

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

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Hazardous Substance Superfund					
Budget Authority	\$1,352,419.3	\$1,244,706.0	\$1,253,998.0	\$1,264,233.0	\$10,235.0
Total Workyears	3,147.0	3,205.9	3,233.8	3,185.8	-48.0

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

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Air Toxics and Quality					
Radiation: Protection	\$1,960.9	\$2,373.0	\$2,342.0	\$2,414.0	\$72.0
Audits, Evaluations, and Investigations					
Audits, Evaluations, and Investigations	\$12,286.2	\$7,149.0	\$11,486.0	\$7,164.0	(\$4,322.0)
Compliance					
Compliance Assistance and Centers	\$11.1	\$22.0	\$22.0	\$22.0	\$0.0
Compliance Incentives	\$139.4	\$144.0	\$159.0	\$146.0	(\$13.0)
Compliance Monitoring	\$1,487.0	\$1,182.0	\$1,165.0	\$1,192.0	\$27.0
Subtotal, Compliance	\$1,637.5	\$1,348.0	\$1,346.0	\$1,360.0	\$14.0
Enforcement					
Environmental Justice	\$911.1	\$757.0	\$745.0	\$757.0	\$12.0
Superfund: Enforcement	\$164,108.2	\$161,610.0	\$164,845.0	\$163,678.0	(\$1,167.0)
Superfund: Federal Facilities Enforcement	\$8,846.2	\$9,843.0	\$9,726.0	\$10,225.0	\$499.0
Civil Enforcement	\$739.2	\$884.0	\$870.0	\$0.0	(\$870.0)
Criminal Enforcement	\$7,895.7	\$9,167.0	\$9,053.0	\$7,830.0	(\$1,223.0)
Enforcement Training	\$630.7	\$840.0	\$827.0	\$858.0	\$31.0
Forensics Support	\$2,805.2	\$2,310.0	\$3,750.0	\$2,441.0	(\$1,309.0)

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Subtotal, Enforcement	\$185,936.3	\$185,411.0	\$189,816.0	\$185,789.0	(\$4,027.0)
Homeland Security					
Homeland Security: Communication and Information	\$300.0	\$0.0	\$0.0	\$0.0	\$0.0
Homeland Security: Critical Infrastructure Protection					
Decontamination	\$61.8	\$198.0	\$195.0	\$198.0	\$3.0
Homeland Security: Critical Infrastructure Protection (other activities)	\$1,575.4	\$1,659.0	\$1,633.0	\$1,481.0	(\$152.0)
Subtotal, Homeland Security: Critical Infrastructure Protection	\$1,637.2	\$1,857.0	\$1,828.0	\$1,679.0	(\$149.0)
Homeland Security: Preparedness, Response, and Recovery					
Decontamination	\$6,913.3	\$10,527.0	\$10,371.0	\$10,620.0	\$249.0
Laboratory Preparedness and Response	\$8,519.1	\$6,064.0	\$5,971.0	\$9,589.0	\$3,618.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	\$34,885.7	\$28,689.0	\$28,287.0	\$36,467.0	\$8,180.0
Subtotal, Homeland Security: Preparedness, Response, and Recovery	\$50,318.1	\$45,280.0	\$44,629.0	\$56,676.0	\$12,047.0
Homeland Security: Protection of EPA Personnel and Infrastructure	\$636.7	\$594.0	\$585.0	\$1,194.0	\$609.0
Subtotal, Homeland Security	\$52,892.0	\$47,731.0	\$47,042.0	\$59,549.0	\$12,507.0
Information Exchange / Outreach					
Congressional, Intergovernmental, External Relations	\$137.5	\$155.0	\$154.0	\$0.0	(\$154.0)
Exchange Network	\$1,374.2	\$1,433.0	\$1,411.0	\$1,433.0	\$22.0
Subtotal, Information Exchange / Outreach	\$1,511.7	\$1,588.0	\$1,565.0	\$1,433.0	(\$132.0)
IT / Data Management / Security					
Information Security	\$562.3	\$792.0	\$780.0	\$801.0	\$21.0
IT / Data Management	\$15,975.5	\$16,338.0	\$16,083.0	\$16,872.0	\$789.0
Subtotal, IT / Data Management / Security	\$16,537.8	\$17,130.0	\$16,863.0	\$17,673.0	\$810.0
Legal / Science / Regulatory / Economic Review					

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Alternative Dispute Resolution	\$1,020.6	\$837.0	\$825.0	\$846.0	\$21.0
Legal Advice: Environmental Program	\$826.8	\$606.0	\$740.0	\$631.0	(\$109.0)
Subtotal, Legal / Science / Regulatory / Economic Review	\$1,847.4	\$1,443.0	\$1,565.0	\$1,477.0	(\$88.0)
Operations and Administration					
Facilities Infrastructure and Operations					
Rent	\$46,016.9	\$44,997.0	\$44,295.0	\$45,353.0	\$1,058.0
Utilities	\$1,619.3	\$2,466.0	\$2,428.0	\$3,042.0	\$614.0
Security	\$4,308.9	\$6,767.0	\$6,661.0	\$6,524.0	(\$137.0)
Facilities Infrastructure and Operations (other activities)	\$18,319.9	\$20,726.0	\$20,403.0	\$21,351.0	\$948.0
Subtotal, Facilities Infrastructure and Operations	\$70,265.0	\$74,956.0	\$73,787.0	\$76,270.0	\$2,483.0
Financial Assistance Grants / IAG Management	\$2,671.4	\$3,049.0	\$3,001.0	\$3,116.0	\$115.0
Acquisition Management	\$19,129.3	\$24,645.0	\$24,327.0	\$24,985.0	\$658.0
Human Resources Management	\$5,203.0	\$5,036.0	\$4,969.0	\$5,063.0	\$94.0
Central Planning, Budgeting, and Finance	\$20,428.7	\$24,306.0	\$24,008.0	\$26,102.0	\$2,094.0
Subtotal, Operations and Administration	\$117,697.4	\$131,992.0	\$130,092.0	\$135,536.0	\$5,444.0
Research: Human Health and Ecosystems					
Human Health Risk Assessment	\$3,926.4	\$3,972.0	\$3,910.0	\$3,325.0	(\$585.0)
Research: Land Protection					
Research: Land Protection and Restoration	\$23,859.1	\$20,081.0	\$19,768.0	\$21,021.0	\$1,253.0
Research: SITE Program	\$255.1	\$0.0	\$0.0	\$0.0	\$0.0
Subtotal, Research: Land Protection	\$24,114.2	\$20,081.0	\$19,768.0	\$21,021.0	\$1,253.0
Research: Sustainability					
Research: Sustainability	\$212.3	\$0.0	\$0.0	\$0.0	\$0.0
Superfund Cleanup					
Superfund: Emergency Response and Removal	\$222,093.7	\$191,880.0	\$190,011.0	\$193,853.0	\$3,842.0
Superfund: EPA Emergency Preparedness	\$9,101.6	\$9,318.0	\$9,195.0	\$9,504.0	\$309.0
Superfund: Federal Facilities	\$31,763.5	\$31,879.0	\$31,447.0	\$31,440.0	(\$7.0)

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Superfund: Remedial	\$659,513.4	\$584,836.0	\$591,078.0	\$586,120.0	(\$4,958.0)
Superfund: Support to Other Federal Agencies	\$4,967.0	\$6,575.0	\$6,472.0	\$6,575.0	\$103.0
Brownfields Projects	\$4,420.0	\$0.0	\$0.0	\$0.0	\$0.0
Subtotal, Brownfields Projects	\$4,420.0	\$0.0	\$0.0	\$0.0	\$0.0
Subtotal, Superfund Cleanup	\$931,859.2	\$824,488.0	\$828,203.0	\$827,492.0	(\$711.0)
TOTAL, EPA	\$1,352,419.3	\$1,244,706.0	\$1,253,998.0	\$1,264,233.0	\$10,235.0

Program Area: Air Toxics And Quality

Radiation: Protection

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$10,172.7	\$10,186.0	\$10,057.0	\$10,533.0	\$476.0
Science & Technology	\$2,126.1	\$2,120.0	\$2,087.0	\$2,109.0	\$22.0
<i>Hazardous Substance Superfund</i>	<i>\$1,960.9</i>	<i>\$2,373.0</i>	<i>\$2,342.0</i>	<i>\$2,414.0</i>	<i>\$72.0</i>
Total Budget Authority / Obligations	\$14,259.7	\$14,679.0	\$14,486.0	\$15,056.0	\$570.0
Total Workyears	89.2	88.6	88.6	88.6	0.0

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, EPA's National Air and Radiation Environmental Laboratory (NAREL) and Radiation and Indoor Environments National Laboratory (R&IE) will continue to provide analytical support to manage and mitigate radioactive releases and exposures. Both labs routinely provide analytical and technical support for the characterization and cleanup of Superfund and Federal Facility sites. Laboratory support focuses on providing high quality data to support Agency decisions at sites across the country. In addition, both labs provide data evaluation and assessment, document review and field support through on-going fixed and mobile capability. Thousands of radiochemical and mixed waste analyses (NAREL is EPA's only laboratory with in-house mixed waste analytical capability) are performed annually at NAREL on a variety of matrices from contaminated sites. R&IE also provides field-based analytical capability for screening and identifying radiological contaminants at NPL and non-NPL sites across the country, including mobile scanning and air sampling equipment and personnel.

Performance Targets:

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

The Office of Management and Budget (OMB) recently approved several outcome-oriented strategic and annual performance measures for this program in conjunction with its 2007 PART assessment. The measures all have baseline data and some historical data which provide a benchmark to assist in the development of the outyear targets. The Radiation Program received a rating of “moderately effective.”

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

- (+\$168.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$96.0) This reduction reflects the net change after restoring the FY 2008 Omnibus 1.56% rescission and reducing funding for analysis associated with mixed waste sites.

Statutory Authority:

CERCLA, as amended by the SARA of 1986.

Program Area: Audits, Evaluations And Investigations

Audits, Evaluations, and Investigations

Program Area: Audits, Evaluations, and Investigations

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Inspector General	\$32,288.4	\$38,008.0	\$41,099.0	\$39,483.0	(\$1,616.0)
<i>Hazardous Substance Superfund</i>	<i>\$12,286.2</i>	<i>\$7,149.0</i>	<i>\$11,486.0</i>	<i>\$7,164.0</i>	<i>(\$4,322.0)</i>
Total Budget Authority / Obligations	\$44,574.6	\$45,157.0	\$52,585.0	\$46,647.0	(\$5,938.0)
Total Workyears	307.5	331.8	331.8	331.8	0.0

Program Project Description:

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

FY 2009 Activities and Performance Plan:

The EPA OIG will assist the Agency in its efforts to reduce environmental and human health risks by helping to improve Superfund program operations, save taxpayer dollars, and resolve major management challenges. In FY 2009, the OIG will continue focusing on land restoration and reuse as well as areas associated with risk, fraud, waste, and verification of data used to support actions and reported results. The OIG will identify high risk areas and opportunities to reduce administrative overhead, and make recommendations to mitigate those risks and improve operating efficiency leading to positive environmental impacts and the cost effective attainment of EPA's goals related to the Superfund program.

Audits and Evaluations

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

Prior audits and evaluations of the Superfund program have identified numerous barriers to implementing effective resource management and program improvements, especially in the high-dollar value areas of special account management. The OIG will review: (1) EPA's management of Superfund special accounts, actions on closing accounts, and other actions to improve management of these accounts; (2) recording and collection of Superfund accounts receivable; (3) cost recovery at Superfund Federal facilities; (4) Superfund post-construction activities (review and verify documentation for sites that have been designated construction complete); (5) follow-up on millions of dollars not redistributed to Superfund sites; and (6) funds obligated for Superfund interagency agreements and cooperative agreements with states. The OIG will also evaluate ways to minimize fraud, waste, and abuse, and maximize results achieved from its Superfund contracts and assistance agreements.

Investigations

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

Public Liaison

Public liaison work will continue to address critical public and governmental concerns related to the Superfund program. This activity involves responding to requests from the public, Congress, EPA employees, or other government entities for information and responses to complaints or allegations of fraud, waste, abuse, or mismanagement in EPA's Superfund program. To accomplish this work, the Inspector General initiates reviews and, if needed, contracts with subject matter experts to assist with such reviews, and coordinates these efforts with ongoing audits, evaluations, or investigations. Areas to be addressed will include the Superfund community involvement plan (effectiveness and consistency in Regional offices), and the Superfund site information repository.

Follow-up

To further promote economy, efficiency and effectiveness, the OIG will conduct follow-up reviews of Agency responsiveness to OIG recommendations for the Superfund program to determine if appropriate actions have been taken and intended improvements have been achieved. This process will serve as a means for keeping EPA leadership apprised of needed accomplishments and corrective actions, and will facilitate greater accountability for results from OIG operations.

Performance Targets:

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

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

- (-\$2,953.0) This is the net effect of a reallocation of payroll resources to reflect FTE distribution between the Inspector General and Superfund Transfer appropriations, as well as an increase for payroll and cost of living for remaining FTE.
- (-\$1,551.0) This decrease reflects a reduction to non-payroll resources, including contract work and other support costs.
- (+\$182.0) This change reflects restoration of the 1.56% rescission to all program projects.
- (-27.9 FTE) This reflects a redistribution of FTE between the Inspector General and Superfund Transfer appropriations.

Statutory Authority:

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

Program Area: Compliance

Compliance Assistance and Centers

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$28,226.9	\$29,547.0	\$27,725.0	\$26,435.0	(\$1,290.0)
Leaking Underground Storage Tanks	\$644.1	\$688.0	\$709.0	\$753.0	\$44.0
Oil Spill Response	\$267.9	\$291.0	\$286.0	\$303.0	\$17.0
<i>Hazardous Substance Superfund</i>	<i>\$11.1</i>	<i>\$22.0</i>	<i>\$22.0</i>	<i>\$22.0</i>	<i>\$0.0</i>
Total Budget Authority / Obligations	\$29,150.0	\$30,548.0	\$28,742.0	\$27,513.0	(\$1,229.0)
Total Workyears	205.7	208.4	208.4	198.4	-10.0

Program Project Description:

The Compliance Assistance and Centers program includes a range of activities and tools designed to improve compliance with Superfund-related environmental laws. Regulated entities, Federal agencies, and the public benefit from easy access to tools that help them understand these laws and find effective, efficient means for putting them into practice. To achieve these goals, the Compliance Assistance and Centers (CAC) program provides information, training and technical assistance to the regulated community to increase its understanding of statutory and regulatory environmental requirements, thereby gaining measurable improvements in compliance and reducing risks to human health and the environment. The program also provides tools and information to other compliance assistance providers in order to help the regulated community comply with environmental requirements.¹

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to provide general and targeted compliance assistance to the regulated community and integrate assistance into its enforcement and compliance assurance efforts. Superfund-related compliance assistance activities are mainly reported and tracked through the Agency’s Integrated Compliance Information System (ICIS). In FY 2009, the Compliance Assistance program will provide Superfund support for ICIS and the ongoing enhancements to ICIS for continued support of the federal enforcement and compliance program. EPA will continue to ensure the security and integrity of these systems, and will use ICIS data to support Superfund-related regulatory enforcement program activities.

¹ For more information, refer to: www.epa.gov/compliance/assistance/index.html; www.epa.gov/clearinghouse; and www.assistancecenters.net.

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, at OMB's direction, 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 from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

EPA's Compliance Assistance Program achieves pollutant reductions, improves regulated entities' environmental management practices, and increases regulated entities understanding of environmental requirements through direct compliance assistance provided by EPA personnel, and through on-line compliance assistance centers and the clearinghouse.

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

- (+\$104.0) This increase is the net effect of increases for payroll and cost of living for existing FTE.
- (-\$1,619.0 / -5.0 FTE) This sustains a congressional decrease for compliance assistance centers in the FY 2008 Omnibus.
- (+\$225.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to several technical changes such as realignment of IT, travel and other support costs across programs

Statutory Authority:

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

Compliance Incentives

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$9,448.8	\$9,786.0	\$10,618.0	\$10,263.0	(\$355.0)
<i>Hazardous Substance Superfund</i>	<i>\$139.4</i>	<i>\$144.0</i>	<i>\$159.0</i>	<i>\$146.0</i>	<i>(\$13.0)</i>
Total Budget Authority / Obligations	\$9,588.2	\$9,930.0	\$10,777.0	\$10,409.0	(\$368.0)
Total Workyears	66.2	74.6	74.6	71.1	-3.5

Program Project Description:

To improve compliance with Superfund-related environmental laws, EPA actively encourages business owners and operators that run similar operations at multiple facilities to disclose their violations to the Agency. These disclosures allow entities to review their operations holistically, and often nationally, which more effectively benefits the environment. Under EPA's Audit Policy, when companies voluntarily discover and promptly correct environmental violations, EPA may waive or substantially reduce civil penalties. Activities are tracked and reported using the Integrated Compliance Information System (ICIS).²

FY 2009 Activities and Performance Plan:

In FY 2009, the Compliance Incentives program will provide Superfund support for ICIS and ongoing enhancements to continue support of the Federal enforcement and compliance program. EPA will continue to ensure the security and integrity of these systems, and will use ICIS data to support Superfund-related regulatory enforcement program activities.

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.

² For more information, refer to: www.epa.gov/compliance/incentives/programs/index.html.

Performance Targets:

EPA's Compliance Incentive programs encourage regulated entities to monitor and quickly correct environmental violations to achieve pollutant reductions, and improvements in regulated entities' environmental management practices. One of the key Civil Enforcement PART program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to strengthen the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Although the estimated pollution reductions resulting from enforcement actions taken by EPA have grown over the past 5 years, these pollutant reductions are projections based on the settlement agreements entered during each specific fiscal year. One or two cases can have a significant effect on the end-of-year results.

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

- (-\$37.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.
- (+\$24.0) 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:

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

Compliance Monitoring

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$90,724.6	\$93,428.0	\$88,726.0	\$96,025.0	\$7,299.0
<i>Hazardous Substance Superfund</i>	<i>\$1,487.0</i>	<i>\$1,182.0</i>	<i>\$1,165.0</i>	<i>\$1,192.0</i>	<i>\$27.0</i>
Total Budget Authority / Obligations	\$92,211.6	\$94,610.0	\$89,891.0	\$97,217.0	\$7,326.0
Total Workyears	625.8	629.5	629.5	623.0	-6.5

Program Project Description:

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

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

FY 2009 Activities and Performance Plan:

Superfund-related compliance monitoring activities are mainly reported and tracked through the Agency's Integrated Compliance Information System (ICIS). In FY 2009, the Compliance Monitoring program will provide Superfund support for ICIS and the ongoing enhancements to ICIS for continued support of the Federal enforcement and compliance program. EPA will continue to ensure the security and integrity of these systems, and will use ICIS data to support Superfund-related regulatory enforcement program activities. In FY 2009, EPA will spend \$190K in this program project for ICIS-related work.

EPA will continue to make Superfund-related compliance monitoring information available to the public through the Enforcement and Compliance History On-line (ECHO) Internet website in FY 2009. This site provides communities with information on compliance status. EPA will continue to develop additional tools and data for public use. ECHO is a valuable tool, averaging approximately 75,000 queries per month.

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 from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percentage of concluded enforcement cases requiring that pollution be reduced, treated, or eliminated.	27	30	30	30	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percentage of concluded enforcement cases requiring implementation of improved environmental management practices.	70	70	70	70	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollution estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions. (civil enf)	890	500	890	890	Million pounds

EPA's Monitoring and Enforcement Program achieves pollutant reductions, and improvements in regulated entities' environmental management practices through the settlement of enforcement cases. One of the key Civil Enforcement PART program measures, pounds of pollutants

reduced, looks at the overall reduction in pollution as a result of enforcement actions³. The Agency is exploring methodologies to extend the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Although the estimated pollution reductions resulting from enforcement actions taken by EPA have grown over the past 5 years, these pollutant reductions are projections based on the settlement agreements entered during each specific fiscal year. One or two cases can have a significant effect on the end-of-year results. Thus the targets estimated for 2008 and 2009 are based on what was achieved in the previous two years. Actuals in 2008 and 2009 could vary from these targets.

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

- (+\$20.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$7.0) 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:

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

³ With the adoption of the Clean Air Interstate Rule, pollution reduction will move from an enforcement category to a regulatory category; therefore, the enforcement targets should not be expected to increase, although overall pollution reduction is certain to increase.

Program Area: Enforcement

Environmental Justice

Program Area: Enforcement

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$6,319.2	\$3,822.0	\$6,399.0	\$3,811.0	(\$2,588.0)
<i>Hazardous Substance Superfund</i>	<i>\$911.1</i>	<i>\$757.0</i>	<i>\$745.0</i>	<i>\$757.0</i>	<i>\$12.0</i>
Total Budget Authority / Obligations	\$7,230.3	\$4,579.0	\$7,144.0	\$4,568.0	(\$2,576.0)
Total Workyears	23.0	16.9	16.9	16.9	0.0

Program Project Description:

The Environmental Justice (EJ) program addresses environmental and/or human health concerns in all communities, including minority and/or low-income communities. Research has shown that the minority and low-income segments of the population have been, or could be, disproportionately exposed to environmental harm and risks. Thus, EPA focuses attention on minority and low-income communities to ensure that EPA actions do not adversely affect these or any other communities that face critical environmental or public health issues.

The Environmental Justice program also provides education, outreach, and data to communities and facilitates the integration of environmental justice considerations into Agency programs, policies, and activities. It compliments and enhances the community outreach work done under the Superfund program at affected sites. The Agency also supports state and Tribal environmental justice (EJ) programs and conducts outreach and technical assistance to states, local governments, and stakeholders on environmental justice issues.⁴

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to enhance its environmental justice integration and collaborative problem-solving initiatives. By fully integrating environmental justice considerations within its programs, policies, and activities, EPA will build greater capacity within its Headquarters and Regional offices to better address the environmental and/or human health concerns of all communities, and build collaborative problem-solving capacity within communities affected disproportionately by environmental risks and harms, including minority and/or low-income communities.

⁴ For more information on the Environmental Justice program, please refer to: www.epa.gov/compliance/environmentaljustice/index.html.

EPA will continue to manage its Environmental Justice Small Grants program, which assists community-based organizations in developing solutions to local environmental issues.

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 the Healthy Communities objective 4.2.2. By 2011, 30 communities with potential environmental justice concerns will achieve significant measurable environmental or public health improvement through collaborative problem-solving strategies.

EPA will measure the results from the Environmental Justice program by tracking the cumulative number of communities with potential environmental justice concerns that achieve significant measurable environmental or public health improvement through collaborative problem-solving strategies.

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

- (+\$12.0) This change reflects restoration of the 1.56% rescission to all program projects.

Statutory Authority:

Executive Order 12898; CERCLA, as amended.

Superfund: Enforcement

Program Area: Enforcement

Goal: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$164,108.2</i>	<i>\$161,610.0</i>	<i>\$164,845.0</i>	<i>\$163,678.0</i>	<i>(\$1,167.0)</i>
Total Budget Authority / Obligations	\$164,108.2	\$161,610.0	\$164,845.0	\$163,678.0	(\$1,167.0)
Total Workyears	942.8	971.9	971.9	961.2	-10.7

Program Project Description:

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

The Agency establishes and uses site-specific Special Accounts, sub-accounts within the Trust Fund, where applicable. Special Accounts segregate funds obtained from responsible parties who enter into settlement agreements with EPA. These funds act as an incentive for other PRPs to perform cleanup work and can be used by the Agency to fund cleanup at that site. Consequently, the Agency can sustain the “polluter pays” principle, clean up more sites, and preserve appropriated dollars for sites without viable PRPs. Since the program’s inception, EPA has achieved more than \$8 in private party cleanup commitments and cost recovery for every \$1 spent on Superfund litigation costs.

FY 2009 Activities and Performance Plan:

The Agency’s Superfund program pursues an “enforcement first” policy to ensure that sites for which there are viable, liable responsible parties are cleaned up by those parties. In tandem with this approach, various Superfund reforms have been implemented to increase fairness, reduce

transaction costs, and promote economic redevelopment.⁵ EPA also will work to ensure that required legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup actions.

Throughout FY 2009, the Superfund Enforcement program will maximize PRP participation in cleanups while promoting fairness in the enforcement process and will continue to recover costs from PRPs when EPA expends money from the Trust Fund. The Agency will maximize PRP participation by reaching a settlement or taking an enforcement action by the time of a remedial action start at 95 percent of non-Federal Superfund sites that have viable, liable parties. The Agency also will continue to ensure Trust Fund stewardship through cost recovery efforts that include addressing -- prior to the end of the statute of limitations period -- 100 percent of past costs at sites where total past costs are equal to or greater than \$200,000. The Agency also will continue efforts to address past costs at sites where total costs are below \$200,000.

In FY 2009, the Agency will provide the DOJ with \$23.9 million, through an Interagency Agreement (IAG), to provide support for EPA's Superfund Enforcement program through such actions as negotiating consent decrees with PRPs, preparing judicial actions to compel PRP clean-up, and litigating to recover monies spent in cleaning up contaminated sites. EPA's Superfund enforcement program is responsible for case development and preparation, referral to DOJ, and post-filing actions as well as for providing case and cost documentation support for the docket of current cases with DOJ. The program also ensures that EPA meets cost recovery statute of limitation deadlines, resolves cases, issues bills timely for oversight, and makes collections in a timely manner. By pursuing cost recovery settlements, the program promotes the principle that polluters should either perform or pay for cleanups which preserves appropriated Trust Fund resources to address contaminated sites where there are no viable, liable PRPs. The Agency's expenditures will be recouped through administrative actions and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 107 case referrals. The Agency also will continue to refer delinquent accounts receivable to DOJ for debt collection enforcement.

In FY 2009, the Agency will negotiate remedial design/remedial action cleanup agreements and removal agreements at contaminated properties. Where negotiations fail, the Agency will either take unilateral enforcement actions to require PRP cleanup or use appropriated dollars to remediate sites. When appropriated dollars are used to clean up sites, the program will recover the associated cleanup costs from the PRPs. The Agency also will continue its efforts to establish and use special accounts to facilitate cleanup to improve tracking and projection of special account funds designated for specific construction activities.

During FY 2009, the Agency will continue the financial management aspects of Superfund cost recovery and the collection of related debt. These efforts include tracking and managing Superfund delinquent debt, maintaining the Superfund Cost Recovery Package Imaging and On-Line System (SCORPIOS), and using SCORPIOS to prepare cost documentation packages. The Agency will continue to refine and streamline the cost documentation process to gain further efficiencies; provide DOJ case support for Superfund sites; and calculate indirect cost and annual

⁵ For more information about EPA's Superfund enforcement program, and its various components, refer to: www.epa.gov/compliance/cleanup/superfund/.

allocation rates to be applied to direct costs incurred by EPA for site cleanup. The Agency also will continue to maintain the accounting and billing of Superfund oversight costs attributable to responsible parties. These costs represent EPA's cost of overseeing Superfund site clean-up efforts by responsible parties as stipulated in the terms of settlement agreements.

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

EPA also plans further improvements to its budgeting and planning system, Financial Data Warehouse, business intelligence tools, and reporting capabilities which will support the Superfund program. These improvements will support EPA's "green" score in financial performance on the President's Management Agenda scorecard by providing more accessible data to support accountability, budget and performance integration, and management decision-making. During FY 2009, EPA also will continue to explore additional methods in its financial services to achieve greater efficiency.

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 from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of Superfund sites at which settlement or enforcement action taken before the start of RA.	98	95	95	95	Percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Refer to DOJ, settle, or write off 100% of Statute of Limitations (SOLs) cases for SF sites with total unaddressed past costs equal to or greater than \$200,000 and report value of costs	98	100	100	100	Percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	recovered.					

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

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

- (+\$3,927.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-11.0 FTE) As the program has matured, fewer resources are needed to identify, locate and reach settlement with PRPs to clean up sites or recover Trust Fund monies expended.
- (-\$5,334.0) This reduces Congressionally-directed funding in the FY 2008 Omnibus.
- (-\$162.0) This change reflects 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:

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

Superfund: Federal Facilities Enforcement

Program Area: Enforcement

Goal: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	\$8,846.2	\$9,843.0	\$9,726.0	\$10,225.0	\$499.0
Total Budget Authority / Obligations	\$8,846.2	\$9,843.0	\$9,726.0	\$10,225.0	\$499.0
Total Workyears	61.3	74.3	74.3	72.8	-1.5

Program Project Description:

The Superfund Federal Facilities Enforcement program ensures that 1) all Federal facility sites on the National Priorities List have interagency agreements (IAGs), which provide enforceable schedules for the progression of the entire cleanup; 2) these IAGs are monitored for compliance; and 3) Federal sites that are transferred to new owners are transferred in an environmentally responsible manner. After years of service and operation, some Federal facilities contain environmental contamination, such as hazardous wastes, unexploded ordnance, radioactive wastes or other toxic substances. To enable the cleanup and reuse of such sites, the Federal Facilities Enforcement program coordinates creative solutions that protect both human health and the environment. These enforcement solutions help restore facilities so they can once again serve an important role in the economy and welfare of local communities and our country.

FY 2009 Activities and Performance Plan:

Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 120, EPA will enter into IAGs with responsible Federal entities to ensure protective cleanup at a timely pace in FY 2009. EPA also will monitor milestones in existing IAGs, resolve disputes, and oversee all remedial work being conducted at Federal facilities. EPA also works to ensure that required legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup actions. EPA also will continue its work with affected agencies to resolve outstanding policy issues relating to the cleanup of Federal facilities.

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, at OMB's direction, 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:

The Superfund Enforcement Program measures the Volume of Contaminated Media Addressed (VCMA), which is a companion to the pounds of pollutants reduced. This represents the volume of contaminated media (e.g., soil, groundwater, sediment) addressed through completed enforcement actions. The Agency is exploring methodologies to extend the measure by analyzing the risk associated with the contaminated media addressed. This may entail analysis of pollutant hazards and population exposure. Work under this program supports Restore Land and Improve Compliance objective, although currently no specific performance measures exist for the program project.

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

- (+\$282.0) This reflects a net increase for payroll and cost of living for existing FTE.
- (-1.5 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities
- (+\$217.0) 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. Funds will support policy and oversight in the federal facilities program.

Statutory Authority:

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

Civil Enforcement

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$123,003.7	\$126,645.0	\$129,886.0	\$133,017.0	\$3,131.0
Oil Spill Response	\$1,661.5	\$2,065.0	\$2,072.0	\$2,233.0	\$161.0
<i>Hazardous Substance Superfund</i>	<i>\$739.2</i>	<i>\$884.0</i>	<i>\$870.0</i>	<i>\$0.0</i>	<i>(\$870.0)</i>
Total Budget Authority / Obligations	\$125,404.4	\$129,594.0	\$132,828.0	\$135,250.0	\$2,422.0
Total Workyears	914.1	969.1	969.1	958.2	-10.9

Program Project Description:

The overarching goal of the Civil Enforcement program is to protect human health and the environment, targeting Superfund-related enforcement actions according to degree of health and environmental risk posed by environmental violations. The Superfund portion of the program collaborated with the Department of Justice (DOJ) to ensure consistent and fair enforcement of Superfund-related environmental laws and regulations.

FY 2009 Activities and Performance Plan:

The Office of Enforcement and Compliance Assurance has achieved efficiencies through the Agency’s workforce management strategy that will help the program better align resources, skills, and Agency priorities to other programs; therefore, resources for Superfund portion of the civil enforcement program will not be requested in FY 2009.

Performance Targets:

EPA's Monitoring and Enforcement Program achieves pollutant reductions and improvements in regulated entities’ environmental management practices through the settlement of enforcement cases. There are many programs evaluated under the Civil Enforcement PART assessment. These programs include Compliance Assistance, Compliance Incentives, Compliance Monitoring, Civil Enforcement, Enforcement Training, Forensics, Superfund Enforcement, and categorical grant programs for toxic substances and sectors. One of the key Civil Enforcement PART program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to strengthen the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Although the estimated pollution reductions as a result of the enforcement actions taken by EPA have grown over the past five years, they are projections made from future pollution reduction based on the settlement agreements entered during each specific fiscal year and one or two cases can have a significant affect on the end-of-year results. Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

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

- (-\$176.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.
- (-\$300.0 / -1.7 FTE) This decrease reduces support for ensuring national consistency for the enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) section 103; and Emergency Planning, and Community Right-to-know Act (EPCRA) section 304 accidental release reporting requirements.
- (-\$394.0) This change reflects the net restoration of the 1.56% rescission to all program projects in addition to several technical changes such as realignment of IT, travel or other support costs across programs

Statutory Authority:

RCRA; CERCLA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA; SBLRBRERA; PPA; CERFA; AEA; UMTRLWA.

Criminal Enforcement

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$39,721.6	\$39,688.0	\$40,742.0	\$44,384.0	\$3,642.0
<i>Hazardous Substance Superfund</i>	<i>\$7,895.7</i>	<i>\$9,167.0</i>	<i>\$9,053.0</i>	<i>\$7,830.0</i>	<i>(\$1,223.0)</i>
Total Budget Authority / Obligations	\$47,617.3	\$48,855.0	\$49,795.0	\$52,214.0	\$2,419.0
Total Workyears	259.2	268.9	268.9	278.1	9.2

Program Project Description:

The criminal enforcement program investigates and helps prosecute violations of Superfund and Superfund-related laws which seriously threaten public health and the environment, and which involve knowing, deliberate, or criminal behavior on the part of the violator. The criminal enforcement program deters violations of Superfund and Superfund related laws by demonstrating that the regulated community will be held accountable, through jail sentences and criminal fines for such violations. Bringing criminal cases sends a strong message to potential violators, enhancing aggregate compliance with laws and regulations.

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

The program also participates in task forces with state and local law enforcement, and provides specialized training at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA. FLETC provides one of the few opportunities for state, local, and Tribal environmental enforcement professionals to obtain criminal investigation training.⁶

⁶ For more information refer to: www.epa.gov/compliance/criminal/index.html.

FY 2009 Activities and Performance Plan:

In FY 2009, the criminal enforcement program will continue implementing its strategic approach by emphasizing investigations and prosecutions in areas of national and regional Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)-related enforcement priority focus, as well as other types of “high impact” cases that affect human health, the environment, and enhance compliance and deterrence. The criminal enforcement program will continue to enhance its collaboration and coordination with the civil enforcement program to ensure that the enforcement program as a whole responds to violations as effectively as possible. That is accomplished by establishing an effective regional case screening process to identify the most appropriate civil or criminal enforcement responses for a particular violation, and by taking criminal enforcement actions against long-term or repeated significant non-compliers where appropriate. Coordination will also be facilitated by focusing on parallel proceedings and other mechanisms allowing us to use the most appropriate tools to address environmental violations and crimes.

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

In FY 2009, the program will use data from the Criminal Case Reporting System made available through enhancements to be completed in FY 2008. Information associated with all closed criminal enforcement cases will be used to systematically compile a profile of criminal cases, including the extent to which the cases support Agency-wide, program-specific, or Regional enforcement priorities. The profile also will describe the impact of the cases in terms of pollution released into the environment and resulting environmental harm such as the degradation of drinking water wells, human populations injured or made ill, and aquatic or animal life harmed.

In FY 2009, the program also will seek to deter environmental crime by increasing the volume and quality of leads reported to EPA by the public through the tips and complaints link on EPA’s website. The web link was established on EPA’s homepage in FY 2006.

The EPA Enforcement of Environmental Laws (criminal) PART program received an “adequate” rating in 2004 with the addition of new outcome measures. The program created a measure implementation plan to set targets and milestones for performance measures. The program revised its Case Conclusion Data Sheet, conducted training, and issued the form to begin collecting new data for Criminal Enforcement PART measures. The program developed a target and baseline for the pollution reduction measure in FY 2006. The baselines and targets for

the Recidivism and the Pollutant Impact measures will be developed in FY 2007 and FY 2008, respectively.

Performance Targets:

In FY 2009, the Criminal Enforcement program's Pollution Reduction measure will be reported against the baseline and target set in FY 2006, which uses an average of pollutant reduction data from three fiscal years (FYs 2003-2005). The results of this measure are likely to fluctuate annually due to the specific characteristics of the enforcement cases concluded during a given fiscal year. However, long-term trend analysis of this information will help the program to identify and prioritize cases that present the most serious threats to public health and the environment.

In addition, in FY 2009, the Criminal Enforcement Program will report its PART-approved measures on "improved environmental management" and "recidivism". The program will also develop the targets and baselines for its "pollutant impact" measure (i.e., the amount of illegal pollution released into the environment that cannot be treated, remediated or otherwise reduced) in order to begin external reporting of that measure in FY 2008. Work under this program supports the compliance and environmental stewardship objective. Currently, there are no performance measures specific to this program.

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

- (-\$1,160.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a FTE reduction and a recalculation of base workforce costs.
- (-10.8 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. It realigns FTEs from the Superfund appropriation to the EPM appropriation to more accurately reflect the criminal investigator workload.
- (-\$63.0) 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:

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

Enforcement Training

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$2,668.3	\$3,145.0	\$3,096.0	\$3,043.0	(\$53.0)
<i>Hazardous Substance Superfund</i>	<i>\$630.7</i>	<i>\$840.0</i>	<i>\$827.0</i>	<i>\$858.0</i>	<i>\$31.0</i>
Total Budget Authority / Obligations	\$3,299.0	\$3,985.0	\$3,923.0	\$3,901.0	(\$22.0)
Total Workyears	20.7	20.9	20.9	20.9	0.0

Program Project Description:

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

NETI operates training facilities in Washington, D.C. and in Lakewood, CO. NETI also maintains a training center on the Internet, "NETI Online," which offers targeted technical training courses and the capability to track individual training plans. "NETI Online's" training information clearinghouse includes links to course offering lists, as well as tools for Agency training providers to assist with developing, managing, and evaluating the program's training.⁷

FY 2009 Activities and Performance Plan:

In FY 2009, NETI will develop and deliver training to address important gaps in Superfund-related enforcement and compliance assurance knowledge and skills identified in needs assessments and national strategic plans. The NETI advisory service will assist the Agency's enforcement experts in developing course agendas and in determining the most effective methods to deliver quality training to the nation's enforcement professionals.

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

⁷ For more information, please refer to: <http://www.epa.gov/compliance/training/neti/index.html>

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:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollution estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions. (civil enf)	890	500	890	890	Million pounds

One of the program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to extend the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Estimated pollution reductions as a result of the enforcement actions taken by EPA have grown over the past five years. The last two years have seen actuals in the 890 M pounds range, and therefore our targets are being adjusted upward. However, one or two cases can have a significant effect on the end-of-year results. These estimates are projections made from future pollution reduction based on the settlement agreements entered during each specific fiscal year.

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

- (+\$55.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$24.0) 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:

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

Forensics Support

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Science & Technology	\$13,949.3	\$15,075.0	\$14,882.0	\$15,557.0	\$675.0
<i>Hazardous Substance Superfund</i>	\$2,805.2	\$2,310.0	\$3,750.0	\$2,441.0	(\$1,309.0)
Total Budget Authority / Obligations	\$16,754.5	\$17,385.0	\$18,632.0	\$17,998.0	(\$634.0)
Total Workyears	97.0	105.8	105.8	105.8	0.0

Program Project Description:

The Forensics Support program provides specialized scientific and technical support for the nation's most complex Superfund civil and criminal enforcement cases and provides technical expertise for non-routine Agency compliance efforts. EPA's National Enforcement Investigations Center (NEIC) is the only accredited environmental forensics center in the nation. NEIC's Accreditation Standard has been customized to cover the civil, criminal, and special program work conducted by the program.

NEIC collaborates with other Federal, state, local, and Tribal enforcement organizations to provide technical assistance, consultation, on-site inspection, investigation and case resolution activities in support of the Agency's civil enforcement program. In addition, the program coordinates with the Department of Justice and other Federal, state, and local law enforcement organizations to provide this type of science and technology support for criminal investigations.⁸

FY 2009 Activities and Performance Plan:

Efforts to stay at the forefront of environmental enforcement in FY 2009 will include the refinement of "source-receptor" strategies to identify potential responsible parties' use of customized laboratory methods to solve unusual enforcement case challenges and applied research and development for both laboratory and field applications. In response to Superfund case needs, the NEIC will conduct applied research and development to identify and deploy new capabilities and to test and/or enhance existing methods and techniques involving environmental measurement and forensic situations. As part of this activity, NEIC also will evaluate the scientific basis and/or technical enforceability of select EPA regulations that may impact Superfund program activities.

⁸ For more information, refer to: <http://www.epa.gov/compliance/neic/index.html>.

In FY 2009, the Forensics program will continue to function under more stringent International Standards Organization (ISO) requirements for environmental data measurements to maintain its accreditation. The program also will continue development of emerging technologies in field measurement and laboratory analytical techniques, as well as identifying sources of pollution at abandoned Superfund and other waste sites.

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:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollution estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions. (civil enf)	890	500	890	890	Million pounds

One of the program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to strengthen the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Estimated pollution reductions as a result of the enforcement actions taken by EPA have grown over the past five years. The last two years have seen actuals in the 890 M pounds range, and therefore our targets are being adjusted upward. However, one or two cases can have a significant effect on the end-of-year results. These estimates are projections made from future pollution reduction based on the settlement agreements entered during each specific fiscal year.

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

- (+\$159.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$1,492.0) This reduces a Congressionally-directed increase in the FY 2008.
- (+\$24.0) 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:

CERCLA; EPCRA.

Program Area: Homeland Security

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$9,555.5	\$7,787.0	\$7,665.0	\$6,759.0	(\$906.0)
Science & Technology	\$10,575.4	\$25,586.0	\$15,357.0	\$27,131.0	\$11,774.0
<i>Hazardous Substance Superfund</i>	<i>\$1,637.2</i>	<i>\$1,857.0</i>	<i>\$1,828.0</i>	<i>\$1,679.0</i>	<i>(\$149.0)</i>
Total Budget Authority / Obligations	\$21,768.1	\$35,230.0	\$24,850.0	\$35,569.0	\$10,719.0
Total Workyears	53.7	59.0	59.0	49.0	-10.0

Program Project Description:

This program involves Superfund activities that coordinate and support protection of the nation’s critical public infrastructure from terrorist threats. Through this program, EPA provides subject matter expertise and training support for terrorism-related environmental investigations to support responses authorized under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The program coordinates the Agency’s law enforcement/crisis management activities and participates in Homeland Security Presidential Directives 5, 7, 8, and 10, while also having direct responsibilities pursuant to the National Response Plan (NRP), Emergency Support Functions 10 and 13, and the Oil and Hazardous Materials Annex.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to train all criminal investigators within the Office of Criminal Enforcement, Forensics and Training (OCEFT) in “Hot Zone Forensic Evidence Collection” typically utilized at crime scenes involving Weapons of Mass Destruction (WMD) as well as environmental crimes. The program will continue this multi-year effort to train and provide these agents with the necessary specialized response skills and evidence collection equipment. This will enable these agents to collect evidence and process a crime scene safely and effectively in a contaminated environment (hot zone).

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

Water Security Initiative, and RadNet programs. During FY 2009, it is anticipated that the number of NSSEs and other events to which EPA criminal investigators are deployed will remain high.

Performance Targets:

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

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

- (-\$42.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.
- (-1.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.
- (-\$107.0) This change reflects small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

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

Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Healthy Communities and Ecosystems

Objective(s): Enhance Science and Research

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$3,394.3	\$3,381.0	\$3,329.0	\$3,412.0	\$83.0
Science & Technology	\$39,003.6	\$40,768.0	\$38,193.0	\$46,210.0	\$8,017.0
<i>Hazardous Substance Superfund</i>	<i>\$50,318.1</i>	<i>\$45,280.0</i>	<i>\$44,629.0</i>	<i>\$56,676.0</i>	<i>\$12,047.0</i>
Total Budget Authority / Obligations	\$92,716.0	\$89,429.0	\$86,151.0	\$106,298.0	\$20,147.0
Total Workyears	166.7	167.6	167.6	174.2	6.6

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, efforts to develop the capability to respond to multiple incidents will concentrate on four key areas: 1) maintaining a highly skilled, well-trained and equipped response workforce that can rise to the challenge of responding to simultaneous incidents as well as threats involving WMD substances; 2) continuing the development of decontamination options, methods, and protocols to ensure that the nation can quickly recover from nationally significant incidents; 3) operating and maintaining a nationwide environmental laboratory network capability to enhance coordination and standardization of laboratory support which includes expanding Agency Chemical Warfare Agent (CWA) fixed and field capabilities; and 4) implementing the EPA's

National Approach to Response (NAR) to effectively manage EPA's emergency response assets during large-scale activations. EPA activities in support of these efforts include the following:

- Develop and maintain the skills of EPA's On-Scene Coordinators (OSCs) through specialized training, exercises, and equipment. In FY 2009, EPA and its Federal, state, and local homeland response partners will continue to develop and participate in a wide range of exercises and trainings designed to test EPA's response capabilities. EPA will continue procurement of upgrades of specialized response equipment and will ensure maintenance of equipment purchased in prior years for OSCs.
- In an effort to strengthen its responder base during large-scale catastrophic incidents, EPA will provide training to volunteers of the Response Support Corps (RSC) and/or as part of an Incident Management Team (IMT). These volunteers provide critical support in Headquarters and Regional Emergency Operations Centers and in assisting with operations in the field. To ensure technical proficiency, this new cadre of response personnel requires initial training and yearly refresher training to include exercises, workshops, health and safety training, medical monitoring, and equipment acquisition, as necessary. EPA currently has about 800 trained RSC and IMT members and estimates it will need between 3,000 and 3,500 members to respond to five INS. The proposed funding will allow the Agency to train a minimum of 700 volunteers to meet RSC and IMT requirements.
- Continue to accelerate current efforts to build laboratory capacity and capability to analyze, verify, and validate CWA samples during an INS. The Agency will maintain and operate existing fixed CWA labs and Portable High-Throughput Integrated Laboratory Identification System (PHILIS) units. A recent analysis has shown a substantial gap between the Agency's current capacity and what may be needed to analyze chemical and biological warfare agents. To continue to make progress towards reducing that gap, EPA will purchase two additional PHILIS units to enhance the Agency's mobile analytical capability for CWA and also will award three additional grants and/or interagency agreements to state and/or Federal agencies for fixed CWA labs to increase capacity. Working with the Department of Homeland Security (DHS), the Department of Defense, and the states, EPA will implement standard operating procedures and standards of performance. The Agency will continue to actively participate with the Integrated Consortium of Laboratory Networks, maintaining and updating a laboratory compendium of Federal, state and commercial capabilities, and maintain a chemical surety program. EPA also will work with DHS to implement a competitive state grant for an All Hazards Receipt Facility.
- Headquarters and Regional Offices also will operate and maintain the Environmental Laboratory Response Network (eLRN) to provide lab analysis for routine and emergency response operations including a terrorist attack. In addition, in FY 2009, EPA plans to enhance the eLRN through the improvement of an electronic data deliverable for use by all eLRN laboratories.

- Continue to develop and validate environmental sampling, analysis, and human health risk assessment methods for known and emerging biological threat agents in accordance with Homeland Security Presidential Directive-10. These sampling and analysis methods are critical to ensuring appropriate response and recovery actions and developing necessary laboratory support capacity. The human health risk assessment methods also are extremely important to decision makers who are faced with determining when decontaminated facilities and equipment can be returned to service. This decontamination and consequence management research will produce data, information, and technologies to assist EPA in developing standards, protocols, and capabilities to recover from and mitigate the risks associated with biological attacks.
- Implement the NAR to maximize Regional interoperability and to ensure that EPA's OSCs will be able to respond to terrorist threats and large-scale catastrophic incidents in an effective and nationally consistent manner.
- Procure and operate an additional Airborne Spectral Photometric Environmental Collection Technology (ASPECT) plane. The ASPECT provides aerial assistance to first responders by rapidly collecting and processing chemical, visible, and radiological information quickly and relaying the information directly to the command structure during an INS. This technology has been used to assist the response community in over 50 incidents from ammonia releases to the recent Gulf Coast hurricanes. The existing ASPECT plane is located in the center of the country and takes a minimum of three hours to approach east and west coast targets which means any chemical or biological data collected from plume will not include critical environmental information near the time of the release. EPA proposes to locate the additional aircraft on the East Coast which will reduce response times for acquiring real-time monitoring capabilities in the Region and improve EPA's sampling and analysis efforts by expanding the geographic coverage.
- Develop the Rapidly Deployable Chemical Defense System (RDCDS) program, an interagency strategy to enhance the Airborne Spectral Photometric Environmental Collection Technology (ASPECT) program. RDCDS consists of both a ground and airborne component. The ground component is being developed at a national lab and the airborne component consists of the EPA ASPECT team. The RDCDS program will accelerate the development of an automated chemical compound identification. Automating compound identification involves the collection of field and laboratory data on individual chemical compounds. This data is then used to generate chemical compound filters which can be used in the rapid identification of the compound from the large data sets collected during a response. These data points can then be rapidly marked and geo-located by cross referencing to Global Positioning System (GPS) data sets. This development effort will significantly increase the speed with which chemicals can be identified, verified, mapped, and the data transmitted to first responders.
- Improve and enhance Agency systems to accept a wider variety of environmental data, including sampling, monitoring, hazardous debris and facilities reconnaissance, and to make these data easily and rapidly accessible for a variety of uses. Implementation of these activities will create a seamless data flow from the field and laboratory to the

various Incident Command System (ICS) units and to the general public. It also will improve EPA's ability to make rapid and accurate response decisions and to keep the public informed of health and environmental risks.

- Maintain and improve the Emergency Management Portal (EMP). FY 2009 will be the first year for complete integration of the basic management modules (i.e., environmental assessment, equipment, personnel, and decontamination). EPA will continue to manage, collect, and validate new information including the portfolio content for new and existing WMD agents as new decontamination techniques are developed or as other information emerges from the scientific community.
- Maximize the effectiveness of EPA's involvement in national security events through pre-deployments of assets such as emergency response personnel and field detection equipment. Pre-deployments allow immediate response should an incident occur at a national security event. EPA estimates it will participate in three pre-deployments in FY 2009.
- Conduct one WMD Decontamination Course for EPA OSCs, Special Teams, and Response Support Corp personnel to improve decontamination preparedness for biological, chemical, and radiological agents.

Performance Targets:

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

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

- (+\$633.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$3,500.0) This increase will allow EPA to accelerate efforts to build laboratory capacity and capability to analyze, verify, and validate samples during an INS. Funding will support two grants and/or IAGS to States and/or Federal agencies to build analytical capacity for chemical warfare agents and procure a PHILIS unit to enhance the Agency's mobile analytical capability for CWA.
- (+\$2,200.0) This increase funds training for Response Support Corps and Incident Management Team volunteers who provide critical support in Headquarters and Regional Emergency Operations Centers and also assist with operations in the field during large-scale catastrophic incidents.
- (+\$3,000.0) This increase funds the procurement of an additional Airborne Spectral Photometric Environmental Collection Technology (ASPECT) airplane to be located on the East Coast which will reduce the response time for acquiring real-time monitoring capabilities during large-scale catastrophic incidents.

- (+\$500.0) This increase will improve and enhance emergency response data systems to allow for a seamless data flow from the field and laboratory to Incident Command System units and to the general public.
- (+\$1,460.0) This increase will fund Regional homeland security training opportunities, participation at agency and interagency exercises designed to better prepare for a large-scale catastrophic incident, and associated travel to support the Regions' emergency response duties.
- (+\$754.0) 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. This increase will support Regional emergency preparedness activities.

Statutory Authority:

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

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Land Preservation and Restoration

Objective(s): Restore Land

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$6,219.1	\$6,345.0	\$6,248.0	\$6,415.0	\$167.0
Science & Technology	\$2,023.9	\$594.0	\$585.0	\$594.0	\$9.0
Building and Facilities	\$10,372.2	\$7,870.0	\$7,747.0	\$8,070.0	\$323.0
<i>Hazardous Substance Superfund</i>	<i>\$636.7</i>	<i>\$594.0</i>	<i>\$585.0</i>	<i>\$1,194.0</i>	<i>\$609.0</i>
Total Budget Authority / Obligations	\$19,251.9	\$15,403.0	\$15,165.0	\$16,273.0	\$1,108.0
Total Workyears	2.3	3.0	3.0	3.0	0.0

Program Project Description:

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

FY 2009 Activities and Performance Plan:

EPA will continue to update its physical security vulnerability assessments and also continue the mitigation of medium vulnerabilities at the Agency's most sensitive facilities. The Agency will conduct exercises of Continuity of Operations (COOP) plans, activation of essential personnel to the COOP site, and implementation of its essential functions from its remote alternate site(s), including interagency operations. In FY 2009, EPA plans to support training activities and to participate in a major interagency COOP exercise (Pinnacle/Forward Challenge) and an EPA internal COOP exercise with Headquarters and the Regions. Also in FY 2009, EPA requests increased resources to accelerate plans to work toward meeting the requirements of National Communications System Directive (NCSD) 3-10, through the purchase, installation, and maintenance of secure communications equipment for primary and alternate Headquarters COOP sites.

Performance Targets:

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

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

- (+\$600.0) This increase will support the purchase, installation, and maintenance of secure communications equipment at primary and alternate Headquarters COOP sites.
- (+\$9.0) This change reflects restoration of the 1.56% rescission to all program projects.

Statutory Authority:

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

Program Area: Information Exchange / Outreach

Congressional, Intergovernmental, External Relations

Program Area: Information Exchange / Outreach

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$49,193.3	\$49,747.0	\$48,971.0	\$49,756.0	\$785.0
<i>Hazardous Substance Superfund</i>	<i>\$137.5</i>	<i>\$155.0</i>	<i>\$154.0</i>	<i>\$0.0</i>	<i>(\$154.0)</i>
Total Budget Authority / Obligations	\$49,330.8	\$49,902.0	\$49,125.0	\$49,756.0	\$631.0
Total Workyears	375.7	379.1	365.5	372.4	6.9

Program Project Description:

The Enforcement and Compliance Assurance program contributed to the mission of this program by disseminating information about Superfund-related enforcement actions, compliance monitoring, and the availability of compliance assistance. Some of the tools used to inform stakeholders included: monthly Enforcement Alerts, regular news briefs about enforcement and compliance assistance activities, and a website with easily accessible tools for retrieving information.

FY 2009 Activities and Performance Plan:

The Enforcement and Compliance Assurance program will not be requesting funding in FY 2009 for the Congressional, Intergovernmental, External Relations program. Instead, the program will redirect these functions to the compliance incentives program in the EPM appropriation and the Superfund: Enforcement program in the Superfund appropriation. Program functions that will be redirected include information updates on enforcement actions, compliance monitoring, and the availability of compliance assistance. Additionally, some of the tools used to inform stakeholders that also will be redirected as a part of the program include: monthly Enforcement Alerts, regular news briefs about enforcement and compliance assistance activities, and a website with easily accessible tools for retrieving information.

Performance Targets:

The emphasis and priority of the program is to provide the vision and leadership for the full range of EPA's mission. In addition to headquarters efforts, the Regional Administrators and their staffs continue to provide leadership to their respective regional offices and the states they

serve. These tools assist in building a greater understanding of CERCLA and Superfund related issues for the enforcement program's many stakeholders. The Congressional, Intergovernmental, External Relations program project supported this effort.

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

- (-\$128.0 / -1.1 FTE) This reduction will redirect Superfund resources that have been used to disseminate information about various enforcement-related events and milestones. The functions of the Superfund portion of this program will not be eliminated and will be redirected for administrative efficiency to the compliance incentives program in the Environmental Program and Management appropriation and the Superfund Enforcement program in the Hazardous Substance Superfund appropriation.
- (-\$26.0) 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 Act; Federal Advisory Committee Act; Enterprise for the Americas Initiative Act; North America Free Trade Agreement Implementation Act; RLBPHRA; NAAED; LPA-US/MX-BR; CERCLA.

Exchange Network

Program Area: Information Exchange / Outreach

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$17,541.7	\$15,364.0	\$15,137.0	\$18,058.0	\$2,921.0
<i>Hazardous Substance Superfund</i>	<i>\$1,374.2</i>	<i>\$1,433.0</i>	<i>\$1,411.0</i>	<i>\$1,433.0</i>	<i>\$22.0</i>
Total Budget Authority / Obligations	\$18,915.9	\$16,797.0	\$16,548.0	\$19,491.0	\$2,943.0
Total Workyears	30.0	24.0	24.0	24.0	0.0

Program Project Description:

This program supports the development and maintenance of the National Environmental Information Exchange Network (the Exchange Network). The Exchange Network is an integrated information network using standardized data formats and definitions to facilitate information sharing among EPA and its partners across the Internet. This program provides resources to develop, implement, operate, and maintain the Agency's Central Data Exchange (CDX, www.epa.gov/cdx), EPA's node on the Exchange Network, which is the point of entry for data submissions to the Agency and data exchanges with our partners. This program also develops the regulatory framework to ensure that electronic submissions are legally acceptable; establishes partnerships with states, tribes, territories and Tribal consortia; and, supports the e-Government (e-Gov) initiatives such as e-Rulemaking, e-Authentication, electronic information management, and data standards.

FY 2009 Activities and Performance Plan:

In FY 2009, the major focus is on fulfilling the Agency's e-Gov commitments and supporting EPA's information technology initiatives. These activities build on efforts started in FY 2004 to enhance the availability, quality, and analytical usefulness of environmental information for EPA and its partners and stakeholders. These efforts support data exchange by states, tribes, and other partners through the use of the Exchange Network and CDX.

After 2007, all 50 states, one territory, and seven tribes will have nodes on the Exchange Network and will be using it to send data to EPA and share data with other partners. In FY 2009, EPA, states, as well as more tribes and territories, will continue to re-engineer data systems so information that was previously not available, or not easily available, can be exchanged using common data standards and data formats called schemas. These efforts will be closely

coordinated with the Agency’s program offices and the Agency’s system of data registries. As data flows are added, the broader use of data standards (quality tools that check data before it is submitted) and reusable schemas will increase the accuracy and timeliness of the data, improve analytical capabilities, and create savings through economies of scale.

In addition, EPA will improve data security by implementing electronic reporting standards that support the authentication and electronic signatures of report submitters. EPA will work to provide assistance to states, tribes and territories in implementing these standards. Effective implementation of the Exchange Network activities relies on close coordination with the Information Security, Agency Architecture, and data management activities. Coordination helps to ensure that necessary security measures are adhered to, system platforms follow the Agency’s Enterprise Architecture, and data management follows documented standards.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Number of major EPA environmental systems that use the CDX electronic requirements enabling faster receipt, processing, and quality checking of data.	37	36	45	60	Systems

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Number of users from states, tribes, laboratories, and others that choose CDX to report environmental data electronically to EPA.	88,516	55,000	100,000	110,000	Users

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

- (+\$22.0) 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:

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

Program Area: IT / Data Management / Security

Information Security

Program Area: IT / Data Management / Security

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$4,291.9	\$5,583.0	\$5,504.0	\$5,790.0	\$286.0
<i>Hazardous Substance Superfund</i>	<i>\$562.3</i>	<i>\$792.0</i>	<i>\$780.0</i>	<i>\$801.0</i>	<i>\$21.0</i>
Total Budget Authority / Obligations	\$4,854.2	\$6,375.0	\$6,284.0	\$6,591.0	\$307.0
Total Workyears	10.2	15.8	15.8	15.8	0.0

Program Project Description:

The Information Security program protects the confidentiality, availability, and integrity of EPA's information assets. This program also establishes a risk-based cyber security program using a defense-in-depth approach that includes partnering with other Federal agencies and the states; implements aggressive efforts to respond to evolving threats and computer security alerts and incidents, and integrates information security into its day-to-day business; manages the Federal Information Security Management Act (FISMA) data collection and reporting requirements; and supports the development, implementation and operation and maintenance of the ASSERT security documentation system.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue its technical and system analyses evaluations and assessments to maintain the security of EPA's information. Constant system and network monitoring is essential to detect and identify potential weaknesses or vulnerabilities that might otherwise compromise EPA's information assets. These proactive efforts allow EPA to develop cost effective solutions that bolster EPA's long-term goal of building analytical capacity. EPA will also coordinate information security activities with the Homeland Security IT, Exchange Network and IT/Data Management program requirements and, where possible, identify and implement more efficient solutions.

Effective information security is a constantly moving target. Every year, Agency managers are challenged with responding to increasingly creative and sophisticated attempts to breach organizational protections. The goal of the Agency's Information Security program is to effectively protect the confidentiality, availability, and integrity of EPA's information assets

amid the evolving risks that are present in a fully networked world. The Agency's Information Security program uses a defense-in-depth approach that includes partnering with other Federal agencies and states, integrating information security into day-to-day business operations, and aggressively responding to evolving threats and computer security alerts and incidents. The program is based on a successful implementation of the Federal Risk Management Framework mandated by the Federal Information Security Management Act (FISMA). This is a collective effort to harden the Agency's diverse and distributed IT environments in accordance with federal security standards.

The foundation for the Federal Risk Management Framework is a requirement that Agency managers understand the protection requirements of the information they use while fulfilling the Agency's mission operations. Based upon that understanding, managers must ensure appropriate federal security standards are implemented, that security standard decisions are documented, and, most importantly, that implementation is rigorously monitored to ensure the protection remains effective. The Information Security program assists Agency managers in implementing these requirements as well as preparing and providing periodic mandated reports to the Office of Management and Budget (OMB) and Congress. Failing to securely manage Agency information and information systems could severely disrupt the Agency's ability to fulfill its environmental mission. A breach of confidentiality, such as a release of sensitive personally identifiable information (PII), could do significant harm to individuals as well as impacting the Agency's budgetary decisions and harming the Agency's credibility. Breaches of integrity and availability could severely impact confidence in the reliability of Agency information. If such breaches accompanied an emergency of some kind, it would negatively affect the Agency's emergency response.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of Federal Information Security Management Act reportable systems that are certified and accredited.	100	100	100	100	Percent

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

- (+\$14.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$7.0) 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:

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

IT / Data Management

Program Area: IT / Data Management / Security

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$99,196.3	\$91,019.0	\$90,753.0	\$94,360.0	\$3,607.0
Science & Technology	\$4,522.1	\$3,499.0	\$3,453.0	\$3,859.0	\$406.0
Leaking Underground Storage Tanks	\$136.5	\$177.0	\$174.0	\$162.0	(\$12.0)
Oil Spill Response	\$23.8	\$34.0	\$33.0	\$24.0	(\$9.0)
<i>Hazardous Substance Superfund</i>	<i>\$15,975.5</i>	<i>\$16,338.0</i>	<i>\$16,083.0</i>	<i>\$16,872.0</i>	<i>\$789.0</i>
Total Budget Authority / Obligations	\$119,854.2	\$111,067.0	\$110,496.0	\$115,277.0	\$4,781.0
Total Workyears	497.4	488.0	488.0	488.0	0.0

Program Project Description:

Agency offices rely on the IT/Data Management Superfund program and its capabilities to develop and implement tools for ready access to accurate and timely data. This program houses all of the critical IT infrastructure that allows efficient exchange and storage of data, analysis and computations. It also allows access to the scientific, regulatory, and best practice information needed by agency staff, the regulated community, and the public. These functions are integral to the implementation of Agency information technology programs and systems like the Exchange Network, the Central Data Exchange (CDX), and the Permit Compliance System (PCS). Recent partnerships include portals projects with the offices of Research and Development (ORD) and Air and Radiation (OAR) to access scientific and program data. Because the IT/Data Management function supports the entire Agency, funds are provided in each operating appropriation including Superfund.

This program manages and coordinates the Agency's Enterprise Architecture and develops analytical tools (e.g., Environmental Indicators) to ensure sound environmental decision-making. The program implements the Agency's e-Government (e-Gov) responsibilities and designs, develops, and manages the Agency's internet and intranet resources, including the Integrated Portal. The program: (1) supports the development, collection, management, and analysis of environmental data (to include both point source and ambient data) to manage statutory programs and to support the Agency in strategic planning at the national, program, and regional levels; (2) provides a secure, reliable, and capable information infrastructure based on a sound enterprise architecture which includes data standardization, integration, and public access; (3) manages the

Agency's Quality System ensuring EPA's processes and data are of quality and adhere to Federal guidelines; and (4) supports Regional information technology infrastructure, administrative and environmental programs, and telecommunications.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA's Information Technology community will continue to focus on improving the Agency's use of technology, pursuing enterprise solutions, and protecting privacy and security of data holdings while improving delivery of information and services to partners and citizens. The Agency's IT/Data Management program forms the core of this effort with its focus on building and implementing the Agency's Integrated Portal and Enterprise Content Management System (ECMS), developing Environmental Indicators, and continuing to deploy enterprise-wide IT infrastructure solutions.

The Environmental Information program's FY 2009 technology efforts have three major components:

- OEI's efforts in the areas of Analytical Capacity and Indicators is expected to help identify data gaps, and suggest areas where additional capacity is needed;
- Through use of the portal and Exchange Network, the Technology Initiative program will increase the integration of quality data, streamline transactions to foster collaboration, reduce the data entry burden, and improve decision making;
- OEI's Readiness to Serve initiative will build the capacity and infrastructure needed to allow more EPA employees to telecommute or work safely and securely in the field.

Feedback and results received during stakeholder meetings on EPA's FY 2003 "Draft Report on the Environment" identified key areas for data collection, review and analysis. EPA's technology efforts and its focus areas work together to advance data analyses and the development of an analytical tool kit, including environmental indicators. These efforts will be reflected in the next "Report on the Environment." That document has two major components, the science document and the summary document, both of which are expected to be released to the public in mid-2008.

Technology efforts in FY 2009 for EPA's Integrated Portal activities include implementing identity and access management solutions, and integrating geospatial tools. The Portal is the Technology Initiative's link to diverse data sets and systems giving users the ability to perform complex environmental data analyses on data stored at other locations. It provides a single business gateway for people to access, exchange and integrate standardized local, regional and national environmental and public health data.

Using a collaborative process, the Agency will continue to implement the ECMS project, an enterprise-wide, multi-media solution designed to manage and organize environmental data and documents for EPA, Regions, field offices and laboratories. Previously fragmented data storage approaches will be converted, over time, into a single resource on a standard platform which is

accessible to everyone in the Agency, reducing data and document search time and assisting in security and information retention efforts.

EPA's infrastructure program will continue to deliver secure information services to ensure that the Agency and its programs have a full range of information technology infrastructure components (e.g., user equipment, network connectivity, e-mail, application hosting, and remote access) that make information accessible across the spectrum of mission needs at all locations. The program uses performance-based, outsourced services to obtain the best solutions (value for cost) for the range of program needs. This includes innovative multi-year leasing that sustains and renews technical services in a least-cost, stable manner as technology changes over time (e.g., desktop hardware, software and maintenance). Physical infrastructure is a challenge because demands on bandwidth increase as system capabilities and public users grow.

EPA's environmental information needs require the Agency to ensure that it is keeping pace with the states in the areas of data collection, management and utilization. Additionally, this program will continue to focus on information security and the need for each regional office to have an internal IT security capacity. The regional offices will implement Agency information resource management policies in areas such as data and technology standards, central data base services, and telecommunications.

In FY 2009, EPA continues active participation in nine government-wide E-government initiatives and six Lines of Business. Through these projects, EPA will implement consolidated practices used to manage information technology, improve access and tools for analysis of environmental information, create new approaches to allow citizens and businesses to more directly participate in Agency rulemaking activities, and develop enterprise solutions for our internal business practices. EPA contributions to the initiatives are intended to ensure efficiency, economy, and security in federal IT investments and systems used by federal employees, partners, stakeholders and citizens.

IT/Data Management efforts are integral to the Exchange Network and Information Security programs. Together these programs work to design, develop and deploy secure systems and analytical tools to promote sound environmental decision-making.

Performance Targets:

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

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

- (+\$309.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$380.0) This increase reflects a restoration of funds that were reduced in this program in FY 2008 for anticipated Agency-wide IT/infrastructure savings pending analysis of final costing. The Agency has completed its analysis and reduced its estimate of the

savings associated with changes to IT/infrastructure. Funding changes have been incorporated across the board for FY 2009 IT/infrastructure costs.

- (+\$100.0) 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
- (+0.5 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities.

Statutory Authority:

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

Program Area: Legal / Science / Regulatory / Economic Review

Alternative Dispute Resolution

Program Area: Legal / Science / Regulatory / Economic Review

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$970.5	\$1,175.0	\$1,160.0	\$1,264.0	\$104.0
<i>Hazardous Substance Superfund</i>	<i>\$1,020.6</i>	<i>\$837.0</i>	<i>\$825.0</i>	<i>\$846.0</i>	<i>\$21.0</i>
Total Budget Authority / Obligations	\$1,991.1	\$2,012.0	\$1,985.0	\$2,110.0	\$125.0
Total Workyears	6.6	7.3	7.3	7.3	0.0

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will provide conflict prevention and ADR services to EPA Headquarters and Regional offices and external stakeholders on environmental matters. The national ADR program assists in developing effective ways to anticipate, prevent, and resolve disputes and makes neutral third parties – such as facilitators and mediators – more readily available for those purposes. Under EPA's ADR Policy, the Agency encourages the use of ADR techniques to prevent and resolve disputes with external parties in many contexts, including adjudications, rulemaking, policy development, administrative and civil judicial enforcement actions, permit issuance, protests of contract awards, administration of contracts and grants, stakeholder involvement, negotiations, and litigation.

Performance Targets:

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

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

- (+\$51.0) This reflects an increase for payroll and cost of living for existing FTE.

- (-\$30.0) 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:

EPA's General Authorizing Statutes.

Legal Advice: Environmental Program

Program Area: Legal / Science / Regulatory / Economic Review

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$38,242.4	\$39,366.0	\$39,480.0	\$39,925.0	\$445.0
<i>Hazardous Substance Superfund</i>	\$826.8	\$606.0	\$740.0	\$631.0	(\$109.0)
Total Budget Authority / Obligations	\$39,069.2	\$39,972.0	\$40,220.0	\$40,556.0	\$336.0
Total Workyears	240.8	247.2	247.2	247.2	0.0

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, legal advice to environmental programs will include litigation support representing EPA and providing litigation support in cases where EPA is a defendant, as well as those cases where EPA is not a defendant, but may have an interest in the case. Legal advice, counsel, and support are necessary for Agency management and program offices on matters involving environmental issues including, for example, providing interpretations of, and drafting assistance on, relevant and applicable laws, regulations, directives, policy and guidance documents, and other materials.

Performance Targets:

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

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

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

- (-\$224.0) This change reflects restoration of the 1.56% rescission to all program projects combined with several changes in IT, travel or other support costs.

Statutory Authority:

EPA's General Authorizing Statutes.

Program Area: Operations and Administration

Facilities Infrastructure and Operations
Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$327,954.1	\$303,728.0	\$297,189.0	\$311,068.0	\$13,879.0
Science & Technology	\$32,886.2	\$73,859.0	\$72,707.0	\$74,884.0	\$2,177.0
Building and Facilities	\$28,672.1	\$26,931.0	\$26,511.0	\$26,931.0	\$420.0
Leaking Underground Storage Tanks	\$848.5	\$901.0	\$887.0	\$902.0	\$15.0
Oil Spill Response	\$500.4	\$490.0	\$488.0	\$496.0	\$8.0
<i>Hazardous Substance Superfund</i>	<i>\$70,265.0</i>	<i>\$74,956.0</i>	<i>\$73,787.0</i>	<i>\$76,270.0</i>	<i>\$2,483.0</i>
Total Budget Authority / Obligations	\$461,126.3	\$480,865.0	\$471,569.0	\$490,551.0	\$18,982.0
Total Workyears	399.2	415.9	415.9	410.6	-5.3

Program Project Description:

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

FY 2009 Activities and Performance Plan:

For FY 2009, the Agency is requesting a total of \$45,353 thousand for rent; \$3,042 thousand for utilities; \$6,524 thousand for security; \$2,226 thousand for transit subsidy; and \$2,505 thousand for regional moves in the Superfund appropriation. The Agency also will continue to manage its lease agreements with General Services Administration and other private landlords by conducting rent reviews and verifying that monthly billing statements are correct. The Agency also reviews space needs on a regular basis.

These resources also help to improve operating efficiency and encourage the use of new, advanced technologies and energy sources. EPA will continue to direct resources toward acquiring alternative fuel vehicles and more fuel-efficient passenger cars and light trucks to meet the goals set by Executive Order (EO) 13423⁹, *Strengthening Federal Environmental, Energy, and Transportation Management*. Additionally, the Agency will attain the EO's goals through several initiatives, including comprehensive facility energy audits; re-commissioning; sustainable building design in Agency construction and alteration projects; energy savings performance contracts to achieve energy efficiencies; the use of off-grid energy equipment; energy load reduction strategies; green power purchases; and the use of Energy Star rated products and buildings.

EPA will provide transit subsidy to eligible applicants as directed by EO 13150¹⁰ *Federal Workforce Transportation*. EPA will continue its integration of Environmental Management Systems (EMS) across the Agency, consistent with requirements of EO 13423¹¹. EPA will advance the implementation of Safety and Health Management Systems to identify and mitigate potential safety and health risks in the workplace. EPA will continue to provide safety, health, and environmental services that help maintain EPA's readiness to respond to national emergencies—protecting its employees and responsibly managing the environmental and safety hazards of samples associated with weapons of mass destruction.

Performance Targets:

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

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

- (+\$545.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$83.0) This represents an increase in resources for transit subsidy.
- (+\$1,058.0) This increase will provide additional resources for projected increases in rent. The total includes the restoration of the 1.56% recession to all program projects.
- (+\$614.0) This increase will provide additional resources for projected increases in utility costs. The total includes the restoration of the 1.56% recession to all program projects.
- (-\$137.0) This decrease reflects projected security cost savings in FY 2009.
- (+\$320.0) This reflects the balance of the restored 1.56% rescission to all program projects to fund other operations support costs.

⁹ Information available at <http://www.fedcenter.gov/programs/eo13423/>

¹⁰ Additional information available at <http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html>

¹¹ Information available at <http://www.fedcenter.gov/programs/eo13423/>

- (+3.5 FTE) This reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

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

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

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$20,564.5	\$23,439.0	\$23,242.0	\$25,977.0	\$2,735.0
<i>Hazardous Substance Superfund</i>	<i>\$2,671.4</i>	<i>\$3,049.0</i>	<i>\$3,001.0</i>	<i>\$3,116.0</i>	<i>\$115.0</i>
Total Budget Authority / Obligations	\$23,235.9	\$26,488.0	\$26,243.0	\$29,093.0	\$2,850.0
Total Workyears	169.2	177.5	177.5	177.5	0.0

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will achieve key objectives under its long-term Grants Management Plan. These objectives include strengthening accountability, competition and positive environmental outcomes, and aggressively implementing new and revised policies on at-risk grantees.¹² The Grants Management Plan has provided a framework for extensive improvements in grants management at the technical administrative level, programmatic oversight level and at the executive decision-making level of the Agency. EPA will continue to reform grants management by conducting on-site and pre-award reviews of grant recipients and applicants,

¹² US EPA, *EPA Grants Management Plan*. EPA-216-R-03-001, April 2003, <http://www.epa.gov/ogd/EO/finalreport.pdf>.

performing indirect cost rate reviews, providing Tribal technical assistance, and implementing its Agency-wide training program for project officers, grant specialists, and managers.

Performance Targets:

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

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

- (+\$115.0) This reflects an increase for payroll and cost of living for existing FTE combined with the restoration of the 1.56% rescission to all program projects.

Statutory Authority:

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

Acquisition Management

Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$23,654.1	\$29,992.0	\$28,629.0	\$31,195.0	\$2,566.0
Leaking Underground Storage Tanks	\$223.1	\$165.0	\$162.0	\$165.0	\$3.0
<i>Hazardous Substance Superfund</i>	<i>\$19,129.3</i>	<i>\$24,645.0</i>	<i>\$24,327.0</i>	<i>\$24,985.0</i>	<i>\$658.0</i>
Total Budget Authority / Obligations	\$43,006.5	\$54,802.0	\$53,118.0	\$56,345.0	\$3,227.0
Total Workyears	340.9	357.3	357.3	362.9	5.6

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to implement its new acquisition system, scheduled to be deployed in FY 2010. The current Acquisition Management System has reached the end of its useful life. Staff increasingly spends time making the system work as opposed to using the system to accomplish their work. Further, the system itself is obsolete; and therefore an upgrade is not cost-efficient.

The new system will provide the Agency with a better, more comprehensive way to manage data on contracts that support mission-oriented planning and evaluation. This will allow the Agency to reach the President's Management Agenda (PMA) goals, E-Government (E-Gov) requirements, and the needs of Agency personnel, resulting in more efficient process implementation. The benefits of the new system are: (1) program offices will be able to track the progress of individual actions; (2) extensive querying and reporting capabilities will allow the Agency to meet internal and external demands, and (3) the system will integrate with the Agency's financial systems and government-wide shared services.

Performance Targets:

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

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

- (+\$1,061.0) This reflects an increase for payroll and cost of living for existing FTEs.
- (-\$403.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to several technical changes such as realignment of IT, travel and other support costs across programs.
- (-4.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources such as Regional contract management workload, skills and Agency priorities.

Statutory Authority:

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

Human Resources Management
Program Area: Operations and Administration

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$39,740.2	\$40,175.0	\$39,760.0	\$43,646.0	\$3,886.0
Leaking Underground Storage Tanks	\$3.0	\$3.0	\$3.0	\$3.0	\$0.0
<i>Hazardous Substance Superfund</i>	<i>\$5,203.0</i>	<i>\$5,036.0</i>	<i>\$4,969.0</i>	<i>\$5,063.0</i>	<i>\$94.0</i>
Total Budget Authority / Obligations	\$44,946.2	\$45,214.0	\$44,732.0	\$48,712.0	\$3,980.0
Total Workyears	298.6	296.3	296.3	304.6	8.3

Program Project Description:

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

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will continue its efforts to strengthen its workforce by focusing on key areas to further develop our existing talent, and by strengthening our recruitment and hiring programs. EPA also remains committed to fully implementing EPA's *Strategy for Human Capital*¹³, which was issued in December 2003 and updated in 2005. As a result of that review, the desired outcomes for each strategy were strengthened to focus on measurable results. In FY 2009, the Agency will continue its multi-year efforts to implement a Workforce Planning System:

- Closing competency gaps for Toxicology, Information Technology, Human Resources, Grant and Contract specialist positions, as well as leadership positions throughout the Agency.

¹³ US EPA, *Investing in Our People II, EPA's Strategy for Human Capital*. Available at <http://www.epa.gov/oarm/strategy.pdf>

- Shortening the hiring timeframes for the Senior Executive Service (SES) and non-SES positions through improved automation and enhancements to application process.
- Implementing innovative recruitment and hiring flexibilities that address personnel shortages in mission-critical occupations.

As part of these activities, EPA will improve the effectiveness and efficiency of Agency human resources operations by establishing Shared Service Centers. These Shared Service Centers will process personnel and benefits actions for EPA's 17,000 employees, as well as vacancy announcements. The establishment of Human Resources Shared Service Centers reflects EPA's ongoing commitment to improve the effectiveness and efficiency of Agency operations. The Centers will enhance the timeliness and quality of customer service and standardize work processes.

In addition, EPA will continue to streamline human resources management by employing the E-gov initiative, Human Resources Line of Business (HR LoB). HR LoB offers government-wide, cost effective, standardized and interoperable HR solutions while providing core functionality to support the strategic management of Human Capital.

Performance Targets:

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

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

- (+\$77.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$17.0) This change reflects restoration of the 1.56% rescission to all program projects combined with several technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

Title V USC; FAIR Act.

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

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management	\$64,431.2	\$74,960.0	\$73,949.0	\$80,623.0	\$6,674.0
Leaking Underground Storage Tanks	\$812.6	\$1,102.0	\$1,085.0	\$1,131.0	\$46.0
<i>Hazardous Substance Superfund</i>	<i>\$20,428.7</i>	<i>\$24,306.0</i>	<i>\$24,008.0</i>	<i>\$26,102.0</i>	<i>\$2,094.0</i>
Total Budget Authority / Obligations	\$85,672.5	\$100,368.0	\$99,042.0	\$107,856.0	\$8,814.0
Total Workyears	519.9	530.0	530.0	538.1	8.1

Program Project Description:

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

FY 2009 Activities and Performance Plan:

The Agency works to ensure sound financial and budgetary management through the use of routine and ad hoc analysis, statistical sampling and other evaluation tools. In addition, more structured and more targeted use of performance measurements has led to better understanding of program impacts as well as leverage points to increase effectiveness.

EPA will continue efforts to modernize the Agency's financial systems and business processes. The Agency is working to replace its legacy accounting system and related modules with a new system certified to meet the latest government accounting standards. This extensive modernization effort will allow the Agency to improve efficiency and automate quality control functions to simplify use of the system as well as comply with Congressional direction and new

Federal financial systems requirements. This work is framed by the Agency's Enterprise Architecture and will make maximum use of enabling technologies for e-Gov initiatives including e-Procurement, e-Payroll, and e-Travel.

EPA plans further improvements to its budgeting and planning system, financial data warehouse, business intelligence tools, and reporting capabilities. These improvements will support EPA's "green" score in financial performance on the President's Management Agenda (PMA) scorecard by providing more accessible data to support accountability, cost accounting, budget and performance integration, and management decision-making.

In FY 2009, EPA will continue to strengthen its accountability and effectiveness of operations through improved coordination and integration of internal control assessments as required under Revised OMB Circular A-123. Improvements in internal controls will further support EPA's PMA initiatives for improved financial performance.

Performance Targets:

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

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

- (+\$669.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$880.0) This increase is to cover revised estimates of the expected FY 2009 expenditures for the Financial Replacement System (FinRS) Capital Investment project.
- (-\$45.0) This decrease realigns funds between Central Planning, Budgeting and Finance and Superfund Enforcement/Cost Recovery in the FY 2009 President's Budget. These funds support financial cost recovery activities.
- (+\$590.0) This change reflects restoration of the 1.56% rescission to all program projects combined with small technical changes such as realignment of IT, travel, or other support costs across programs. The restored funds will support continuity in provision of the financial services for the Agency and baseline financial systems operations.
- (-0.3 FTE) The change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

Annual Appropriations Act; CCA; CERCLA; CSA; E-Government Act of 2002; EFOIA; EPA's Environmental Statutes, and the FGCAA; FAIR; Federal Acquisition Regulations, contract law and EPA's Assistance Regulations (40CFR Parts 30, 31, 35, 40,45,46, 47); FMFIA(1982);

FOIA; GMRA(1994); IPIA; IGA of 1978 and Amendments of 1988; PRA; PR; CFOA (1990); GPRA (1993); The Prompt Payment Act (1982); Title 5 USC.

Program Area: Research: Human Health And Ecosystems

Human Health Risk Assessment

Program Area: Research: Human Health and Ecosystems

Goal: Healthy Communities and Ecosystems

Objective(s): Enhance Science and Research

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Science & Technology	\$35,018.0	\$38,856.0	\$38,334.0	\$39,323.0	\$989.0
<i>Hazardous Substance Superfund</i>	\$3,926.4	\$3,972.0	\$3,910.0	\$3,325.0	(\$585.0)
Total Budget Authority / Obligations	\$38,944.4	\$42,828.0	\$42,244.0	\$42,648.0	\$404.0
Total Workyears	176.3	182.1	182.1	178.6	-3.5

Program Project Description:

The Human Health Risk Assessment (HHRA) program provides health hazard assessments and develops assessment methods. It supports Superfund in the following areas:

The Integrated Risk Information System (IRIS)¹⁴, Provisional Peer-Reviewed Toxicity Values (PPRTVs), and other health hazard assessments: Based on the expressed needs of EPA’s Solid Waste and Emergency Response program, this program prepares IRIS hazard characterization and dose-response profiles for environmental pollutants of specific relevance to site assessments and remediation. Where IRIS values are unavailable, the HHRA program develops PPRTVs for evaluating chemical specific exposures at Superfund sites. Support for these PPRTV assessments is provided through the Superfund Technical Support Centers.

Risk assessment guidance, methods, and model development: Improving risk assessment guidance, methods, and models to support Superfund includes the development of exposure-response data arrays, revised RfC methodology and cumulative risk tools to better estimate potential effects of exposures at Superfund sites on humans and the consultative support necessary for the application of these methods.

Superfund research is guided by the long term *Waste Research Strategy*¹⁵, which was developed with participation from major clients and outlines research needs and priorities. These research efforts are guided by multi-year plans (MYPs)¹⁶, developed with input from across the Agency, including scientific staff in the Superfund program and the Regional offices. The MYPs outline

¹⁴ Available at: <http://www.epa.gov/iris>.

¹⁵ U.S. EPA, Office of Research and Development, *Waste Research Strategy*. Washington, D.C.: EPA. For more information, see <http://www.epa.gov/ord/htm/documents/wastepub.pdf>.

¹⁶ For more information, see <http://www.epa.gov/osp/myrp>.

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

steps for meeting the needs of Agency programs and for evaluating progress through annual performance goals and measures. Application of the research results and existing published scientific information to risk assessment needs is described in the HHRA MYP¹⁷.

In FY 2003, a Board of Scientific Counselors (BOSC)—a Federal advisory committee comprised of qualified, independent scientists and engineers—subcommittee review found that the National Center for Environmental Assessment (NCEA) had made several key advancements including completion of a strategic plan, targeting cutting-edge risk assessments, enhancing communication, and improving capabilities to provide environmental assessments resources in response to significant events. A subsequent BOSC subcommittee program review began in November 2007. This prospective and retrospective review is evaluating the program's relevance, quality, performance, and scientific leadership. The BOSC's evaluation and recommendations will provide guidance to EPA to help plan, implement, and strengthen the program over the next five years.

FY 2009 Activities and Performance Plan:

In FY 2009, the HHRA program (FY 2009 Request, \$3.3 million) will continue to directly support key elements of EPA's Strategic Plan relating to Superfund - particularly the characterization of risks, reduction of contaminant exposures, and cleanup of contaminated sites (FY 2009 Request, \$3 million). Risk assessment activities relevant to Superfund cleanups will include:

- Continuing to work toward the completion of IRIS health hazard assessments for high priority chemicals found at multiple Superfund sites and thereby contributing to decision-making needs for Superfund and other Agency programs (also supported by HHRA under the Science and Technology appropriation);
- Completing 50 new or renewed Provisional Peer Reviewed Toxicity Values (PPRTV) at the request of the Solid Waste and Emergency Response program, and providing health hazard evaluations, provisional reference doses/concentrations (pRfD/Cs), and/or cancer slope factors for priority pollutants to support Agency risk assessments;
- Preparing a draft update of the Exposure Factors Handbook for external review, collating exposure information for use in Superfund site assessments (also supported by HHRA in the Science and Technology appropriation); and
- Providing technical support to Superfund site and program managers on human health risk assessment through the Superfund Technical Support Centers.

The Office of Management and Budget (OMB) rated the program as “moderately effective” in a 2006 Program Assessment Rating Tool (PART) review, which was conducted under the program title “Human Health Risk Assessment.”¹⁸ This “moderately effective” rating was attributed to the fact that the program had long-term, annual, and efficiency measures in place, and that the

¹⁷ Available at: <http://www.epa.gov/osp/bosc/pdf/hhramypdraft.pdf>.

¹⁸ For more information, see <http://www.whitehouse.gov/omb/expectmore/detail/10004308.2006.html>

program exhibited strong financial management and budget-performance integration. In response to OMB recommendations following the 2006 PART, the program is currently 1) expanding its efficiency measures, 2) developing and implementing revisions to the IRIS review process, 3) investigating alternative approaches for measuring progress related to providing timely, high quality scientific assessments, and 4) instituting regular independent program reviews. The program has taken action on each of these recommendations. For example, for a BOSC review that began in November 2007, it developed a BOSC charge including questions to evaluate HHRA's effectiveness and relevance to key risk management decisions. The program also is examining how best to expand its efficiency measure to ensure consistency with other approaches being developed across the Research and Development program and is discussing ways to improve the IRIS prioritization process with OMB.

Performance Targets:

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

The program gauges its annual and long-term success in meeting this objective by assessing its progress on several key measures. In 2009, the program plans to meet at least 90% of its planned outputs in support of 1) HHRA Health assessments and 2) HHRA Technical Support Documents.

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

- (+\$76.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$730.0) This reflects a reduction in funding for lower priority research on exposure assessments. This may delay support for science-based decision making in EPA's regulatory and cleanup programs.
- (+\$69.0) 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:

SWDA; HSWA; SARA; CERCLA; ERDDA.

Program Area: Research: Land Protection

Research: Land Protection and Restoration

Program Area: Research: Land Protection

Goal: Land Preservation and Restoration

Objective(s): Enhance Science and Research

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Science & Technology	\$10,907.3	\$10,737.0	\$10,591.0	\$13,350.0	\$2,759.0
Leaking Underground Storage Tanks	\$657.0	\$660.0	\$650.0	\$413.0	(\$237.0)
Oil Spill Response	\$841.3	\$901.0	\$887.0	\$704.0	(\$183.0)
<i>Hazardous Substance Superfund</i>	<i>\$23,859.1</i>	<i>\$20,081.0</i>	<i>\$19,768.0</i>	<i>\$21,021.0</i>	<i>\$1,253.0</i>
Total Budget Authority / Obligations	\$36,264.7	\$32,379.0	\$31,896.0	\$35,488.0	\$3,592.0
Total Workyears	134.1	141.3	141.3	154.7	13.4

Program Project Description:

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

Research within this program is responsive to the Superfund law requirements under Section 209(a) of Pub. L. 99-499, which states “...a comprehensive and coordinated Federal program of research, development, demonstration, and training for the purpose of promoting the development of alternative and innovative treatment technologies that can be used in response actions under the CERCLA program.” These research efforts are guided by the Land Research Program Multi-Year Plan (MYP)¹⁹ which outlines steps for meeting the needs of Agency programs and for evaluating progress through annual performance goals and measures. Specific human health risk and exposure assessments and methods are conducted under the Human Health Risk Assessment program.

The Land Protection and Restoration research program was externally reviewed by EPA’s Board of Scientific Counselors (BOSC)—a Federal advisory committee comprised of qualified, independent scientists and engineers—in FY 2006 (December 2005). The BOSC found that the

¹⁹ EPA, Office of Research and Development, Land Research Program MYP. Washington, DC : EPA. For more information, see

program generates high quality products and conducts appropriately focused multi-disciplinary research.²⁰

FY 2009 Activities and Performance Plan:

In FY 2009, research will continue to advance EPA's ability to accurately characterize the transport and uptake of chemicals from contaminated sediments and determine the range and scientific foundation for remedy selection options by improving site characterization, monitoring the effectiveness of remediation and evaluation of novel remedial options. This work directly supports the program's long term goal for the mitigation, management and long-term stewardship of contaminated sites. Documented remediation methods and data are vital to developing new cost-effective methods for managing high-cost decisions at controversial, extensively contaminated sites. Continuing work that the BOSC evaluation found is "being developed in a timely way to characterize contaminated sediments accurately and quickly... [and is] sought actively by clients to achieve contaminant cleanups quickly," the contaminated sediments research integrates exposure models, ecological effects and remediation research in order to improve the understanding of best management practices related to Superfund sites. Consistent with the National Research Council's report, "Sediment Dredging at Superfund Megasites: Assessing the Effectiveness,"²¹ EPA will continue the development of alternative sediment remedies with the potential to be more effective than conventional dredging.

In addition, research aimed at developing data to support dosimetric and toxicologic assessment of amphibole asbestos fiber-containing material from Libby, Montana will be conducted. This effort would address key data gaps and provide tools for quantitative characterization, including a comparative analysis of the toxicity of amphibole asbestos-contaminated vermiculite from Libby, Montana relative to other asbestos fibers and asbestos-like mineral occurrences.

The transport of contaminants in ground water and the subsequent intrusion of contaminant vapors into buildings is a critical research issue for EPA's Superfund remediation programs. Work is ongoing to develop reliable soil gas sampling methodologies and to improve vapor intrusion modeling capability. In FY 2009, a report on the vertical distribution of volatile organic compounds (VOC's) from the groundwater to soil will be released to be used as an analytical remediation tool. Permeable reactive barriers (PRB) and the potential expansion of this technology from the treatment of chlorinated organic compounds to inorganic compound will be a major research effort. PRBs are a technology to replace pump and treat methods. Research efforts will also address monitored natural attenuation, specific contamination issues for metals, and treatment of dense non-aqueous phase liquids (DNAPLs).

Research under the multi-media theme includes the development of analytical methods, field sampling guidance, statistical software, monitoring and remediation technologies for mining sites and technical support infrastructure needed to move the products of these research and development activities from the lab and into the hands of site managers and other decision makers. In 2009, immunoassay studies are planned in order to compare techniques that will

²⁰ BOSC Land Restoration and Preservation Research Subcommittee Report. For more information, see <http://www.epa.gov/OSP/bosc/pdf/land0603rpt.pdf>

²¹ For more information, see <http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=11968>

allow rapid on-site characterization of contaminant concentration profiles at the Superfund sites. EPA will continue to provide technical support to Superfund project managers via technical support centers (TSCs) and two modeling assistance web sites that provide site-specific technical support to more than 100 cleanup program sites in the form of responses to scientific questions (e.g., engineering and ground water issues) and technology transfer products to EPA program offices and other stakeholders. TSCs provide information based on research results to increase the speed and quality of Superfund cleanups and reduce associated cleanup costs. Development of human health toxicity values and technical support activities are discussed and conducted under the Human Health Risk Assessment Program.

The Office of Management and Budget (OMB) rated the program as “adequate” in its 2006 PART review, which was conducted under the program title “Land Protection and Restoration Research.”²² This “adequate” rating was supported by findings that the program had long-term and annual output performance measures in place that reflected the purpose of the program, as well as a strong strategic and evaluation approach. In response to OMB recommendations following the 2006 PART, the program has established a process by which the BOSC will assign a performance rating to each program long-term goal as part of its reviews. These ratings will provide the data for new program long-term outcome measures that will be instated. Using the progress rating expected from the 2008 BOSC review, the program will be able to set appropriate future year targets. Additionally, to address OMB’s recommendation that the program establish an outcome-oriented efficiency measure, EPA has initiated a National Academy of Sciences (NAS) study to determine the most appropriate approach. Further, to improve its collection of partner performance information, EPA’s Research and Development program is updating its Policy and Procedures Manual on Extramural Resources Management to require that all research and development grants, contracts, and cooperative agreements be linked to one or more Multi-Year Plan Long-Term Goals (LTGs).

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Avg. time (in days) for technical support centers to process and respond to requests for technical document review, statistical analysis and evaluation of characterization and treatability study plans		30.5	29	28	Days

²² For more information, see <http://www.whitehouse.gov/omb/expectmore/summary/10004305.2006.html>

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of planned outputs delivered in support of the managed material streams, conserve resources and appropriately manage waste long-term goal.	100	100	100	100	Percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of planned outputs delivered in support of the mitigation, management and long-term stewardship of contaminated sites long-term goal.	100	100	100	100	Percent

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

In 2009, the program plans to accomplish its goals of completing and delivering 100 percent of its planned outputs. Additionally, the program plans to meet its efficiency goal of reducing to 28 days its technical support centers' average time for processing and responding to requests for technical document review, statistical analysis, and the evaluation of characterization and treatability study plans. These measures address the increasing utility of EPA research tools and technologies as well as the reduction of uncertainty due to utilization of research and development methodologies, models, and statistical designs. In achieving the performance targets, the program will contribute to EPA's goal of applying sound science in the protection and restoration of land.

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

- (+\$1,293.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$336.0 / +5.0 FTE) This increase reflects support for the asbestos research program. The Libby asbestos action plan has been driven by concern for the health effects of Libby amphibole. The research and development portion of the Libby asbestos action plan has been peer reviewed both externally and internally, and research which has a short time

line is being initiated, as the goal is to provide input into the risk characterization by 2011.

- (-\$688.0) A portion of this reduction will discontinue superfund technical support for site-specific characterization, modeling, monitoring, assessment and remediation of contaminated sites. There also will be delays in developing a framework for modeling fate and transport of contaminants, however, this work will continue.
- (+\$312.0) This change reflects 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. The increase will support higher priority work, such as contaminated sediments research to develop alternative sediment remedies and permeable reactive barrier technology, in the land protection and restoration research program.

Statutory Authority:

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

Program Area: Research: Sustainability

Research: Sustainability

Program Area: Research: Sustainability

Goal: Compliance and Environmental Stewardship

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Science & Technology	\$24,864.5	\$22,478.0	\$22,127.0	\$19,970.0	(\$2,157.0)
<i>Hazardous Substance Superfund</i>	\$212.3	\$0.0	\$0.0	\$0.0	\$0.0
Total Budget Authority / Obligations	\$25,076.8	\$22,478.0	\$22,127.0	\$19,970.0	(\$2,157.0)
Total Workyears	81.4	76.2	76.2	70.8	-5.4

Program Project Description:

Under the Small Business Research (SBIR) Program²³, as required by the Small Business Act as amended²⁴, EPA sets aside 2.5% of its extramural research budget for contracts to small businesses to develop and commercialize new environmental technologies. SBIR, the only activity contained in this program, will not be funded under the Superfund account at this time.

Performance Targets:

Work under this program supports EPA's Enhance Science and Research objective. Currently, there are no PART performance measures for this specific program.

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

- The 2.5% set-aside will be identified when the FY 2009 budget is enacted.

Statutory Authority:

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

²³ For more information, see <http://es.epa.gov/ncer/sbir>.

²⁴ U.S. Public Law 219. 79th Congress, 2nd session, 22 July 1982. *Small Business Innovation Development Act of 1982*. For more information, see <http://thomas.loc.gov/cgi-bin/bdquery/z?d097:s.881>.

Program Area: Superfund Cleanup

Superfund: Emergency Response and Removal

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$222,093.7</i>	<i>\$191,880.0</i>	<i>\$190,011.0</i>	<i>\$193,853.0</i>	<i>\$3,842.0</i>
Total Budget Authority / Obligations	\$222,093.7	\$191,880.0	\$190,011.0	\$193,853.0	\$3,842.0
Total Workyears	290.0	288.4	288.4	292.4	4.0

Program Project Description:

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

The Superfund Emergency Response and Removal program ensures that releases of hazardous substances, including chemical, biological, and radiological agents, to the environment are appropriately addressed through either a Federal lead action or by providing technical support and oversight to state, local, other Federal responders, and potentially responsible parties (PRPs). EPA, under this program and as the Federal On-Scene Coordinator (OSC)²⁵, evaluates and responds with emergency and removal actions to releases large and small. This activity ensures that spills are appropriately addressed to protect human health and the environment. EPA provides technical support at emergency, time-critical, and non-time critical response actions. This activity also supports the development and maintenance of the necessary response infrastructure to enable EPA to respond effectively to accidental and intentional releases as well as natural disasters.²⁶

FY 2009 Activities and Performance Plan:

EPA personnel assess, respond to, mitigate, and clean up thousands of releases, whether accidental, deliberate, or naturally occurring. In FY 2009, EPA Federal OSCs will conduct and/or provide support for removal assessments, emergency responses, and cleanup response actions at NPL and non-NPL sites. In FY 2009, EPA will complete approximately 195

²⁵ EPA's roles and responsibilities are further outlined in the National Contingency Plan (NCP).

²⁶ For more information about the Superfund Emergency Response and Removal program, please refer to <http://www.epaosc.net/default.htm>.

Superfund-lead removal actions and oversee the completion of approximately 130 voluntary removal actions.

In FY 2009, EPA will continue to respond and conduct site removal actions based upon the risk to human health and the environment. In recent years, emergency response and removal activities have grown more complicated, requiring more resources and time to complete. In addition, these activities often require personnel with specific knowledge of harmful substances, health and safety issues, complex options or the utilization of emerging technologies.

As part of its strategy for improving effectiveness, the Agency will improve response readiness in FY 2009 through information obtained from the Agency's National Approach to Response (NAR) committees and their accomplishments. NAR priorities provide the framework to continue to maintain highly skilled technical personnel in the field, ensuring their readiness to respond to releases of dangerous materials without compromising health and safety.

The Superfund Removal program received its first PART review in 2003 and its second PART review in 2005. The initial program rating was "results not demonstrated" because the program lacked adequate performance measures and an efficiency measure. In 2005, the Removal program received an overall rating of "moderately effective" in the PART review because it established performance and efficiency measures. In addition to implementing the new measures, EPA is taking steps to improve data accuracy and completeness through continuing efforts to modernize the program's data repository, the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS). Also, in response to OMB recommendations, EPA will initiate two new outcome performance measures in FY 2008, one focused on human health and the other on acres ready for re-use. Based on its experience in FY 2008, EPA will establish baselines, modify these new measures as needed, and implement them for FY 2009.

For several years, EPA has been implementing an annual assessment of its response and removal preparedness, known as Core Emergency Response (ER). Core ER initiatives are expected to achieve and maintain at least 95 percent of the maximum score on readiness evaluation criteria in each Region and at Headquarters. Core ER was expanded to address Agencywide implementation of EPA's NAR and measure its progress towards being ready to respond to up to five simultaneous incidents of national significance. In FY 2007, Core ER criteria were revised to improve preparedness, in line with the EPA 2006-2011 Strategic Plan. EPA will revise these instruments annually or as needed to reflect experience.

Annual performance for the Superfund Removal program is measured by the number of Superfund-lead removal actions completed, and the number of private party removal actions overseen by EPA and completed. The PART efficiency measure for the program reflects the number of Superfund-lead removal actions completed per million dollars. Both the Superfund-lead and the voluntary removal measures contribute to the goals of EPA's 2006-2011 Strategic Plan.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Superfund-lead removal actions completed annually.	200	195	195	195	Removals

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Superfund-lead removal actions completed annually per million dollars.	1.04	0.92	0.93	0.94	Removals

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Voluntary removal actions, overseen by EPA, completed.	151	120	125	130	Removals

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

- (+\$2,175.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$1,667.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to technical changes such as realignment of IT, travel or other support costs across programs. These funds will enable the program to conduct removal actions and perform removal support activities to respond to additional releases and threats that may impact human health and the environment.
- (+4.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. The FTE were redirected from the Superfund Remedial program and will be allocated at the Regional level to bolster Emergency Response capabilities.

Statutory Authority:

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

Superfund: EPA Emergency Preparedness

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$9,101.6</i>	<i>\$9,318.0</i>	<i>\$9,195.0</i>	<i>\$9,504.0</i>	<i>\$309.0</i>
Total Budget Authority / Obligations	\$9,101.6	\$9,318.0	\$9,195.0	\$9,504.0	\$309.0
Total Workyears	40.1	44.1	44.1	44.1	0.0

Program Project Description:

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

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

FY 2009 Activities and Performance Plan:

Preparedness on a national level is essential to ensure that EPA, other Federal agencies, and state and local emergency responders are able to deal with multiple emergencies. This program will continue to enhance the Agency's readiness capabilities in FY 2009 by improving internal and external coordination with those agencies.

In FY 2009, EPA will continue to chair and provide administrative and logistical support to the NRT and co-chair the 13 RRTs throughout the United States. The NRT and RRTs coordinate Federal partner actions to prevent, prepare for, and respond to releases of hazardous substances and other emergencies, whether accidental or intentional. The NRT and the RRTs are the only active environmentally-focused interagency executive committees addressing oil and hazardous substance emergencies. EPA will continue to support and participate on these standing committees.

Building on current efforts to enhance national emergency response management, NRT agencies will continue implementation of the National Incident Management System (NIMS) and the NRP. NRT agencies will improve notification and response procedures, develop response technical assistance documents, and continue to implement and test incident command/unified command systems across all levels of government and the private sector as well as assist in the development of Regional Contingency Plans and Local Area Plans.

In FY 2009, EPA will provide technical assistance, training, and exercises to continue fostering a working relationship between state, local, and Federal responders implementing the system. EPA will lead participants in the development of scenario-specific national and regional level plans to respond to terrorist events and incidents of national significance.

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

In FY 2009, EPA will continue to conduct an annual readiness training event for Federal On-Scene Coordinators, which is attended by EPA and its government partners from other Federal agencies, states, and local entities. This training offers short courses on a variety of environmentally related emergency response topics designated to efficiently utilize Federal first responders.

Performance Targets:

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

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

- (+\$262.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$47.0) 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:

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

Superfund: Federal Facilities

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$31,763.5</i>	<i>\$31,879.0</i>	<i>\$31,447.0</i>	<i>\$31,440.0</i>	<i>(\$7.0)</i>
Total Budget Authority / Obligations	\$31,763.5	\$31,879.0	\$31,447.0	\$31,440.0	(\$7.0)
Total Workyears	138.4	134.0	134.0	134.0	0.0

Program Project Description:

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

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

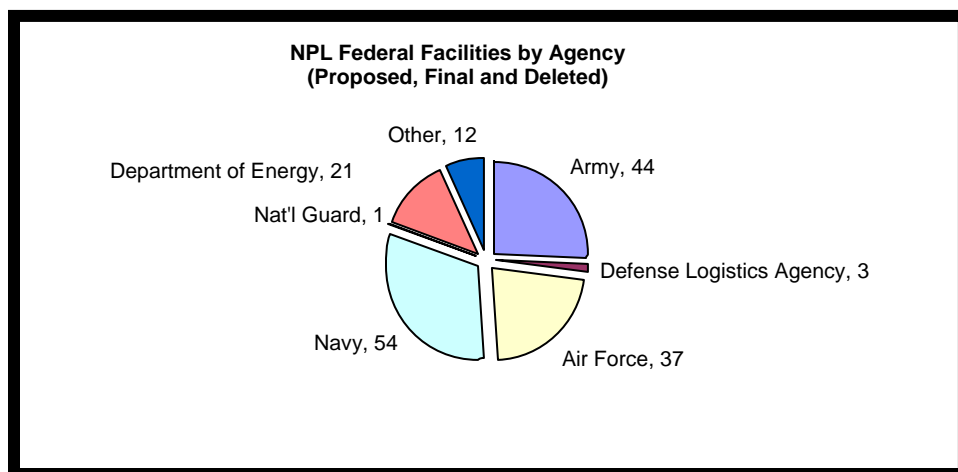
FY 2009 Activities and Performance Plan:

The Superfund Federal Facilities Response program will continue strengthening its efforts towards ensuring the safe reuse of former Federal properties, as well as ensuring the safe

continued use of facilities under the jurisdiction of the Federal government. The program will continue working with state and local governments, tribes, communities, and transferees to ensure properties transferred to non-Federal entities will be reused in a safe and productive manner. At properties that will remain under Federal jurisdiction and control, the program will work with the other Federal agencies to ensure that cleanup remedies are appropriate for continued Federal use.

In FY 2009, the Superfund Federal Facilities Response program will continue focusing on achieving site construction completions, accelerating cleanups, promoting reuse of current and formerly owned Federal properties and ensuring appropriate community involvement. As of October 2007, there were: 152 final Federal facilities on the NPL, 15 Federal facilities deleted from the NPL, 5 Federal facilities proposed to be added to the NPL, 71 (41 percent) Federal facilities with a final remedy selected, 59 (34 percent) Federal facilities that had achieved site construction completion and 22 (13 percent) Federal facilities identified as site-wide ready for anticipated use.

As of October 2007, the program was conducting oversight and/or providing technical assistance on 404 ongoing Remedial Investigations/Feasibility Studies (RI/FS) and 194 ongoing Remedial Actions (RA) at 152 final NPL Federal facilities.



Other Federal Agencies include: U.S. Coast Guard (1), Dept. of the Interior (2), Dept. of Transportation (1), EPA (1), Federal Aviation Administration (1), National Aeronautics & Space Administration (2), Small Business Administration (1), U.S. Dept. of Agriculture (2), U.S. Army Corps of Engineers (1).

Source: FFRRO's website, <http://www.epa.gov/fedfac/documents/npl2007.htm#2>

In FY 2009, EPA will continue providing oversight and technical assistance, as appropriate, at DOD's military munitions response sites, including oversight of some FUDS with munitions. FUDS are properties formerly owned, leased, possessed, or operated by DOD that are now owned by a non-DOD party.

The Superfund Federal Facilities Response program will continue working with the U.S. Army Corps of Engineers (USACE) and states in the cleanup of the Formerly Utilized Sites Remedial Action Program (FUSRAP) properties. FUSRAP properties are contaminated with radioactive

materials and mixed waste resulting from the nation's early atomic weapons and energy program. Three of the 27 active FUSRAP sites are listed on the Superfund NPL, and the USACE and DOE are currently evaluating several sites proposed for the NPL.

The program will continue monitoring the progress of five-year reviews being conducted at Federal sites where waste has been left in place and land use is restricted as a result of that contaminated waste. In FY 2009, the program will review approximately 28 five-year review reports at Federal facility NPL sites to fulfill statutory requirements and inform the public regarding the protectiveness of remedies at those facilities. Improving the quality and consistency of five-year review reports is a priority for the program.

The program also will continue supporting DOD at selected Base Realignment and Closure (BRAC) installations closed or realigned during the first four rounds of BRAC (BRAC I-IV). Because the BRAC I-IV accelerated cleanup program is funded by DOD through an interagency agreement expiring on September 30, 2008, EPA and DOD are currently negotiating a new BRAC I-IV agreement with a proposed expiration date of September 30, 2011. The fifth round of BRAC (BRAC V), finalized on November 9, 2005, has resulted in additional EPA work requirements at selected BRAC V installations. This includes, but is not limited to, meeting and expediting statutory obligations for overseeing cleanup and facilitating property transfer. The Agency's FY 2009 request does not include additional support for BRAC-related services to DOD at BRAC V facilities. If EPA services are required at levels above its base for BRAC V related installations, the Agency will require reimbursement from DOD for the costs the Agency incurs to provide those services.

The program underwent a PART assessment entitled "EPA Support for Cleanup of Federal Facilities" in FY 2005 and received an overall rating of "moderately effective." As follow-up to the PART, the program has been working with other Federal agencies to achieve long-term environmental measures. These efforts will continue in FY 2008. In addition, the program conducted a policy review in FY 2006 to ensure policies and guidance documents are still relevant, updated, and comprehensive. The program implemented several of the resulting recommendations in FY 2007 and will implement additional recommendations in FY 2008. Another review of the program is currently being conducted which will analyze the program's planning and data processes for cleanup milestones. Results and recommendations generated from this review may be implemented as early as FY 2009.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Program dollars expended annually per operable unit completing cleanup activities.	1,019	960	920	813	Thousand

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of Federal Facility Superfund sites where the final remedial decision for contaminants at the site has been determined.	71	76	81	85	Remedies

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of Federal Facility Superfund sites where all remedies have completed construction.	59	56	60	64	Sites

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

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

- (+\$763.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$238.0) 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.
- (-\$1,008.0) This decrease is primarily related to contract funding. A decrease to the contracts budget will not impede the program's efforts to maximize efficiency and effectiveness of mandatory requirements at Federal sites on the NPL.

Statutory Authority:

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

Superfund: Remedial

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

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

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$659,513.4</i>	<i>\$584,836.0</i>	<i>\$591,078.0</i>	<i>\$586,120.0</i>	<i>(\$4,958.0)</i>
Total Budget Authority / Obligations	\$659,513.4	\$584,836.0	\$591,078.0	\$586,120.0	(\$4,958.0)
Total Workyears	960.9	946.2	946.2	944.2	-2.0

Program Project Description:

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

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

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

- work with other Federal agencies, states, tribes, local governments, and local communities to improve their involvement in the cleanup process.

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

FY 2009 Activities and Performance Plan:

In FY 2009, as in prior years, cleanup work at contaminated sites on the NPL remains the top priority of the Superfund Remedial program. The program will continue to address intractable and complicated environmental and human health problems, such as contaminated soil and groundwater affecting homeowners and their families in residential areas. The goal of the program's work is ultimately to provide long-term human health and environmental protection at the nation's most contaminated hazardous waste sites. In addition to its cleanup work, the Superfund Remedial program will undertake temporary activities, when appropriate, to protect people and the environment from the immediate threats posed by uncontrolled hazardous wastes or contaminated groundwater, such as providing alternative drinking water supplies or relocating residents. These efforts demonstrate the Agency's commitment to protecting human health and the environment from possible short- and long-term effects of site-related contamination.

EPA will continue to assess uncontrolled releases at sites where EPA has been notified by states, tribes, citizens, other Federal agencies, or other sources of a potential hazardous waste site or incident. EPA assesses these sites to determine whether Federal action is needed. EPA plans to complete 400 site assessment decisions in FY 2009.

For those sites requiring additional action to protect human health and the environment, EPA uses the NPL to identify sites that are the highest priorities. Sites posing immediate risks may also be addressed under authority of the Superfund Removal program. In FY 2009, EPA will continue investigating sites to determine the best approach for individual sites to be addressed, including listing them on the NPL. In FY 2007, EPA added 12 new sites on the NPL, and proposed 17 sites to the NPL. As of the end of FY 2007, 1,635 sites were either proposed to, final on, or deleted from the NPL, of which 172 were Federal facility sites.

At sites listed on the NPL, EPA will continue to begin remedial work with site investigations and feasibility studies to review site conditions and evaluate strategies for cleanup, taking into consideration reasonably anticipated future land use. At the end of FY 2007, EPA had more than 350 such investigations and studies underway, which form the foundation for remedy selection documented in a Record of Decision (ROD). Many sites also require multiple cleanup plans to address all the contamination at the site. A significant number of sites in FY 2009 will still require further characterization before remedy decisions can be made and construction can take place. Community involvement is a key component in selecting the proper remedy at a site, and the Agency will continue to emphasize the importance of the community in its decision-making and remedy implementation and construction activities.

EPA has increasingly focused resources on remedy construction to achieve site progress. Prior to remedy construction, however, EPA conducts the remedial design (RD) for the site cleanup

where the technical specifications for cleanup remedies and technologies are designed based on the ROD. Following the ROD, the actual construction or implementation of the cleanup remedy will be performed (called the Remedial Action (RA)) by EPA (or states with EPA funding) or potentially responsible parties under EPA or state oversight. EPA is committed to providing resources to maintain adequate construction progress at all sites, including large and complicated remedial projects, once construction has started. Funding for EPA Superfund construction projects is critical to achieving risk reduction, construction completion, and restoration of contaminated sites to allow productive reuse. In FY 2009, the program will continue to work with Regions to improve long-term planning construction estimates, including planning for the use of resources received from settlements with potentially responsible parties (PRPs) for future response work.

EPA tracks construction completions as an interim measure of progress towards making sites ready for reuse, and achieving site cleanup goals. Sites qualify for construction completion when, 1) all necessary physical construction is complete, whether or not final cleanup levels or other requirements have been achieved, 2) EPA has determined that the response action should be limited to measures that do not involve construction, or 3) the site qualifies for deletion from the NPL. EPA may delete a final NPL site if it determines that all cleanup objectives have been met and no further response is required to protect human health or the environment. In FY 2009, EPA will achieve 35 site construction completions for a cumulative total of 1,095 NPL sites, and will continue to delete sites from the NPL as appropriate.

EPA will also continue to give attention to post-construction completion activities to ensure that Superfund response actions provide for the long-term protection of human health and the environment. Approximately 65 percent of NPL sites have achieved construction completion and are in the post-construction phase of cleanup, while many other sites have achieved completion of some aspects of their cleanups. One example of a post-construction activity are Five-Year Reviews, which generally are required when hazardous substances remain on site above levels that permit unrestricted use and unlimited exposure to evaluate the implementation and performance of a remedy and determine whether it remains protective of human health and the environment. These reviews are usually performed five years following the initiation of a CERCLA response action, and are repeated in succeeding five-year intervals so long as future uses remain restricted. EPA plans to conduct over 200 Five-Year Reviews in FY 2009. In addition, the Agency will continue to need resources to conduct activities to ensure remedies are working optimally and as intended at sites where any hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure.

Redevelopment at NPL sites helps communities return some of the nation's worst hazardous waste sites to safe and productive uses. While cleaning up these Superfund sites and making them protective of human health and the environment, EPA is working with communities and other partners in considering future use opportunities and integrating appropriate reuse options into the cleanup process. The Agency is also working with communities on already remediated sites to ensure long-term stewardship of site remedies to create opportunities for reuse. As a means of more consistently summarizing land revitalization impacts and outcomes, EPA developed the Site-wide Ready for Anticipated Use measure. The measure identifies construction complete Superfund NPL sites where the entire land portion of the site is being

used, or has been made ready to use in the future, in a protective fashion. The measure reflects the high priority EPA places on land revitalization as an integral part of the Agency's cleanup mission for the Superfund program as well as the priority EPA is now placing on post-construction activities at NPL sites. In FY 2009, EPA will work towards making 30 sites qualified for this designation.

EPA introduced two measures in FY 2002 to document progress achieved towards providing short- and long-term human health protection. The Site-Wide Human Exposure environmental indicator is designed to document the progress achieved towards providing long-term human health protection on a site-wide basis by measuring the incremental progress achieved in controlling unacceptable current human exposures at a site. In FY 2009, EPA will achieve control of all identified unacceptable human exposures at a net total of 10 additional sites, bringing the program's cumulative total to 1,302 sites under control. The Migration of Contaminated Ground Water Under Control environmental indicator applies to NPL sites that contain contaminated ground water to document whether contamination levels fall within the levels specified as safe by EPA, or if they do not, whether the migration of contaminated ground water is stabilized, and there is no ground water discharge to surface water. In FY 2009, EPA will achieve control of the migration of contaminated groundwater through engineered remedies or natural processes at a net total of 15 additional sites, bringing the program's cumulative total to 1,007 sites under control.

The Agency will continue to take actions to improve program management and increase efficiency. In FY 2009, the Agency, in coordination with the U.S. Army Corps of Engineers and consulting engineers, plans to advise Regional offices on how to best stage significant design and construction projects. The effort will augment the Agency's technical outreach to the Regions by expanding access to technical resources made available to EPA Regional project managers to help promote the efficiency of project delivery and facilitate project progress through the Superfund pipeline. In addition, the Agency will continue focusing on optimizing groundwater remedies and sharing best practices with Regional offices for cost management and efficiency improvements.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of Superfund sites ready for anticipated use site-wide.	64	30	30	30	Sites

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of Superfund sites with human exposures under control.	13	10	10	10	Sites

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Superfund final site assessment decisions completed.	395	350	400	400	Assessments

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Annual number of Superfund sites with remedy construction completed.	24	24	30	35	Completions

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Superfund sites with contaminated groundwater migration under control.	19	10	15	15	Sites

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Human exposures under control per million dollars.	6.90	6.1	6.4	6.7	Sites

The Superfund Remedial program reports its activities and progress towards long-term human health and environmental protection via several measures that encompass the entire cleanup process. In FY 2007 The Superfund Remedial program met or exceeded all of its performance measure targets. In 2009, all targets will remain or exceed the FY 2008 levels. For FY 2009, EPA has set an aggressive target of 35 construction completions to maintain progress toward achieving the long-term goal identified in EPA's FY 2006-2011 Strategic Plan.

In FY 2007, the program introduced a new efficiency measure that tracked the number of NPL sites with human exposures under control per million dollars. EPA is currently working to modernize the program's data repository (i.e., the Comprehensive Environmental Response, Compensation, and Liability Information System, or CERCLIS) to ensure accurate and complete information on program performance and financial management.

Performance goals and measures for the Superfund Federal Facilities Response program are a component of the Superfund Remedial program's measures. The Agency's ability to meet its annual Superfund targets is partially dependent on work performed by other Federal agencies at NPL Federal facility sites.

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

- (+\$5,049.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$6,090.0) This reduction does not maintain a net increase in funding directed by Congress in the FY 2008 Omnibus for the Superfund Remedial program after application of the 1.56% rescission.
- (-\$3,917.0) Various Headquarters program functions will be reduced to maintain high levels of funding for site-specific response activities conducted in the Regions. This reduction will not impede site cleanup progress.
- (-2.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

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

Superfund: Support to Other Federal Agencies

Program Area: Superfund Cleanup

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$4,967.0</i>	<i>\$6,575.0</i>	<i>\$6,472.0</i>	<i>\$6,575.0</i>	<i>\$103.0</i>
Total Budget Authority / Obligations	\$4,967.0	\$6,575.0	\$6,472.0	\$6,575.0	\$103.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

Program Project Description:

Other Federal agencies contribute to the Superfund program by providing services in areas where EPA does not possess the necessary specialized expertise. These agencies provide numerous Superfund-related services which Superfund resources support. Contributors include the Department of Interior (DOI), the National Oceanic and Atmospheric Administration (NOAA), and the United States Coast Guard (USCG).

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will continue to provide resources through interagency agreements to support other select Federal agencies. The following table illustrates the levels of funding proposed to be provided to each Federal agency in EPA's FY 2009 request:

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

Agency	FY 2009 Pres Bud
DOI	\$546.0
NOAA	\$1,063.0
USCG	\$4,966.0
TOTAL	\$6,575.0

Under the EPA/DOI interagency agreement, DOI will provide response preparedness and management assistance that supports the National Response Team/Regional Response Teams (NRT/RRTs), and EPA's Special Units including the Environmental Response Team, the National Decontamination Team, and the Radiation Response Team. In addition, DOI will assist EPA in the development and implementation of comprehensive and environmentally protective

remedies affecting DOI-owned sites as well as the coordination of natural resource trustee agency²⁷ support.

Under the EPA/NOAA interagency agreement, EPA Regional offices are provided direct access to NOAA's multidisciplinary technical support experts in the fields of coastal remediation, scientific resource coordination and response management. NOAA, which is also a natural resource trustee agency, will provide site-specific technical support during hazardous waste site investigations, assist in ecological risk assessments, identify and evaluate the severity of risks posed to natural resources from hazardous waste sites, and evaluate strategies/methods of minimizing those risks. NOAA's experts have produced high quality evaluations of risk to the environment and natural resources from releases at Superfund sites, development and implementation of comprehensive and environmentally protective remedies, and coordination of trustee support. At the proposed level of funding, NOAA is expected to assist EPA at approximately 70-100 sites. NOAA also will assist in developing and conducting field testing of advanced chemical sampling and analytical equipment used for cost effective and efficient response operations. New technology and information will be applied by NOAA to identify effective countermeasures during response operations.

EPA and the USCG share lead responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for response actions. The USCG, serving as a Federal On-Scene Coordinator (OSC), will conduct small scale Superfund removals in the coastal zone of any release or threatened release into the environment of hazardous substances, pollutants, or contaminants which may present an imminent and substantial danger to the public health or welfare or the environment. In FY 2009, other Federal agency funding will support USCG district offices, marine safety field units, USCG Strike Teams and National Response Center activities. It also provides for the planning, coordination and response infrastructure to ensure the USCG is fully prepared to respond to CERCLA incidents.

Performance Targets:

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

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

- (+\$103.0) This change reflects restoration of the 1.56% rescission.

Statutory Authority:

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

²⁷ Natural Resource Trustees are outlined in the Comprehensive Environmental Response, Compensation, and Liability Act and have different, but complementary, roles and responsibilities. For more information, please refer to <http://www.epa.gov/superfund/programs/nrd/fields.pdf>