate local governments, and monitor and assess wetland quantity and quality.

(See <http://www.epa.gov/owow/wetlands/initiative/#financial> for more information.)

**FY 2009 Activities and Performance Plan:**

Achieving the strategic goal and the Administration’s wetlands commitment to increase wetlands necessitates stronger state, Tribal, and local programs to monitor, manage and protect wetlands and other aquatic resources. Resources in FY 2009 will assist states and tribes to develop and enhance wetland programs. This program will help states and tribes protect vulnerable wetlands and build capacity in the areas of measuring and achieving a net gain of wetlands.

In general, the WPDG Program encourages states, tribes, territories, and local governments to pursue projects that will develop one or more of the six core elements (monitoring, regulation, water quality standards, mitigation compliance, and partnership building) that EPA has identified as comprising a comprehensive wetland program. Further explanation of these core areas can be found at <http://www.epa.gov/owow/wetlands/initiative/fy02elements.html>. Since FY 2006, the WPDG Program has targeted projects that develop the regulatory and monitoring core elements. In addition, EPA will be reporting the results of the state/Tribal Environmental Outcome Wetland Demonstration Pilot (WDP). The WDP is a three-year pilot, started in 2005, designed to demonstrate effectiveness of using Wetland Program Development Grants for program

implementation. The pilot is part of EPA's effort to strengthen state and Tribal capacity to protect their wetlands.

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 conterminous 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. Additional wetland data provided in a report titled *Preserving America's Wetlands 2007: Three Years of Progress Implementing the President's Goal* (Council on Environmental Quality, April 2006), indicates that since April 2004, 2,769,000 acres have been restored, created, protected or improved. For more information consult <http://www.whitehouse.gov/ceq/>.

**Performance Targets:**

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 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 Lag	No Net Loss	No Net Loss	No Net Loss	Acres

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Working with partners, achieve a net increase of acres of wetlands per year with additional focus on biological and functional measures and assessment of wetland conditions. (cumulative)	Data Lag	100,000	100,000	100,000	Acres/year

This program has not been reviewed under the PART process.

**FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):**

- (+\$263.0) This change reflects restoration of the 1.56% rescission to all program projects.

**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.