



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON D.C., 20460

OFFICE OF  
PREVENTION, PESTICIDES AND TOXIC  
SUBSTANCES

MEMORANDUM

SUBJECT: Final FY 2010 National Program Manager (NPM) Guidance to Regions  
FROM: Jim Jones  
Acting Assistant Administrator  
TO: Regional Division Directors I-X

I am pleased to transmit the final OPPTS FY 2010 National Program Manager Guidance. This guidance is the result of a multi-year process to align Agency, State and Tribal processes to strengthen and focus our joint strategic planning.

**Overarching Program Priorities**

The OPPTS guidance for FY 2010 represents a participatory dialogue with the Regions, States, Tribes, and other concerned stakeholders. It addresses the critical Regional activities that are directed at achieving the goals for environmental and public health protection contained in the developing *2009 – 2014 EPA Strategic Plan*. Included in the Guidance are priority program areas that were identified by the Office of Pollution Prevention and Toxics (OPPT) and the Office of Pesticide Programs (OPP).

OPPT ensures the safety of new chemicals entering U. S. commerce, assesses the safety of existing chemicals already in use and acts to reduce identified risks through a combination of regulatory and voluntary efforts, promotes the development and use of safer chemicals and technologies pollution prevention as the guiding principle for controlling pollution, and reduces legacy chemical risks (e.g., childhood lead poisoning) resulting from prior industrial revolutions and practices. OPPT's Regional Office performance priorities include: reducing the incidence of childhood lead poisoning nationally and in targeted vulnerable populations by 2010 and beyond; enhancing existing Pollution Prevention activities through alignment with and implementation of the P2 Program Strategic Plan; and expanding the Regional role in addressing persistent effects of legacy chemicals; EPA's enhanced toxics program is assessing high and moderate production volume chemicals (HPVs and MPVs) in developing screening-level Risk- and Hazard-Based Prioritizations (RBPs and HBPs). Over time, these assessments will be utilized to help frame risk management strategies. OPPT's overall objectives and measures are found in goals 4 and 5 of

the developing *2009-2014 EPA Strategic Plan*. For more information on OPPT go to <http://www.epa.gov/opptintr/>.

OPP regulates the use of all pesticides in the United States and establishes maximum levels for pesticide residues in food, thereby safeguarding the nation's food supply. EPA has expanded access to information on risk assessment and risk management actions to help increase transparency of decision-making and facilitate consultation with the public and affected stakeholders. In addition to its regulatory functions, OPP's programs include providing information and coordination on issues ranging from worker protection to prevention of misuse of pesticides. OPP participates in a variety of partnerships related to pesticide use, including the Pesticide Environmental Stewardship Program, a voluntary private and public partnership dedicated to reducing pesticide use and risk, and Integrated Pest Management (IPM) in Schools. OPP's Regional performance priorities include pesticide worker safety, the Strategic Agricultural Initiative (SAI), pesticides and water resource protection, and implementation of the Pesticide Container-Containment Rule. OPP objectives and measures are found in goal 4 of the *2009-2014 EPA Strategic Plan* which is currently under development. For more information on OPP go to <http://www.epa.gov/pesticides/>.

### **Regional Priorities and Flexibility**

As with previous years, cross-cutting considerations should be factored into the implementation strategies for program priorities. These cross-cutting considerations include Regional Office priorities, Environmental Justice (EJ) and Children's Health programs. Additional language has been added throughout the guidance to highlight those activities. OPPTS programs understand that the priorities highlighted in the guidance will require some flexibility in order to accommodate Regional Office, State, Tribal and local concerns on a region-by-region basis. We will continue to foster innovation and re-engineer the way we work together to establish common directions for our programs.

### **Strengthening State Grants**

EPA continues to work with State and Tribal partners and other grant recipients to improve performance measures and enhance the alignment of State Grant Workplan goals and measures with EPA's national performance goals and measures. These improvements have enhanced the Agency's ability to demonstrate grant results to OMB, Congress and the public. It is important that EPA and the States and Tribes build on these efforts to ensure that grant workplans meet the basic requirements necessary to facilitate the translation of grant results into the Agency's strategic and annual planning, budgeting, and accountability processes. Additional information on grants improvements and the grants management process can be found at <http://www.epa.gov/ogd>.

### **FY 2010 Performance Measurement and Alignment**

In FY 2008 OPPTS undertook an extensive and rigorous assessment of performance measures used to evaluate progress and plan future activities. Key objectives of this effort focused on:

- Aligning national priorities with long-term directions in the *2009-2014 EPA Strategic Plan* and annual priorities in *EPA's FY 2010 Annual Plan and Budget*;

- Streamlining the number of reporting requirements and annual measures that the Agency uses to manage environmental progress and recognizing the set of key measures used by each management level;
- Integrating Regional Office priorities and Regional Office priority measures;
- Continue advancing the Agency's process for developing and reporting against state grant performance measures; and
- Continue enhancing collaboration within EPA and with our state and tribal partners.

The FY 2010 NPM Guidance continues to emphasize alignment between performance measures that demonstrate overall program results and Regional Office measures that are reported in the Agency's accountability system, the *Annual Commitment System* (ACS). OPPTS Regional and Headquarters programs, in partnership with States and other interested stakeholders, have made considerable progress in designing a suite of limited regional performance measures which support planning and budgeting requirements as prescribed by the Government Performance and Results Act (GPRA) and OMB's Program Assessment.

The FY 2010 ACS commitments will remain as draft until final performance agreements are reached in early October 2009. Additional information on the EPA performance measurement, planning and budgeting can be found at <http://www.epa.gov/ocfopage/index.htm>. Specific information on the EPA NPM Guidance can be found at <http://www.epa.gov/ocfopage/npmguidance/index.htm>.

## **Conclusion**

Thank you for your on-going assistance in drafting the FY 2010 guidance. OPPTS remains committed to this partnership process and believes that our mutual efforts will focus and strengthen our activities in the field. I look forward to our continued collaboration on solving the many environmental challenges that we face now and in the future.

For general comments or questions, please contact either Jennifer Vernon (202-564-6573) or Brian Katz (202-564-4828). For program-specific questions you may contact Daniel Helfgott (OPP/ Field & External Affairs Division; 703-308-8054), Nancy H Wilson (OPPT/ Environmental Assistance Division; 202-564-8824), Brian Symmes (OPPT/National Program Chemicals Division; Lead and Asbestos, 202-566-1983), Thomas Tillman (OPPT/ Pollution Prevention Division; 202-564-8263) or Linda Strauss (OPPT/CARE; 202 564-0797).

## **Attachments**

cc: Deputy Regional Administrators  
OPPTS Regional Branch Chiefs  
Assistant Administrators

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## EXECUTIVE SUMMARY

The OPPTS NPM Guidance for FY 2010 represents a participatory dialogue with the Regions, States, Tribes, and other concerned stakeholders. It addresses the critical Regional Office activities that are directed at achieving the goals for environmental and public health protection in developing the *2009-2014 EPA Strategic Plan*. Specifically, OPPTS NPM priorities and associated Regional activities support two objectives within the EPA Strategic Plan: Objective 1 of Goal 4 - Prevent and Reduce Pesticide and Industrial Chemical Risks to Humans, Communities, and Ecosystems; and Objective 2 of Goal 5 – Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices. Included in the Guidance are priority program areas and other program activities that were identified by the Office of Pollution Prevention and Toxics (OPPT), and the Office of Pesticide Programs (OPP).

### PROGRAM PRIORITIES

The Pollution Prevention and Toxics Regional Office performance priorities for FY 2010 are:

- Lead Program: (1) Ensure an adequate workforce of trained and certified lead-based paint abatement professionals; (2) Fully implement the Renovation, Repair, and Painting (RRP) rule; (3) Implement a comprehensive outreach, education, and compliance assistance plan to educate the public about the need for certified workers and for lead-safe work practices; (4) Improve methods to increase lead risk awareness in communities with high concentrations of children with elevated blood-lead levels (hot spots) and among populations of children most vulnerable to lead risks; and, (5) Coordinate with other federal agencies such as the Centers for Disease Control (CDC), the Department of Housing and Urban Development (HUD) and others to address gaps in the protection of children at risk for elevated blood-lead levels.
- Pollution Prevention (P2) Program: (1) Achieve annual targets in hazardous materials, greenhouse gas, water use, and cost reductions from the P2 interventions of its eight Centers of Results; (2) Coordinate across EPA so that OPPT and P2 Program expertise usefully contribute to collaborative efforts on sustainability and climate change mitigation; and, (3) Strengthen P2 Program infrastructure, coordination among P2 Program centers, and external P2 networks (partners in the P2 Program mission).

The Pesticide Program Regional performance priorities for FY 2010:

- Are similar to the priorities in FY 2009, except for Endangered Species which was removed as a priority for 2010. The priorities for FY 2010 are: (1) Pesticide Worker Safety, (2) Pesticide Container-Containment Rule Implementation, (3) Pesticides and Water Resource Protection program, and (4) FQPA/Strategic Agricultural Initiative (SAI).

### IMPLEMENTATION STRATEGIES

To implement the Lead Program priorities in FY 2010, OPPT and Regional Offices will continue providing assistance to States, Tribes, the District of Columbia, and territories to develop and implement authorized programs for lead-based paint abatement and RRP activities. OPPT and

the Regional Offices will continue to directly implement the abatement and RRP programs in areas without authorization, including continuing to certify abatement workers, accredit providers of renovation and dust sampling technician training and also begin to certify renovators, dust sampling technicians and renovation firms. OPPT will work with the Regional Offices to identify resources and approaches they will need to assist in implementing RRP requirements, and lay the groundwork for smooth implementation of the regulation.

To implement the Pollution Prevention (P2) Program priorities in FY 2010, OPPT and the Regional Offices will continue to help businesses, government, and other entities reduce pollution at the source through advancing the design and use of greener chemicals, greener chemical and environmental engineering solutions, greener products, and greener industrial and business practices through recognition, awards, product certifications, purchasing agreements, technical assistance grants and partnerships, technology transfer, and influencing regulatory options. P2 Regional Office programs award P2 State and Tribal Assistance Grants (STAG) to support P2 technical assistance programs, P2 leadership programs, and other innovative programs that promote pollution prevention practices that reduce pollution and use of fossil fuel energy sources, and conserve energy use and water use. The P2 Regional Office programs also award source reduction assistance grants using Environmental Program Management (EPM) appropriation resources to further promote pollution prevention practices. Both kinds of grants can be used to promote P2 among entities in the industrial, energy, health, education, transportation, agricultural, and other sectors.

EPA protects workers, pesticide applicators/handlers, employers, and the public from the potential risks posed by pesticides in their homes and work environments specifically through the Certification and Training/Worker Protection programs. In FY 2010, EPA cooperative agreements and grants which are managed by the Regions will provide funding for maintenance and improvements in worker training networks, safety training to workers and pesticide handlers, development of *Train the Trainer* courses, workshops, and development and distribution of outreach materials. The Agency's partnership with states and tribes in educating workers, farmers, and employers on the safe use of pesticides and worker safety will continue to be a major keystone in the success of the Agency's human health protection

In FY 2010, the Agency will continue to provide funding through cooperative agreements to states and Tribal pesticide lead agencies to investigate and respond to water resource contamination by pesticides. States and tribes are also expected to evaluate pesticide risks to local water resources, take actions where needed to reduce or prevent contamination where pesticide concentrations approach or exceed levels of concern, and establish mechanisms to demonstrate the progress of management strategies designed to address water quality concerns caused by pesticide use.

Implementation of the Pesticide Container-Containment Rule remains a priority for FY 2010. This rule is designed to minimize human exposure while handling pesticide containers, facilitate safe container disposal and recycling, and protect the environment from pesticide releases at bulk storage sites and from spills and leaks at refilling and dispensing operations. Therefore, this guidance will address EPA Regional activities needed to help prepare state partners for the Container-Containment Rule implementation, which is a necessary step to ensure the

requirements of the rule are followed by pesticide registrants, distributors and users, and the human health and environmental protections are realized in the field.

The Strategic Agricultural Initiative (SAI) protects human health and the environment by facilitating the development of safer pest management strategies. In FY 2010, Regions will continue to use assistance agreements to fund projects that promote model agricultural partnership projects that demonstrate and facilitate the adoption of farm management decisions and practices that provide growers with "a reasonable transition" away from the highest risk pesticides, as designated by the Food Quality Protection Act (FQPA). Regions will also conduct outreach with producers, commodity groups, and other stakeholders to create and maintain partnerships with the agricultural community, and will commit to record all outreach and collaborative actions in the SAI Activities Database.

#### SIGNIFICANT CHANGES TO PRIORITIES OR STRATEGIES FROM FY 2009

In order to better align Regional Office activities and strategies with national program priorities, OPPT has expanded the NPM Guidance for FY 2010 in two areas. A new section has been added providing an overview of the Chemical Risk Review and Reduction Program, which includes efforts to assess, prevent and reduce new and existing chemical risks, to keep Regional Office staff and managers informed about developing directions, even though no Regional Office resources are appropriated under this Program. In the Chemical Risk Management Program, focus is expanded from Asbestos to include other legacy chemical issues (e.g., mercury use reduction, PCBs in caulks and pipes) that may require Regional Office attention in FY 2010 and beyond, consistent with the focus of the national program. OPPT has also made three additions, three deletions and six modifications to the Regional office ACS measures. Additions are: two new non-commitment measures for the Lead Program (number of authorized RRP programs and number of Tribal partnerships). Further, the Pollution Prevention Program has elevated the Greenhouse Gas measure of "Metric Tons of Carbon Dioxide equivalent (MTCO<sub>2</sub>e) reduced" to a commitment measure and the BTU energy measure has been down-graded into a non-commitment measure.

For FY 2010, OPP decided to remove Endangered Species as an NPM priority. This is due to the slow pace of consultations required under the Endangered Species Act (ESA) and the resources diverted to responding to lawsuits have delayed the development of endangered species bulletins and the implementation of the field component of the Endangered Species Protection Program. OPPTS and Regional Management have agreed that Endangered Species should not be an NPM field priority until bulletins become more regularly produced and implemented. EPA will reconsider this decision after Endangered Species bulletins become more regularly issued. OPP has also revised the text of one of the Container-Containment measures in order to reflect the Regional activities that are needed at the current stage of rule implementation.

Starting in FY 2010, the Tribal Pesticides Program has introduced three non-commitment measures to measure our progress in expanding our ability to protect human health and the environment in Indian Country since adoption of the new multi-tribal approach. The reporting data will provide the national net increase in pesticide-program coverage based on the number of



tribes, number of people, and number of acres that are covered under tribal pesticide program and/or enforcement grants and cooperative agreements for continuing environmental programs.

#### PROGRAM OFFICE CONTACTS

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## KEY PROGRAM PRIORITIES AND STRATEGIES

### CHEMICAL RISK REVIEW AND REDUCTION

#### *Strategic Plan Targets*

- Sub-Objective 4.1.1: Reduce Chemical Risks. By 2014, prevent and reduce chemical risks to humans, communities, and ecosystems.
  - By 2014, achieve a 50% percent cumulative reduction from 1998 in risks posed by TSCA Inventory Update Rule-reported chemicals, as measured by the Risk Screening Environmental Indicators model's production-adjusted risk based score. (Baseline: cumulative reduction reported from 1998-2006 is 33 percent.)
  - By 2014, ensure that 100% of new chemicals introduced into commerce do not pose unreasonable risks to workers, consumers, or the environment.

#### *Long-Term Strategy*

This program spans the full range of EPA activities associated with screening, assessing and reducing risks of new and existing chemicals. Key program efforts include:

- Rapid and aggressive action to reduce chemical risks, deploying the full arsenal of TSCA regulatory authorities to reduce risks posed by the highest priority chemicals, while simultaneously accelerating the Agency's pace in eliminating the void in our understanding of the safety of the thousands of chemicals in American commerce in amounts exceeding 25,000 pounds per year.
- Continued work under the Voluntary Children's Chemical Evaluation program (VCCEP) as a key mechanism for acting in response to the results of safety assessments.
- Reviewing and reducing risks of other industrial/commercial chemicals of concern under TSCA, including reviewing and acting on 1,500 Pre-Manufacture Notices to ensure the safety of new chemicals before they are introduced into U.S. commerce, continued work to assess and address the potential risks of nanoscale materials, and continued development of Acute Exposure Guideline Levels (AEGs).

These programs reduce and prevent unreasonable risks to human health and the environment from new and existing chemicals and increase the efficiency of risk review and reduction efforts.

#### *Background*

One of EPA's primary responsibilities is to ensure the safety of the thousands of chemicals that were already in commerce before TSCA was enacted. These un-reviewed chemicals are used by U.S. industries to produce items widely used throughout society, including consumer products such as cleansers, paints, plastics, and fuels as well as industrial solvents and additives, leading to substantial public and occupational exposure. While these chemicals play an important role in people's everyday lives, some may adversely affect human health and the environment and need to be regulated to address health and safety risks. It is therefore critical that EPA fulfill its mission to determine the safety of existing chemicals and act rapidly and effectively to reduce risks when they are identified.

Past action on this critical mission has been too slow and insufficiently action-oriented. To correct these problems, EPA is: 1) initiating TSCA regulatory action to reduce risks posed by several high priority chemicals with risks already known, and 2) sharply accelerating development of Risk-Based Prioritizations (RBPs) on high production volume chemicals and Hazard-Based Prioritizations (HBPs) on moderate volume chemicals to assess and prioritize risks of the more than 6,000 existing chemicals produced above 25,000 lbs/yr. We will complete 230 RBPs in FY 2010 vs. 180 and 151 in FYs 2009 and 2008, respectively. We will complete 325 HBPs in FY 2010 vs. 138 and 17 in FYs 2009 and 2008, respectively.

EPA's enhanced risk reduction initiative will deploy all TSCA authorities to initiate action on the highest priority risks, including banning or restricting chemicals under Section 6, requiring EPA use approval under Section 5 through Significant New Use Rules, and moving industry to the use of safer alternatives.

EPA is using chemical hazard and fate data collected through the HPV Challenge Program and TSCA Test Rules, and TSCA Inventory Update Reporting on exposure and use to develop the RBPs. For moderate production volume chemicals HBPs draw from existing sources such as other international assessment effort or extrapolate from similar high volume chemicals. EPA will develop and post 561 RBPs and 480 HBPs by the end of FY 2010..

The Agency also will use other TSCA authorities under Section 4 and 8 where necessary to obtain additional information to support regulatory risk management actions. EPA will utilize stewardship strategies to reduce priority chemical risks while rules are in development and conduct lifecycle and efficacy analyses to foster development of safer and effective alternatives.

In FY 2010, EPA will continue to support HPV and MPV chemicals with improvements to infrastructure through further development of systems to support submission and access to chemical data. Also in FY 2010, EPA will complete work to obtain remaining data for organic HPV chemicals through Section 4 test rules for chemicals which have not been sponsored, including three test rules covering 87 chemicals. In addition, EPA will continue to partner with OECD to produce hazard characterizations in the international arena and hence leverage similar work undertaken by other countries.

In FY 2010, EPA expects to bring the Voluntary Children's Chemical Evaluation Program (VCCEP) pilot to a conclusion by ensuring that data needs decisions for the 20 pilot chemicals are completed, with most having been completed before the end of FY 2008. EPA expects to

identify future chemicals for which there are concerns as to risks to children's health through the safety assessments described above and follow up on those chemicals through EPA risk assessment and management approaches.

Additional resources in this program are devoted to reviewing and reducing risks of other chemicals of concern under TSCA, including review of new chemicals before they enter commerce. In FY 2010, EPA will continue its successful record of preventing the entry of chemicals that pose unreasonable risks to human health or the environment into the U.S. market. Each year, the Premanufacture Notice (PMN) Review component of EPA's New Chemicals program reviews and manages the potential risks from approximately 1,500 new chemicals, 40 products of biotechnology, and new chemical nanoscale materials prior to their entry into the marketplace.

To measure performance under this program, in FY 2006, EPA adopted (with a FY 2004 baseline) a long-term measure establishing a "zero tolerance" performance standard for the number of new chemicals or microorganisms introduced into commerce that pose an unreasonable risk to workers, consumers, or the environment. The Agency has achieved the 100 percent goal in three of four years that the measure has been tracked (FY 2004 to FY 2007), and has a 99.6 percent success rate overall. For more information, visit [www.epa.gov/opptintr/newchems](http://www.epa.gov/opptintr/newchems).

In FY 2010, EPA will continue to implement its Nanoscale Materials program for new and existing chemical nanoscale materials that are subject to TSCA requirements. EPA will focus on analyzing the data it has received through the program to understand which nanoscale materials are produced, in what quantities, and what other risk-related data are available. EPA will use this information to understand whether certain nanoscale materials may present risks to human health and the environment and warrant further assessment, testing or other action. In FY 2009, EPA will begin action to address additional data needs and accelerate those actions in FY 2010. For more information, visit [www.epa.gov/oppt/nmsp](http://www.epa.gov/oppt/nmsp).

Another important focus is EPA's work on perfluorooctanoic acid (PFOA). PFOA is an essential processing aid in the manufacture of fluoropolymers, substances with special properties that have thousands of important manufacturing and industrial applications, and fluorinated telomers, which may be a breakdown product of other related chemicals. EPA will continue to evaluate and implement PFOA risk management actions.

In FY 2010, EPA also will continue biodegradation testing including the testing of fluoropolymer and fluorotelomer products to determine whether they contain PFOA and are able to release PFOA as they degrade. Also, the Agency launched a global PFOA stewardship program in January 2006 for U.S. fluoropolymer and telomer manufacturers. Eight major manufacturers of these chemicals have agreed to participate. Participating companies have committed to reduce PFOA emissions and product content by 95 percent no later than 2010, and to work toward eliminating PFOA emissions and product content no later than 2015. EPA received the second progress reports from companies participating in the PFOA stewardship program in October, 2008. Continued significant progress towards these goals is expected in FY

2010. The Agency will receive annual updates through 2015. For more information, visit [www.epa.gov/oppt/pfoa](http://www.epa.gov/oppt/pfoa).

An aspect of the Existing Chemicals program's work that has direct impact on the nation's homeland security is the development of values for Acute Exposure Guideline Levels (AEGLs). Emergency planners and first responders use AEGLs to prepare for and deal with chemical emergencies by determining safe exposure levels. Following September 11, 2001, a series of investments in the Homeland Security: Preparedness, Response, and Recovery chemical program augmented resources to support accelerated development of Proposed AEGL values.

Beginning in FY 2009, the program has shifted emphasis from producing Proposed values to creating Interim and ultimately Final status via peer review by the National Academies of Science. Accordingly, in FY 2010 the program plans to develop Proposed AEGL values for up to 18 additional chemicals, as needed, compared with 28 in FY 2008 and 33 in FY 2007, and will remain on target to meet its long-term goal of developing Proposed AEGL values for approximately 260 chemicals by 2011. In addition, Final values will be completed for at least six additional chemicals in FY 2010.

#### *Proposed Principal Activities for the Regional Offices*

No Regional activities are proposed for FY 2010 under the CRRR Program due to the absence of resources appropriated to Regional Offices under this Program/Project. This section is provided to help keep Regional Offices informed of national program direction and to prepare proactively for potential future Regional Office engagement should Regional CRRR resources be appropriated.

### CHEMICAL RISK MANAGEMENT: ASBESTOS AND OTHER LEGACY CHEMICALS

#### *Strategic Plan Target*

- Sub-Objective 4.1.1: Reduce Chemical Risks. By 2014, prevent and reduce chemical risks to humans, communities, and ecosystems.

#### *Long Term Strategy*

Regional Office work under the Chemical Risk Management (CRM) Program currently focuses primarily on Asbestos issues, and direction is provided below for continued work on those issues. Additional issues have been emerging with respect to other legacy chemicals (PCBs in caulk, reduced use of mercury in products) that may require Regional Office action in 2010 and beyond. While, it is too early to specify Regional Office action on these issues, it is important to recognize that Chemical Risk Management resources can be deployed to address other legacy chemicals as needed. OPPT will collaborate with Regional offices on any future work in this area.

EPA issued the Asbestos Project Plan in November 2005<sup>1</sup> to describe EPA's current and planned actions to ensure a coordinated Agency-wide approach to identify, evaluate and reduce risks to people from asbestos exposure. The plan focuses on improving the state of the science for asbestos; identifying and addressing exposure and seeking risk reduction opportunities associated with asbestos in products, schools and buildings; and better understanding and minimizing asbestos exposures through assessment and cleanup of contaminated sites.

OPPT will continue its outreach and technical assistance for the asbestos program for schools, in coordination with other Federal agencies, states, the National Parent-Teachers Association, and the National Education Association. EPA will also continue to provide oversight and regulatory interpretation to delegated state and local asbestos demolition and renovation programs, respond to tips and complaints regarding the Asbestos-in-Schools Rule, respond to public requests for assistance, and help asbestos training providers comply with the Model Accreditation Plan requirements.

### *Background*

EPA has established national programs to promote reductions in use and to ensure safe removal, disposal and containment of certain prevalent, high-risk or legacy chemicals. Many of these chemicals were introduced into the environment before their risks were known. These chemicals include polychlorinated biphenyls (PCBs), mercury, and asbestos/fibers. However, additional legacy chemicals requiring the Agency's attention may emerge in future years. The Chemical Risk Management Program currently focuses on providing assistance to Federal agencies and others with responsibility for ensuring proper use of PCBs, reducing or eliminating products containing mercury, and implementing statutory requirements to address asbestos risks in schools.

Asbestos is the name given to a number of naturally-occurring fibrous silicate materials. When microscopic bundles of asbestos fibers become airborne, they can cause a variety of adverse health effects when inhaled and embedded into the lungs. These fibers may cause serious lung diseases including: asbestosis, lung cancer, and mesothelioma.

EPA's asbestos program focuses primarily on implementing the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos School Hazard Abatement Reauthorization Act (ASHARA), and the asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) under the Clean Air Act.

As part of its effort to address asbestos-related issues comprehensively, EPA will continue to coordinate with other federal agencies including the Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA), National Institute for Occupational Safety and Health (NIOSH), Consumer Product Safety Commission (CPSC), Agency for Toxic Substances and Disease Registry (ATSDR), and United States Geological Survey (USGS). Quantitative reporting by the regions for this program was begun in 2003. OPPTS anticipates that the current measure will continue to be fine-tuned. Additional information can be found at: <http://www.epa.gov/asbestos/>.

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<sup>1</sup> Asbestos Project Plan: <http://www.epa.gov/oppt/asbestos/pubs/asbestosprojectplan.pdf>

*Proposed Measures*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
4.1.1	15A	Number of children reached through outreach activities [e.g., public meetings, conferences, exhibits, community outreach, training, award programs, mass mailings, phone calls, etc.] conducted to address asbestos.	Children	
4.1.1	15B	Number of outreach products produced [e.g., web products, written publications (fact sheets, booklets, reports), exhibits, training packages, mass mailings (electronic or snail)] addressing asbestos.	Products	

*Definitions and Clarification of Measures*

ACS measure 15A seeks to track the number of children reached through outreach activities as well as identifying the type of activities utilized by the Regional Office. The Regional Offices will use the ACS comment field to report the outreach activities they coordinated to reach the targeted number of children.

ACS measure 15B seeks to track the number of products produced by the region that will partially generate the outputs in measure 15A. Product development is distinct from using products in outreach efforts and merits recognition through ACS.

Example 1: Region G reported that they reached 250,000 school children by participating in 3 distinct activities. This would be reported as 250,000 for measure 15A and 3 for measure 15B.

Example 2: Region Q participated in 6 Local Educational Authorities (LEA) designee workshops, providing specific briefings on the AHERA program requirements. Workshops occurred in Bath, NY; Neversink, NY; Result, NY; Surprise, NY; Brick, NJ; and Good Intent, NJ where 75,000 school children were reached. 75,000 would be reported in measure 15A and the 6 workshops would be reported for measure 15B.

Example 3: Region R developed a brochure and a training video on implementing AHERA and ASHARA requirements, and disseminated those products to 20 school systems enrolling a total of 10,000 students. 10,000 would be reported in measure 15A and 2 would be reported under 15B.

*Proposed Principal Activities for the Regional Offices*

1) Maintain education and outreach efforts to bring schools into Asbestos Hazard Emergency Response Act (AHERA) compliance.

2) Promote education and outreach efforts, especially with new materials now under development. As an example, education and outreach activities can be delivered to any of the following: Local Educational Authorities (LEAs), School Districts/Boards, individual schools (including charter schools), Principals, PTA's (including individual parents and teachers), maintenance workers, and individual students. This education and outreach can be accomplished through any of the following mechanisms: web products, written publications (fact sheets, booklets, reports), public meetings, conferences, exhibits, community outreach, training sessions, award programs, mass mailings (electronic or postal), and phone calls.

3) Work with training providers to ensure compliance with requirements.

## LEAD

### *Strategic Plan Targets*

- Sub-Objective 4.1.1: Reduce Chemical Risks. By 2014, prevent and reduce chemical risks to humans, communities, and ecosystems.
  - Through 2014, EPA will continue to maintain elimination of childhood lead poisoning as a public health concern by ensuring that the percentage of children (aged 1-5 years) with elevated blood lead levels ( $>10 \mu\text{g}/\text{dl}$ ) to rise above remains at zero
  - By 2014, reduce to 26 percent the percent difference in the geometric mean blood lead level in low income children 1-5 years old as compared to the geometric mean for non-low income children 1-5 years old.

### *Long-Term Strategy*

OPPT will pursue a range of activities aimed at meeting our strategic targets, including the maintenance of a trained and certified workforce of lead-based paint professionals, and the development of methods and tools to reach vulnerable populations and communities. In its efforts to meet the needs of environmental justice communities, OPPT has collaborated with other agencies and national organizations in low-income housing communities to raise awareness and help attain the goal of reducing childhood lead poisonings in areas with high occurrences of elevated blood-lead levels.

The Renovation, Repair and Painting (RRP) Final Rule was signed on March 31, 2008. This rule establishes requirements for: training renovators, other renovation workers, and dust sampling technicians; certifying renovators, dust sampling technicians, and renovation firms; accrediting providers of renovation and dust sampling technician training; renovation work practices; and recordkeeping. On June 23, 2008 States and Tribes were allowed to apply for program



authorization. On April 22, 2009, the Agency will begin to implement the regulation in all non-authorized States, Territories and on Tribal lands. On this date, providers of renovator and/or dust sampling technician training may begin to apply for accreditation. On October 22, 2009 renovation firms may begin applying for certification, and on April 22, 2010 the rule will be fully implemented. By that time, training providers must be accredited, and all firms conducting RRP must be certified and must comply with the lead-safe work practices prescribed in the rule.

*Environmental Justice and Children’s Health*

The Lead Program has awarded grants to conduct activities to reduce incidences of childhood lead poisoning in vulnerable populations and other environmental justice activities including outreach and public education in appropriate languages of the community, monitoring, training, and other innovative means of communication with communities regarding reducing the risk of lead poisoning. This includes continued administration of the State Tribal Assistance Grants (STAG) program which maintains an adequate supply of trained and certified individuals for lead-based paint activities. In addition these grants support Tribal efforts to reduce lead risks, and focus on reducing lead risks in vulnerable populations of at-risk children and communities with a high concentration of children with elevated blood-lead levels (hot spots). OPPT will continue to coordinate with other federal agencies including, Centers for Disease Control (CDC), Housing and Urban Development (HUD), Department of Justice (DOJ), Consumer Product Safety Commission (CPSC), and with state, local and tribal governments to reduce or prevent risks to human health and the environment posed by lead-based paint activities.

*Background*

A key element of EPA’s mission and Strategic Plan is to reduce or prevent risks to human health and the environment posed by chemical substances. In certain instances, risk-reduction efforts are targeted at specific chemicals. Foremost among these is the commitment to eliminate childhood lead poisoning as a public health concern by 2010. Since 1973, environmental lead levels have been reduced by phasing out leaded gasoline, banning the sale of lead-based paint for use in residences, and addressing other sources of exposure. As a result of these efforts, children’s blood-lead levels have declined nearly 90 percent since the mid-1970s, in the United States.

In the 1990's, EPA focused on reducing children’s exposure to lead in paint and dust through a regulatory framework, through federal interagency collaboration, as well as informing and educating parents, home buyers, renters, renovators and the medical community about lead prevention. The incidence of childhood lead poisoning has declined from 900,000 cases in the early 1990s to approximately 120,000 cases through 2006 (according to CDC’s recent non-peer-reviewed communications). Additional information can be found at:

<http://www.epa.gov/lead.html>.

*Proposed Measures*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
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4.1.1	11A	Number of active individual certifications for lead-based paint abatement activities in the Region	Certifications	Non-Commitment Measure.
4.1.1	12	Total number of authorized state and tribal certifications and training programs for lead-based paint abatement professionals	States and Tribes	
4.1.1	12B	Total number of authorized States and Tribes for the lead-based paint renovation, repair and painting rule.	States and Tribes	Non-Commitment Measure.
4.1.1	13A	Annual percentage of viable lead-based paint abatement certification applications that require less than 20 days of EPA Regional effort to process	Percent	
4.1.1	13B	Annual percentage of viable lead-based paint abatement certification applications that require less than grantee state-established timeframes to process	Percent	State Grant Performance Measure
4.1.1	21	Number of outreach partnerships addressing lead-based paint hazards and exposure reduction.	Partnerships	
4.1.1	TR-1	Number of tribal partnerships or other projects addressing lead based paint hazards and exposure reduction.	Partnerships or Projects	Non-Commitment Measure.
4.1.1	RRP2	Number of active accreditations for lead-based paint renovation, remodeling and painting certification training providers in the Region.	Training accreditations	Non-Commitment Measure.

*Definitions and Clarification of Measures*

An ACS measures workgroup comprised of Regional Office and HQ staff is assessing current measures and proposing modifications for FY 2011. These refined measures will better reflect work currently done in Regional offices by telling a complete story of how Regional Office activities are supportive of the overall programmatic goals.

ACS measure 11A is a non-commitment measure; EPA Regional Offices, States, and Tribes do not directly control this parameter sufficiently to justify setting targets. Measure 11A seeks to track the inventory of certifications for lead-based paint professionals performing abatement activities. The ACS comment field shall be utilized to provide a breakdown of certifications in authorized States, non-authorized States, and Tribes.

ACS measure 12 seeks to measure the number of authorized State and Tribal programs who certify lead based paint abatement professionals. The comment field in ACS shall be utilized to provide a breakdown of the authorized State and Tribal programs.

ACS measure 12B is a new non-commitment measure that seeks to measure the number of authorized State and Tribal RRP programs. The ACS comment field shall be utilized to provide a breakdown of the authorized State and Tribal RRP programs.

ACS measure 13A examines the efficiency of the Regions as they process viable abatement certification applications. Viable is defined as a completed application which is ready and suitable for approval or disapproval, containing all requirements for certification. EPA Regional Offices will process certification applications in less than 20 calendar days. The Regional Office effort is defined as the time needed to process an application; the sum of two timeframes. Timeframe 1 is the number of days elapsed from "Sent to Regions" to "Region Review." Regional effort does not include HQ processing time. Timeframe 2 is the number of days elapsed from "Approval or Disapproval Letter Generated" to "Final Package Sent." Regional Office effort does not include the time it takes for individuals to take and pass their exam. The timeframe information can be retrieved from the Federal Lead-based Paint Program (FLPP) database system. OPPT will work with Regions to provide periodic Regional Office performance updates.

ACS measure 13B is a state grant performance measure which examines the efficiency of authorized Grantee-States as they process viable abatement certification applications within the Grantee-State established timeframes. Regional Offices should ensure that their respective states achieve the minimum planning target, stated as the Regional Office bid. The Regional Offices should use the comment field to report their authorized Grantee-State timeframes (number of days taken by Grantee-State to process a viable application) for each shareholder (State or Tribe) and the percentage of applications processed under the Grantee-State established timeframe. The timeframe may vary by State, taking variables such as regulations and contractor processing time into account. The number agreed upon should be a reasonable determination that reflects the length of time that it takes the Grantee-State to process an application, as identified by the Grantee-State and represented to the public. Below is an example of the information that should be reported by the Regional Offices in the comment field.

Shareholder	Timeframe (calendar days)	% Processed within timeframe
AL	25	72.5
GA	20	75
KY	20	72
MS	10	75
NC	20	72
TN	60	100

ACS measure 21, seeks to capture the number of outreach partnerships. An outreach partnership is defined as a collaborative, on-going project between EPA and an outside party or parties in which there is an agreement to take measures to address lead-based paint hazards and exposure reduction and thus reducing childhood lead poisoning. Examples include cooperative agreements, targeted grants, recognition awards, sustained outreach and educational campaigns, letters of agreement, etc. An agreement is an understanding between parties but not necessarily a formal agreement such as a Memorandum of Understanding (MOU).

ACS measure TR-1 is a new non-commitment measure which tracks the number of tribal partnerships or other projects addressing lead-based paint hazards and exposure reduction on tribal lands. Tribal partnerships are a more focused subset of overall lead partnerships. Examples of tribal partnerships or projects include: Direct Implementation Tribal Cooperative Agreements (DITCAs), on-going projects, outreach, DITCA related activities, cooperative agreements, formal agreements, tribal grants, MOUs, etc.

ACS measure RRP2 is a non-commitment measure which seeks to capture the number of training accreditations for Renovation, Repair and Painting (RRP) work. Ensuring an adequate workforce of accredited, qualified and competent training providers is important to a successful ongoing RRP program.

*Proposed Principal Activities for the Regional Offices*

- 1) Implement lead-based paint risk reduction education, outreach and regulatory implementation programs in target areas with high concentrations of children with elevated blood levels.
- 2) Continue overseeing the Section 404(g) grant program to maintain a trained workforce of lead-based paint professionals in authorized states and continue operating the program in non-authorized states.
- 3) Continue work to eliminate childhood lead poisoning through Regional priority efforts in the Midwest Region. EPA Regions 5 and 7 continue to track the number of housing units abated/mitigated for lead and the number of lead contaminated residential properties restored through the Deputy Administrator's Quarterly Management Report.
- 4) Encourage compliance assistance and outreach of the Pre-Renovation Education Rule (406) and Disclosure Rule (1018).
- 5) Promote compliance assistance for the Training and Certification Rule (402) in EPA states and coordinate with state programs, as needed, for 402 rule compliance assistance in authorized states.
- 6) Pursue opportunities for partnerships to address lead-paint based hazards and exposure reduction. For example, utilize the Indian Health Service Environmental Health Office to accommodate tribes in this area by performing lead-based testing in sensitive areas where children are prone to 8-hour activity.
- 7) Continue implementing the Lead-Based Paint Renovation, Repair and Painting (RRP) Rule including providing Section 404(g) grants to States, Tribes, and territories to develop and carry out authorized programs; working with the grantees to encourage successful delegation of the rule; working to accredit qualified training providers; providing information and compliance assistance to firms and other regulated parties, as well as beginning the certification process for firms; and providing effective public outreach so that demand for qualified RRP contractors is strong.

## PESTICIDE WORKER SAFETY PROGRAMS

### *Strategic Plan Targets*

The Pesticide Worker Safety Programs support will primarily support the Agency Strategic Plan:

- Sub-objective 4.1.3: Protect Human Health from Pesticide Risk. Through 2014, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.
  - Through 2014, reduce and maintain the concentration of pesticides detected in the general population by 50% percent. (Based on urinary metabolites reported 1999-2002 Centers for Disease Control's National Health and Nutrition Examination Survey (NHANES). Measure is based on NHANES 50<sup>th</sup> percentile concentrations for all (seven) organophosphate analytes reported: Dimethylphosphate < 0.58 ug/L; Dimethylthiophosphate = 1.06 ug/L; Dimethyldithiophosphate < 0.10 ug/L; Diethylphosphate = 0.78 ug/L; Diethylthiophosphate = 0.5 ug/L; Diethyldithiophosphate < 0.10 ug/L; and 3,5,6-Trichloro-2-pyridinol = 1.9 ug/L .)
  - By 2014, improve the health of those who work in or around pesticides by reducing the number of moderate to severe occupational incidents for six acutely toxic pesticides with the highest number of incidents by 50%. . (Based on the approximately 325 moderate and severe incidents reported to the Poison Control Center (PCC) National Poison Data System (NPDS) 1999-2003. for the six pesticides of concern; chlorpyrifos, diazinon, malathion, pyrethrins, 2,4D, and carbofuron.)

### *Long-term Strategy*

The goal of the NPM priority for EPA's Pesticide Worker Safety Programs and the associated principle Regional activities listed below is to reduce human health and environmental incidents associated with pesticide use. OPP's Pesticide Worker Safety Programs will support the accomplishment of the Agency's Goal 4, and the associated objective, sub-objectives and strategic measures from the Agency's 2009-2014 Strategic Plan Change Document listed above through applicator certification and training; WPS compliance assistance, education and outreach for growers, applicators and workers; and a variety of special regional worker safety projects designed to augment state and tribal pesticide worker safety program efforts. By promoting applicator competence in the safe use of pesticides and undertaking specific field activities that help to ensure compliance with EPA's WPS and applicator certification rule provisions, the worker safety program activities will help ensure that pesticide users and pesticide workers practice pesticide safety, which in turn reduces pesticide related incidents that may adversely impact human health and the environment. There is less likelihood of occupational pesticide exposures and/or pesticide-related environmental incidents occurring when pesticide users and workers are trained and competent.

EPA will collaborate with States/Tribes, other federal agencies, industry groups, trade organizations, advocacy groups, community-based organizations, the regulated community and other program stakeholders in efforts to reduce the occurrence of pesticide related incidents in pesticide workers. This includes agricultural workers, private applicators (farmers) and their family members working around pesticides, pest control operators, pesticide mixers/loaders/handlers, and the full range of other workers that may work with or around pesticides. EPA will utilize a number of mechanisms to address issues related to pesticide workers including proposing regulatory modifications, improvements and enhancements to the worker protection standard and the certification and training requirements.

EPA will also coordinate with States, Tribes to ensure that the regulated community is fully informed of the requirements in the regulations and that appropriate mechanisms are in place and utilized to ensure compliance with those requirements. Among other things, EPA will take steps to improve pesticide worker health and safety by: revising the worker protection standard and pesticide applicator certification regulations (40 CFR Parts 170 and 171), providing compliance assistance to the regulated community; developing and supporting outreach and/or education programs; supporting pesticide safety training programs; establishing community-based grant programs; developing risk-based targeting approaches; providing outreach to health care providers that treat pesticide-related illnesses; and, employing a variety of other innovative approaches to promote pesticide worker safety.

The Regions will be primarily responsible for working with States and Tribes to implement our regulatory field programs, developing outreach and/or education programs to the regulated community related to worker safety, and carrying out special projects or initiatives to enhance the worker safety field program. Headquarters will have the primary lead in national program coordination, coordinating with health care providers and regulatory development activities which include revising the worker protection standard and pesticide applicator certification regulations. Headquarters will coordinate with Regions on national program issues and will involve Regions when conducting activities in a particular Region.

EPA will strive to implement and collect improved data related to pesticide worker safety including occupational safety. This information will be used in program management, to meet federal program achievement goals, and in communications with the public. EPA will also begin to collect additional data from field activities such as inspections. Headquarters will utilize national data collection systems such as SENSOR (Sentinel Event Notification System for Occupational Risk) to collect occupational pesticide poisoning information. Regions should encourage and work with our states and tribal partners to implement and utilize these data collection systems to inform their regulatory program decisions and field activities. The NPM measures for this priority are intended to reflect the contributions of the EPA Regional Offices in promoting and assuring the safe use of pesticides in occupational settings.

### *Environmental Justice*

Effective implementation of EPA's Worker Protection Standard (WPS) is one of OPP's highest priorities. The WPS program is critical to assuring that agricultural farmworkers are protected from occupational pesticide hazards, and it is also a key component of EPA's and OPP's

Environmental Justice (EJ) activities within the pesticide program. According to the most recent findings of the National Agricultural Workers Survey (NAWS), it is estimated that there are nearly 2 million migrant and seasonal farmworkers in the United States. Although the NAWS findings indicate the majority of farmworkers are Hispanic, the farmworker population is very racially and culturally diverse, being composed of people from many different nationalities. Farmworkers also represent some of the most economically disadvantaged people in the U.S., further highlighting the need for EJ focus for this population. According to the most recent NAWS findings, nearly three-quarters of U.S. farmworkers earn less than \$10,000 per year, and three out of five farmworker families have incomes below the poverty level.

Additionally, agriculture is consistently ranked as one of the most dangerous occupations in the nation. Exposure to the elements, pesticides and dangerous equipment are common in farm labor. Falls, heat stress, dehydration and pesticide poisoning are frequent injuries. However, agriculture is not subject to the same safety legislation under OSHA that protects workers in other industries.

Farmworkers provide an important labor service to agriculture, and the abundant and affordable U.S. food supply benefits greatly from the labor they provide. It is important to protect this population from occupational pesticide hazards to ensure their safety in the workplace and viability as a community. EPA's WPS provides important regulatory protections for this population by requiring several safeguards such as training on recognition of pesticide hazards, protection from pesticide exposure, and emergency assistance in the event of a pesticide exposure or injury. OPP will continue to ensure that WPS implementation is an EJ priority for the program and a priority field activity for Regions, States and Tribes.

### *Background*

One of the Agency's primary goals under its revised Strategic Plan is to ensure healthy communities. This includes safety and health in the workplace. A key part of EPA's strategy for achieving its goal is to reduce illness and incidents associated with occupational exposure to pesticides. Based on EPA's risk assessments, people who work with, or around pesticides, face a high potential for pesticide exposure and pesticide-related illness. OPP has made reducing or preventing occupational pesticide exposures and related illnesses one of its highest priorities. An effective pesticide worker safety program which comprehensively addresses pesticide risks in the workplace is essential to accomplishing the Agency's mission. Therefore, OPP will continue to emphasize the need for Regions to work with the states and tribes to focus on pesticide worker safety programs. This emphasis will include establishing stronger linkages between the worker protection program and the pesticide applicator Certification and Training (C&T) program. When appropriate, Headquarters will work with the Regions to increase outreach to health care providers.

Measures for these programs have been developed through a process with the Regions, States, Tribes, and other stakeholders. The measures are intended to provide direction for program improvement, and to describe progress in meeting the Agency goals and objectives. The table below includes the Pesticide state grant performance measure for 2010, "Total number of certified applicators." The certification of applicators that use restricted use pesticides, which

are the most hazardous pesticides, helps ensure that these applicators will have the level of competence needed to handle and apply these pesticides with the minimum potential risk to human health and the environment. It is our first line of risk mitigation for the most hazardous pesticides on the market. The Regions will not be expected to enter this data into the ACS system. This data will be obtained from the States as part of the certification program's requirements established in 40 CFR 171(d). OPP will use the information submitted by states to calculate this measure and the Regions will then enter the results into the ACS system. There are a few important caveats to the Pesticide state grant performance measure that are noted following the table below

*Proposed Measures*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
4.1.3	WP1	Number of Region-specific projects or initiatives that contribute to the implementation and enhancement of the worker protection (WPS) field program	Projects or initiatives	Minimum of one per Region
4.1.3	CT1	Number of Region-specific projects or initiatives that contribute to the implementation and enhancement of the C&T field program.	Projects or initiatives	Minimum of one per Region
4.1.3	26	Total number of certified applicators.	Certified applicators	State Grant Performance Measure.

*Definitions and Clarification of Measures*

For ACS measure 26 there are varying state requirements for who has to get certified in each state, especially for commercial applicator certification, so the total number of applicators requiring certification in each state can vary greatly depending on state laws and regulations. The total number of certified applicators per state is not based on or directly related to federal certification requirements or funding. Total number of applicators requiring certification in each state can vary depending on, state laws and regulations, population, level of agricultural production, pest pressures, certification costs, and other factors.

The total number of applicators certified by a state is not within Regions' control and is not a function of their efficiency or productivity. States have different populations, levels of agricultural production, pest issues, costs to obtain certification, and regulatory requirements for certification. This may affect the number of people who pursue certification and the total number of applicators certified by a state.

*Proposed Principal Activities for the Regional Offices*



- 1) Regions should ensure appropriate implementation of pesticide worker safety programs by States and/or Tribes in their jurisdiction. This includes assuring States/Tribes follow National Cooperative Agreement Guidance, making appropriate commitments in their work plans and meeting these commitments. In addition, the Region will report, according to the agreed upon format, all relevant activities.
- 2) Regions should ensure that all States and Tribes submit complete C&T accomplishment reporting information, as required by 40 CFR Part 171.7(d), to the Certification and Worker Protection Branch in OPP via the Certification Plan and Reporting database (CPARD). Regions must ensure that all States/Tribes enter the required reporting information into the C&T State Plan and Reporting database system by the end of the first quarter of the federal fiscal year. Therefore, States would not be required to enter this data on the state grant performance measure.
- 3) Regions should ensure that all States and Tribes, as applicable, maintain updated Plans for Certification of Pesticide Applicators (Plans). The Plans must comply with 40 CFR Part 171. Regions must ensure that all States/Tribes have entered their complete Plans into the CPARD system; and they must ensure States/Tribes maintain those Plans by annually updating the Plans in the CPARD system and entering all applicable information into the CPARD system about any modifications that were made to the Plans during the annual reporting period.
- 4) Regions must carry out at least two Region-specific projects or initiatives that contribute to the implementation and enhancement of the worker safety field programs. One project or initiative must be related to the WPS program and one must be related to the C&T program. The goal of the WPS project should be to enhance the protection of agricultural pesticide workers, and the goal of the C&T project should be to enhance the competency of certified pesticide applicators. The projects may entail outreach and education, compliance assistance, stakeholder coordination, program evaluation, state or tribal program capacity building, or other similar project/initiatives that may lead to enhancement of the program. The Headquarters National Program Office (NPO) will provide guidance to Regions on submitting project write-ups and final project reports. Regions must submit final project write-ups to the NPO by October 31st, and projects must be completed by the end of the federal fiscal year. Regions must submit their final project reports to the NPO within 30 days of the end of the federal fiscal year.
- 5) EPA is initiating the revision of the worker protection standard and pesticide applicator certification regulations (40 CFR Parts 170 and 171), and will be carrying out a variety of efforts and activities related to the revisions of these regulations. Regions will have the opportunity to participate in this process. Regions should ensure they stay abreast of the regulatory development process and communicate with States and Tribes and other regional program stakeholders about the status of the process, providing information to these entities about the process as needed when it is updated and made available. Regions should encourage States and Tribes and other regional program stakeholders to stay engaged and participate in the regulatory development process and provide information and feedback to EPA as appropriate.
- 6) Regions should encourage the States and Tribes to adopt Certification and Training Assessment Group (CTAG) recommendations, including at a minimum the adoption of the

national core manual and exam and the minimum age requirements for certification of applicators. Other recommendations may also be forthcoming. After notification by Headquarters of the recommendations, the Regions will work with states and tribes to encourage their implementation. Updated information on CTAG can be found at <http://pep.wsu.edu/ctag/>.

7) Regions should encourage States and Tribes to adopt the use of national worker safety program materials, including the national core manual and exam, national aerial category materials, WPS Train-the-Trainer materials, and other products. Regions should also work with States and Tribes to identify barriers to adoption of national program materials, and have discussions with their States and Tribes about potential problems with developing a new ACS state grant performance measure for the program related to number of States/Tribes adopting national program materials. Regions should report any feedback on these issues to Headquarters.

8) Regions should support the measures implementation process by working with their States and Tribes in developing the information for the measures. The measures are critical to program management and refinement as well as for addressing the needs of and communicating with the Office of Management and Budget, partners, stakeholders and the general public. The regional activities for this NPM priority will contribute toward reaching the strategic targets listed under this sub-objective by promoting applicator competence in the safe use of pesticides and assuring compliance with EPA's WPS and applicator certification rule provisions, which in turn reduces pesticide related incidents that may adversely impact human health and the environment. There is less likelihood of occupational pesticide exposures and/or pesticide-related environmental incidents occurring when pesticide users and workers are trained and competent.

## PESTICIDE CONTAINER-CONTAINMENT IMPLEMENTATION

### *Strategic Plan Targets*

The Container-Containment Rule Implementation will primarily support the Agency Strategic Plan:

- Sub-objective 4.1.3: Protect Human Health from Pesticide Risk. Through 2014, protect human health by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.
  - Through 2014, reduce and maintain the concentration of pesticides detected in the general population by 50% percent. (Based on urinary metabolites reported 1999-2002 Centers for Disease Control's National Health and Nutrition Examination Survey (NHANES). Measure is based on NHANES 50<sup>th</sup> percentile concentrations for all (seven) organophosphate analytes reported: Dimethylphosphate < 0.58 ug/L; Dimethylthiophosphate = 1.06 ug/L; Dimethyldithiophosphate < 0.10 ug/L; Diethylphosphate = 0.78 ug/L; Diethylthiophosphate = 0.5 ug/L; Diethyldithiophosphate < 0.10 ug/L; and 3,5,6-Trichloro-2-pyridinol = 1.9 ug/L .)

- By 2014, improve the health of those who work in or around pesticides by reducing the number of moderate to severe occupational incidents for six acutely toxic pesticides with the highest number of incidents by 50%. . (Based on the approximately 325 moderate and severe incidents reported to the Poison Control Center (PCC) National Poison Data System (NPDS) 1999-2003. for the six pesticides of concern; chlorpyrifos, diazinon, malathion, pyrethrins, 2,4D, and carbofuron.)

This NPM priority will also support the Agency Strategic Plan:

- Sub-objective 4.1.4: Protect the Environment from Pesticide Risk. Through 2014, protect the environment by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.
  - By 2014, no urban watersheds will exceed the National Pesticide Program aquatic life benchmarks for four key pesticides of concern. Baseline; (1992 – 2001) percent of urban watersheds sampled by USGS National Water Quality Assessment (NAWQA) program that exceed the National Pesticide Program aquatic life benchmarks for diazinon (73%), chlorpyrifos (37%), carbaryl (13%), and malathion (30%.)
  - By 2014, no agricultural watersheds will exceed the National pesticide Program aquatic life benchmarks for two key pesticides of concern. Baseline data (1992 – 2001) percent of agricultural watersheds sampled by USGS National Water Quality Assessment (NAWQA) program that exceed the National Pesticide Program aquatic life benchmarks for azinphos-methyl(18%) and chlorpyrifos (21%.)

### *Long-term Strategy*

The goal of the pesticide Container-Containment rule implementation NPM priority and the proposed principal Regional activities listed below, is to reduce incidents associated with occupational exposure or environmental exposure that are caused by the failure, inadequate storage or improper handling of pesticide containers. There is less likelihood of occupational exposure to pesticides (and thus illness or other adverse effects) and environmental exposure to pesticides (and thus contamination or other adverse effects) if pesticide containers are properly designed, bulk pesticides are stored and transferred in containment structures, and containers are properly handled.

EPA will help prepare states and the regulated community to come into compliance with the new regulations. Compliance is required with the non-refillable container and pesticide containment regulations by August 2009, with the label requirements by August 2010 and with the refillable container and repackaging regulations by August 2011. The Regions will work with states so that they can carry out an adequate residue removal program as required by FIFRA.

The NPM measures for this priority are intended to reflect the contributions of the EPA Regional Offices in reducing incidents associated with occupational exposure or environmental exposure that are caused by the failure, inadequate storage or improper handling of pesticide containers.

*Background*

The requirements of this rule are designed to minimize human exposure while handling pesticide containers; facilitate safe container disposal and recycling; and protect the environment from pesticide releases at bulk storage sites and from spills and leaks at refilling and dispensing operations. The Office of Pesticide Programs (OPP) has made implementation of this rule a priority. Therefore, this guidance will emphasize Headquarters and Regional activities to help prepare state partners for implementation, which is a necessary step in ensure the requirements of the rule are followed by pesticide registrants, distributors and users, and the human health and environmental protections are realized in the field. Additional information on the rule can be found at <http://epa.gov/pesticides/regulating/containers.htm>.

*Proposed Measures*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
4.1.3	CR2	Number of States that the Region has assessed to determine if they have the capacity to implement the pesticides Container-Containment rules.	Number of states	Reporting measure.
4.1.3	CR1	Number of Region-specific projects or initiatives that contribute to the implementation and enhancement of the container-containment field program	Number of projects or initiatives	This measure language was revised from FY09.

*Definitions and Clarification of Measures*

ACS measure CR1 language was revised starting in FY2010 to reflect Regional Pesticide Supervisors’ recommendation to modify the measure language to read similar to the existing Worker Safety measures, which require tracking a project or initiative rather than just a counting of the number of meetings, and outreach activities. OPP management agrees with this recommendation since these projects will contribute to implementation and enhancement of the container-containment field program which is the goal of this measure.

ACS measure CR2 reflects the on-going coordination that Regions will have with states and the Region’s assessment (not a formal determination) about whether the states have the capacity to implement the Container-Containment regulations. This will be an on-going process during the

years that the pesticide container-containment regulations are being phased in. The compliance dates run from August 2009 to August 2011.

*Proposed Principal Activities for the Regional Offices*

- 1) Regions should facilitate implementation of the Container-Containment rule. This includes assuring that states follow National Cooperative Agreement Guidance, making appropriate commitments in their work plans, and meeting these commitments. Regions should report all relevant activities.
  
- 2) Regions should coordinate with States to implement the pesticide Container-Containment regulations. Compliance is required with the non-refillable container standards and containment requirements as of August 16, 2009, with the label requirements by August 16, 2010 and with the refillable container and repackaging regulations by August 16, 2011. Through the Region's on-going coordination with the States, the Regions should assess whether the States have the capacity to implement the Container-Containment regulations. This assessment is not a formal determination like the determinations of equivalency for existing state pesticide containment regulations that will be made in FY 2009 or the determinations of adequacy for state residue removal compliance programs that were made in FY 2008. Instead, it is intended to be part of the on-going cooperation and coordination with the State for implementing FIFRA and, in this case, implementing the Container-Containment regulations. The Region needs to assess the state's capacity to implement the Container-Containment rule as a part of the process of deciding what the Region will do to implement the rule. This will be an on-going process during the years that the pesticide container-containment regulations are being phased in. It is likely that Regions would assess the state's capacity to implement specific parts of the Container-Containment rule at different times. For example, a region might assess a state's capacity to implement the containment regulations in FY2009 or FY2010 and then assess that state's capacity to implement the refillable container and repackaging requirements in FY2011 or FY2012.
  
- 3) Regions must carry out at least one Region-specific project or initiative that contributes to the implementation and enhancement of the pesticide container-containment field program. The goal of the project should be to enhance the use of well-designed pesticide containers, the adequate containment for bulk pesticide storage and repackaging activities, and/or the proper handling of pesticide containers. The projects may involve outreach and education, compliance assistance, stakeholder coordination, program evaluation, state or tribal program capacity building, or other similar projects and initiatives that lead to the implementation and initiation of the pesticide container-containment field program. The project or initiative may be one segment of a multi-year program. Headquarters will provide guidance to Regions on submitting project write-ups and final project reports. Regions must submit final project write-ups to Headquarters by October 31<sup>st</sup>, and projects must be completed by the end of the fiscal year. Regions must submit their final project reports to Headquarters within 30 days of the end of the federal fiscal year.

PESTICIDES AND WATER RESOURCE PROTECTION

### *Strategic Plan Target*

- Sub-objective 4.1.4: Protect the Environment from Pesticide Risk. Through 2014, protect the environment by implementing our statutes and taking regulatory actions to ensure pesticides continue to be safe and available when used in accordance with the label.
  - By 2014, no urban watersheds will exceed the National Pesticide Program aquatic life benchmarks for four key pesticides of concern. Baseline; (1992 – 2001) percent of urban watersheds sampled by USGS National Water Quality Assessment (NAWQA) program that exceed the National Pesticide Program aquatic life benchmarks for diazinon (73%), chlorpyrifos (37%), carbaryl (13%), and malathion (30%.)
  - By 2014, no agricultural watersheds will exceed the National pesticide Program aquatic life benchmarks for two key pesticides of concern. Baseline data (1992 – 2001) percent of agricultural watersheds sampled by USGS National Water Quality Assessment (NAWQA) program that exceed the National Pesticide Program aquatic life benchmarks for azinphos-methyl(18%) and chlorpyrifos (21%.)

### *Long-term Strategy*

In order to ensure that pesticides do not adversely affect the nation's water resources and the EPA Strategic Plan sub-objective and measures listed above are met, EPA, States, and Tribes will undertake a program to: 1) evaluate pesticide risks to local water resources, 2) take actions where needed to reduce or prevent pesticide contamination of water resources over time, and 3) establish mechanisms to demonstrate the progress of management strategies designed to address water quality concerns caused by pesticide use. EPA, States, and Tribes will also investigate and respond to pesticide water contamination incidents, especially where water quality standards or other reference points are threatened or exceeded. The Office of Pesticide Programs (OPP), the Office of Water, Regions, States and Tribes will also share information and collaborate to identify and manage the risk of pesticide use to water resources. OPP will also use State and Tribal water monitoring data in the pesticide registration and registration review process.

The NPM reporting measure is intended to reflect the efforts of the EPA Regional Offices in managing cooperative agreements to ensure that States and Tribes are taking steps to evaluate potentially problematic pesticides for water quality. Through the Regional Office grant oversight and grantee support of activities in this program area, the EPA Regional Offices can help ensure that water quality concerns due to pesticide use are identified and mitigated over time.

### *Background*

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA registers pesticides and sets conditions for their use. These conditions can include requirements to protect water resources. EPA also provides funding to States and Tribes to protect water resources from

pesticides. Under the cooperative agreements managed by the EPA Regional Offices, States and Tribes are asked to evaluate pesticides that have potential to threaten water quality standards or other appropriate reference points, and to place those pesticides identified as a concern under active management so as to reduce concentrations in the environment that would otherwise result in undue exposure and risk. This evaluation process allows States and Tribes to identify where they need to focus resources at the local level to manage the greatest risk to their water quality. Additional information can be found at <http://www.epa.gov/pesticides/health/safely.htm>.

*Proposed Measure*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comment</b>
4.1.4	WQ1	Number of evaluated pesticides of concern that have been placed under State or Tribal Program management due to their propensity to approach or exceed national water quality standards or other human health or ecological reference points.	Number of pesticides	Reporting measure

*Proposed Principal Activities for the Regional Offices*

- 1) Regions will negotiate annual State and Tribal water quality commitments consistent with FIFRA Cooperative Agreement Guidance, and will provide annual grant and program oversight.
- 2) Regional Pesticide Offices will consult with Regional Water Offices, OPP, and State and Tribal pesticide and other water resource agencies, as needed, to ensure that appropriate water quality pesticides of interest are identified by the State or Tribe.
- 3) Regions will assist State and Tribal pesticide and water quality management agencies to develop programs to manage pesticides of concern that are derived from pesticides of interest evaluations; i.e., those that have a high potential to threaten water quality standards.
- 4) Regions will work with State and Tribal pesticide agencies to assess current State and Tribal program progress on meeting work plan water quality commitments. Regions will support States and Tribes on reporting the national water quality measures data, including training, and any water quality monitoring data to OPP. Measures information should be entered by States and Tribes into the Pesticides of Interest Tracking System (POINTS, [www.points.wsu.edu](http://www.points.wsu.edu)) by December 31<sup>st</sup>, 2010. Regions will then review their State and Tribal POINTS data to ensure its accuracy. POINTS data should be final by February 28<sup>th</sup>, 2011.
- 5) Where appropriate, Regions may review and provide comment on initial and updated State and Tribal Pesticide Management Plans.

6) Regions are encouraged to support the EPA pesticide registration review process through the collection and submission of State water quality monitoring data, including data on CWA § 303(d) listed waters due to pesticide impairments.

## STRATEGIC AGRICULTURE INITIATIVE (SAI)

### *Strategic Plan Targets*

- Sub-objective 4.1.5: Realize the Benefits from Pesticide Availability. Through 2014, ensure the public health and socio-economic benefits of pesticide availability and use are achieved.
  - Through 2014, continue to maintain a healthy and affordable food supply, continue to ensure the availability of safe pesticides that annually provide an estimated \$26 billion in value to agricultural production. The measure is based on annual USDA pesticide expenditure data and public literature on the marginal value of pesticides.
  - Through 2014, annually continue to avoid \$1.8B in termite structural damage from termite infestations by ensuring safe and effective pesticides are available for termite control.. (\$1.8 B in 2007 baseline data are derived from several sources including, U.S. Census data, surveys conducted by the pest control industry, and academic publications

### *Long-term Strategy*

Through Regional outreach, coordination and grant programs, the Strategic Agricultural Initiative fosters transition and adoption of farm pest management decisions and practices that provide growers with a “reasonable transition” towards the use of less and reduced-risk pesticides and alternative pest control methods, as mandated by Food and Quality Protection Act (FQPA). The goal of the NPM priority for SAI, and the associated Regional activities listed below, is to promote the beneficial use of pesticides and safe pesticide control, while concurrently reducing risk of pesticide use to human health and the environment.

### *Background*

EPA’s Strategic Agricultural Initiative (SAI) began in response to the Food Quality Protection Act §303 (FQPA) with \$1 million as a pilot program. Based on the successful pilot, in FY 2000, EPA expanded the program to all ten Regions with funding of \$1 million, expanded to \$2 million and 10 FTE in 2001. The OPPTS Acting Assistant Administrator sent guidance on the use of these resources to the Regions in December 2000.

The Strategic Agricultural Initiative is a regionally based, dual track initiative. On one track, SAI coordinates, collaborates and facilitates the implementation of Integrated Pest Management (IPM) practices with other government agencies and stakeholders and facilitates the development



of reduced risk pest management strategies. The other track is a small grant program to promote model agricultural partnership projects that demonstrate and facilitate the adoption of farm management decisions and practices that provide growers with "a reasonable transition" away from the highest risk pesticides, as designated by FQPA.

In 2008, the SAI Team hired a contractor to conduct an external needs analysis followed by a National Summit to review the continued need, effectiveness, and efficiency of the program. The consensus was that SAI directly supports national pesticide program goals through: coordination of the Integrated Pest Management (IPM) implementation with other agencies; providing grant opportunities to demonstrate and validate novel approaches, and in maintaining a positive communication network that connects important stakeholders that are not otherwise addressed in pesticide decisions into the pesticide program. The refined scope of the program is to target efforts within national pesticide priorities and to focus grant funds on minor crops as defined by USDA with some latitude where justified. Grant funding will follow national pesticide priorities and a common grant format that is administered by the regions and with regional flexibility in the assistance agreement process. The SAI team established a workgroup to systematically refine the NPM measures to better reflect the contribution and effectiveness of the SAI program to national pesticide goals. The SAI Team decided to maintain the same measures in 2010 as in 2009 in order to more carefully evaluate alternatives and methods to improve the effectiveness of the measures.

The *National Pesticide Program Stewardship Priorities* below were developed by a consensus at the 2008 SAI National Summit discussed above.

1. Pesticides for which reduced risk pest management alternatives are sought, especially on minor crops
  - a. azinphos methyl (AZM)
  - b. soil fumigants (chloropicrin, dazomet, metam sodium/potassium)
  - c. strobilurin fungicides
  - d. carbofuran in spinach seed production
  - e. lindane seed treatment for seed maggots in vegetable crops
  
2. Agricultural issues involving pesticides for which IPM advancements are sought
  - a. resistance management
  - b. water quality and runoff issues
  - c. pollinator protection issues
  - d. endangered species protection
  - e. IPM approaches for controlling rodents and predators in livestock operations
  - f. urban/rural interface and volatile pesticides
  - g. repeating emergency exemption requests on minor crops (see table below)

**Repeating Emergency Exemption Requests on Minor Crops (2008-09)**

Crop	Pest(s)	EPA	State(s)
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		Region(s)	
Raspberry	Nematodes	10	WA, OR, ID
Cranberry	Dodder	1	MA
Ginseng	<i>Alternaria</i> &	5	MI, WI
Mushrooms	Green mold	3, 10	DE, MD, PA,
Walnut	Blight	9	CA
Raised honeybees	Varroa mite	1 - 10	National
Citrus	Post bloom fruit drop	4	FL
Fruiting vegetables (especially	White mold	2, 3, 4	FL, NJ, VA

*Proposed Measure*

G.O.S	ACS Code	Regional Measure	Unit of Measure	Comment
4 .1.5	SA1	Average percent change in the utilization of reduced risk pest management practices over time as determined by the SAI Transition Gradient	Percent increase	Regions 8, 9 and 10 have selected this as a regional priority measure for the Great American West.
4 .1.5	SA2	Number of SAI collaborative actions contributing towards partnerships key to U.S. agriculture's transition towards sustainable, reduced-risk pest management technologies	Events	Regions 8, 9 and 10 have selected this as a regional priority measure for the Great American West.

*Definitions and Clarification of Measures*

SA1 Average percent change justification: The SAI Transition Gradient (TG) is expressed on a 0-5 scale and is used to evaluate pesticide risk reduction projects. While a rating of zero (0) reflects no understanding of risk reduction techniques, five (5) represents growers who have fully converted to a sustainable system. The SAI Transition Gradient provides a uniform and consistent measure to evaluate grower progress toward adopting a whole systems approach of integrated crop management, conservation planning and sustainable agriculture with an emphasis on long term outcomes using quantitative measures. This measure is an easy tool for the project coordinator to measure short term project outcomes. It is an indicator of progress towards reducing the use of OPP priority chemicals, and the adoption of reduced risk pest management and sustainable agricultural practices. This measure is used for all regional SAI projects and reported in the SAI Projects Database. Percent change on the SAI Transition Gradient is calculated as:  $(\text{project end SAI TG score} - \text{project start SAI TG score} / 5 \text{ (the highest score on SAI TG)}) \times 100$ . For example, a grantee moving from a base of one (1) on the transition gradient and moving to a two (2) on the transition gradient would be showing a 20% increase in the transition gradient.

SA1 Average percent change calculation: Each region will determine the percent change on the SAI Transition Gradient scale for each project completed in the current fiscal year based on results reported by the grantee in their final report. The region will average together the percent change for each of these projects and report one figure for the region. Each region will submit their figure for the current fiscal year on a bi-annual basis (mid-year and end of year).

Formula for the average change in the transition gradient for all regional projects:

$$\frac{\text{sum of change in the transition gradient for each project}}{\text{number of regional projects}} \times 100$$

SA2 Number of SAI collaborative actions justification: While this is an output rather than an outcome measure, it is closely tied to both intermediate and long-term desired outcomes of the SAI program and EPA's Office of Pesticide Program objectives. This measure reflects the true field activities of the regional SAI Program Coordinators and is a measure tracked semi-annually in an established SAI Activities database.

SA2 Number of SAI collaborative actions calculation:

Each region will report the number of SAI collaborative actions that contribute towards partnerships key to U.S. agriculture's transition towards sustainable, reduced-risk pest management technologies consistent with the national pesticide stewardship priorities. The database will be updated quarterly, and the numbers will be pulled and aggregated at the national level by OPP staff.

### *Proposed Principal Activities for the Regional Offices*

The following activities are typical of what may be undertaken by Regions in order to make progress in achieving the national pesticide stewardship goals, and each activity undertaken should be linked to one (or more) of these goals.

- 1) Collaborate and conduct outreach with growers, commodity groups and other stakeholders to promote transition to lower-risk pesticides and pest management methods, and maintain partnerships with the agricultural community. Record all outreach and collaborative actions etc.
- 2) Negotiate, award, and maintain a portfolio of assistance agreements that support the consensus statement on priorities for the SAI Program in 2010, and comply with EPA Order 5700.7, "Environmental Results under EPA Assistance Agreements," requiring grantees to report baseline information and establish outcome performance measures.
- 3) Maintain regional information on the SAI Information System (Project and Collaborations databases) and verify at least semi-annually. This includes grant starting and closure information and transition gradient information. Regions 8, 9 and 10 will report their scores on a quarterly basis for the Great American West (GAW) measures.

- 4) Provide feedback to EPA HQ on Regional pesticide transition issues.
- 5) Partner, cooperate and collaborate on IPM issues with USDA, including Regional Integrated Pest Management Centers, National Resources Conservation Service (NRCS) Technical Committees, Sustainable Agriculture and Research Education (SARE) program, and the Regional IR-4 program. Develop and maintain strong cross-media linkage where the regional lead and coordination for some particular USDA programs resides in other media programs within the region.
- 6) Collaborate on IPM evaluation and measurement activities and represent regional interests on inter-agency workgroups such as the National IPM Evaluation Group (NIPMEG) to advance evaluation at the project, program and landscape scale.
- 7) Work with OPP to improve internal/external communication on pesticide issues and arrange field visits for OPP staff as necessary.
- 8) Encourage and promote cross-media links to other EPA programs to promote IPM principles and supportive actions within the region.

## POLLUTION PREVENTION (P2)

### *Strategic Plan Targets*

- Sub-Objective 5.2.1: Prevent Pollution and Promote Environmental Stewardship. By 2014, reduce pollution, conserve natural resources, and improve other environmental stewardship practices while reducing costs through implementation of EPA's pollution prevention programs.
  - By 2014, reduce 20 billion pounds of hazardous materials through P2 Program participant actions cumulatively compared to the 2006 baseline of 0.46 billion pounds.
  - By 2014, reduce, conserve, or offset 115 million metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>) through P2 Program participants cumulatively compared to the 2006 baseline of 1.2 million MTCO<sub>2e</sub> reduced, conserved, or offset.
  - By 2014, reduce water use by 190 billion gallons cumulatively compared to the 2006 baseline of 2.3 billion gallons reduced.
  - By 2014, save \$14.0 billion through P2 improvements in business, institutional, and governmental costs cumulatively compared to the 2006 baseline of \$2.1 billion dollars saved.

These long-term Strategic targets incorporate recurring results framework based on Science Advisory Board consultation. See Definitions and Clarifications of measures section for

additional information. Both recurring results and new annual results will be reflected and current targets for new annual measures for FY 2010 across all seven centers of results, commit the P2 Program to:

- Reduce 522 million pounds of hazardous materials;
- Reduce, conserve, or offset 5 million MTCO<sub>2</sub>e;
- Reduce water use by 1,795 million gallons; and
- Save \$300 million in business, institutional, and governmental costs through P2 improvements.

The Regional share of the national GPRA and OMB's Program Assessment targets above represents the Regional stream of results for FY 2010. Thus, the P2 Regional Program collectively commits to:

- Reduce 50,000,000 pounds of hazardous materials;
- Reduce, conserve, or offset 650,000 Metric Tons of CO<sub>2</sub>e;
- Reduce water use by 400,000,000 gallons; and
- Save \$50,000,000 in business, institutional and government costs through P2 improvements.

### *Long-Term Strategy*

The P2 Program has recently revised its Strategic Plan using a five-year planning cycle. The Plan has three 2014 goals: (1) work with other EPA programs to establish EPA's leadership role in the sustainability arena, and broadly communicate the importance of preventing pollution at the source; (2) increase coordination among individual components of the EPA P2 Program and ensure a strong infrastructure within the EPA P2 Program and external P2 networks to support the program's mission; and, (3) meet or exceed the environmental outcome targets established for the P2 Program in the EPA Strategic Plan. In addition, the new P2 Plan focuses the Program on three critical outcomes: (a) reducing production and use of hazardous materials; (b) reducing generation of greenhouse gasses; and (c) conserving natural resources – specifically water.

The components of the P2 Program are organized into Centers of Results, as described below in the "Background" section. The Plan also identifies six sectors – agriculture, chemical/manufacturing industries, buildings/construction, electronics, hospitality, and municipalities/institutions – for which it provides more detailed focus, based on relative environmental impact and perceived program opportunity.

### *Background*

The Pollution Prevention Act of 1990<sup>2</sup> established a national policy to prevent or reduce pollution at the source whenever feasible. The rationale for this policy is based on the benefits realized from pollution prevention for protecting the environment and reducing risks to worker health and safety, and the substantial savings in reduced raw material, pollution control and liability costs. The Pollution Prevention (P2) Program is the Agency's only multimedia program

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<sup>2</sup>Pollution Prevention Act of 1990 § 133, 42 U.S.C. § 13101 (1990).

aimed specifically at spurring Agency programs to collaborate in mitigating pollution problems at the source. The P2 Program advances the design and implementation of greener chemicals, engineering, products, and practices through awards, certifications, purchasing agreements, technical assistance grants and partnerships, and regulatory options.

The purpose of the program is to achieve measurable environmental results through implementation of the Pollution Prevention Act, having the Agency consider the effect of its programs and regulations on reducing pollution at the source, coordinating source reduction activities in Agency offices and promoting source reduction in other Federal agencies, facilitating the adoption of pollution prevention (P2) practices through technical assistance, developing state and tribal capacity, recognizing excellence in P2, using federal procurement to encourage pollution prevention, and establishing standard methods of measuring results. The program makes use of the P2-friendly tools and technical expertise of the Toxic Substances Control Act program, also located in the Office of Pollution Prevention and Toxics, which creates a risk reduction co-benefit for the program. The program's vision statement is that pollution prevention is the first choice for environmental protection. This mirrors the national policy set forth in the statute that gives the program its basis. This policy is well suited to guide the P2 Program and the Agency collectively in decision-making on mitigating climate change.

The program accomplishes its mission through eight centers of results:

- 1) The Regional Office center generates results from the ten Regional Offices' matching grants to State/Tribal P2 programs, source reduction grants to promote P2 practices by industry, and direct regional efforts to facilitate business P2 practices and interstate coordination on promoting P2. P2 practices can include the use of environmental management systems.
- 2) The Pollution Prevention Resource Exchange (P2Rx) center leverages results from providing national-level (wholesale) P2 information to state and tribal (retail) P2 technical assistance providers, and from processing the measured results of state P2 programs.
- 3) The Design for Environment (DfE) center generates results from voluntary partnerships based on DfE multi-disciplinary scientific assessments, tools, and technical guidance to provide understanding to industry, plus standard-setting entities, of a full range of critical hazard, comparative risk, cost, and performance data for industrial processes.
- 4) The Green Engineering center generates results by working directly with industry, academia, NGOs and government to implement Green Engineering approaches and design concepts.
- 5) The Green Chemistry center generates results by challenging industry and the research community to develop and implement scientifically innovative and cost competitive green chemistry technologies, and giving Presidential recognition for the same.
- 6) The Environmentally Preferable Purchasing (EPP) center generates results by providing multi-attribute guidance and assistance to federal agencies in complying with Executive Order 13101, which requires federal agencies to procure "green" products and services.

7) The Partnership for Sustainable Healthcare center generates results from voluntary partnerships with individual hospitals, hospital suppliers, and related healthcare organizations, using a “franchising” approach to P2 technical assistance and an awards program.

8) The Green Suppliers Network (GSN) center generates results by collaborating with Department of Commerce’s Manufacturing Extension Partnership Centers and original equipment manufacturers (OEMs) to provide the OEM’s suppliers with technical assistance on cost-competitive P2 opportunities through environmental and lean reviews.

*Proposed Measures*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
5.2.1	261	BTUs of energy reduced, conserved or offset by P2 program participants.	Billions of BTUs	Non-Commitment measure.
5.2.1	262	Gallons of water reduced by P2 program participants.	Gallons	
5.2.1	263	Business, institutional and government costs reduced by P2 program participants.	Dollars	
5.2.1	264	Pounds of hazardous material reduced by P2 program participants.	Pounds	
5.2.1	296	Metric tons of carbon dioxide equivalent (MTCO <sub>2</sub> e) reduced, conserved or offset by P2 program participants	Metric Tons	

*Definitions and Clarification of Measures*

The Pollution Prevention (P2) Program has two changes of note. First, the program’s new national and ACS measure for reducing Metric Tons of Carbon Dioxide Equivalent (MTCO<sub>2</sub>e) is transitioning from a non-commitment measure in 2009 to a commitment measure in 2010. Correspondingly, the prior 2009 commitment measure for BTUs will change to a non-commitment measure in 2010, and BTU reductions are simply reported and entered in the P2 Program’s new Greenhouse Gas Reductions Calculator, which converts them to GHG reductions

Second, after the Agency’s Strategic Plan for 2009-2014 is in place, the P2 Program will transition to using measures that are calculated using new annual results (as at present) plus recurring results (capturing continuing results in out-years for the lifespan of the P2 improvement). This will avoid under-counting the impacts of P2 Program interventions, and is consistent with feedback received from the Science Advisory Board in September 2008. The P2 Program at Headquarters will discuss with the Regional Offices how long recurring results will be counted for regional interventions. Computing recurring results for regional interventions will be a Headquarters responsibility.

For all Pollution Prevention measures, “reduced” is defined to mean reduction through P2 improvements and includes pollution *avoided*. An example of “avoiding” pollution would be substituting a less hazardous chemical instead of a more hazardous chemical.

The pollution “Reduced” and “avoided” must be related to source reduction, and not out-of-process recycling. For purposes of greenhouse gas reductions only, however, the program is considering whether to count greenhouse gas reductions from out-of-process recycling that occurs as a co-benefit of a P2 Program intervention. Headquarters will consult with the Regional Offices on this matter and will update the P2 Program Measurement Guidance to reflect decision-making on this issue. Out-of-process recycling occurs when a waste (such as paper) exits a process, undergoes significant handling and is transported offsite to a commercial recycling facility or waste exchange (such as a re-pulping process for paper). The P2 Program considers the reuse of materials as source reduction, not out-of-process recycling.

Definition of “P2 program participants” is any party who produces P2 results with a link to a P2 Program intervention. Examples include but are not limited to: State and local agencies, businesses, manufacturers, nonprofit organizations, and other institutions.

Reduced, conserved and offset collectively cover activities that result in less combustion of fossil fuels. This can occur by using fossil fuel energy more efficiently, simply using less fossil fuel energy, or switching to an energy source with a lower fossil fuel impact. For further details and examples, consult the P2 Measurement Guidance.

ACS measure 261 is a non-commitment measure for the number of British Thermal Units (BTUs) reduced, conserved, or offset. BTUs are a unit of energy and will be expressed in billions. For example, 6,150,000,000 BTUs, should be expressed as 6.15 Billion BTUs. Standard conversion factors between megawatt-hours and BTUs are found on web-based conversion charts.

ACS measure 262 is a commitment measure that counts the gallons of water reduced as a result of water conservation. What is counted is the reduced use of water in the first place. This can be accomplished through conservation and re-use of water. If water pollution is reduced, the gallons of water associated with the pollutant effluent are not counted under this measure. For example, if a facility used a million gallons of water in the previous year and uses only 500,000 gallons of water in the reporting year, they can count 500,000 gallons of water conserved under ACS measure 262.

ACS measure 263 is a commitment measure that counts the amount of money saved as a result of the incorporation of pollution prevention practices into the daily operations of government agencies, businesses, and institutions. Institution is defined as an established organization, especially of a public character (e.g., hospitals, universities, group purchasing organization, etc). The P2 Program, in consultation with the Pollution Prevention Resource Center (PPRC), has updated the financial cost calculator which provides specific cost savings for specific types, of pollutants as well as water and energy conservation. Further details and examples can be found in the P2 Measurement Guidance.



ACS measure 264 is a commitment measure that counts the reduction of hazardous material released to air, water, land, or incorporated into products, or used in an industrial process. Hazardous is used in a broad sense to include federally or state regulated pollutants, including Clean Air Act criteria pollutants and Clean Water Act water quality criteria pollutants and conventional pollutants, but excludes items generally considered of low hazard and frequency recyclable or divertible, such as paper products, cans, iron and steel scrap, and construction waste.

ACS measure 296 is a commitment measure in FY 2010. It will measure metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>) reduced, conserved or offset. The P2 Program has developed a Greenhouse Gas Reductions Calculator that is being made available for Regional Office use to compute the conversion of electricity, fuels, BTUs, and chemicals to MTCO<sub>2e</sub> for reporting purposes.

*Proposed Principal Activities for the Regional Offices*

- 1) Administer the P2 state grants program to fund state P2 technical assistance programs and regional P2Rx Centers, which assist businesses in ways that contribute significantly to the Agency achieving its P2 strategic targets. Identify and work with the States and EPA Headquarters to replicate successful pilots for maximum national impact.
- 2) Promote multi-media coordination with (air, water, waste, and toxics programs) within each region to promote P2/sustainability outcomes.
- 3) As regional resources allow, provide direct P2 assistance to businesses, assistance to Environmentally Preferable Purchasing, the Federal Electronics Challenge, Green Suppliers Network, and Design for Environment, etc.
- 4) Continue to engage in the comparative analysis and development of a tool to improve the collection, tracking and reporting of P2 Grant Results.

## OTHER PROGRAM ACTIVITIES

### TRIBAL PESTICIDE PROGRAM PERFORMANCE

#### *Long-term Strategy*

In order to expand OPP’s ability to protect human health and the environment in Indian Country and Alaska Native Villages and maximize our tribal resources, the National Tribal Pesticide Program is now emphasizing, where appropriate, policies and approaches that can benefit multiple rather than single tribes (e.g., circuit riders and multi-tribal training). OPP is also developing tribal Pesticide Use Assessments to help identify the areas in Indian Country with the greatest need for tribal pesticide program and/or enforcement grants and cooperative agreements.

#### *Background*

Starting in FY 2010, to measure our progress in expanding our ability to protect human health and the environment in Indian Country since adoption of the new multi-tribal approach, the Tribal Pesticide Program will now track the national net increase in pesticide-program coverage based on the number of tribes, number of people, and number of acres that are covered under tribal pesticide program and/or enforcement grants and cooperative agreements for continuing environmental programs established since FY 2005 in Indian Country (the year before the Program began emphasizing the multi-tribal approach).

#### *Proposed Measure*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
4.1.3	TR-2	Number of tribes covered under tribal pesticide program and/or enforcement grants and cooperative agreements for continuing environmental programs established since FY 2005 in Indian Country.	# of tribes	Non-Commitment measure.
4.1.3	TR-3	Number of people covered under tribal pesticide program and/or enforcement grants and cooperative agreements for continuing environmental programs established since FY 2005 in Indian Country.	# of people	Non-Commitment measure.

4.1.3	TR-4	Number of acres covered under tribal pesticide program and/or enforcement grants and cooperative agreements for continuing environmental programs established since FY 2005 in Indian Country.	# of acres	Non-Commitment measure.
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*Definitions and Clarification of Measures*

OPP and the Regions will use the American Indian Environmental Office (AIEO) data to determine the number of people and acres within the tribal areas covered by grants. The information will be reported annually by the Regions. That information will be rolled up nationally by OPP to determine the percentage increase for the measure since FY 2005 (number of tribes, people and acres covered by continuing pesticide program and/or enforcement grants established in Indian Country since 2005, divided by number of tribes, people and acres covered under continuing pesticide program and/or enforcement grants in Indian Country in FY 2005, multiplied by 100). We expect that increased pesticide program presence in Indian Country will result in improvements to human health and the environment in Indian Country. Because new grants to fund circuit-riders will go to tribes with the greatest need as determined from compared Pesticide Use Assessments, Regions will not be able to know in advance if tribes within their region will be able to receive funding for new multi-tribal programs. Therefore, the new tribal measures will be strictly a reporting measure and Regions will not be required to make a commitment to attain a certain level.

COMMUNITY ACTION FOR A RENEWED ENVIRONMENT (CARE)

*Long-Term Strategy*

The CARE program will continue to fund and support communities to help them build partnerships to understand and address environmental concerns. CARE communities will achieve measurable environmental outcomes and develop the capacity to sustain local efforts to address environmental concerns and build healthy communities. Through this work, the CARE Program will demonstrate the effectiveness of local partnerships for improving local environmental health and meeting Agency goals for protecting the environment.

The CARE Program will work to make the best practices, tools, and lessons developed through CARE accessible to other communities. The CARE Program will also work with a broad range of governments, organizations, and businesses to help communities find the partners they will need to succeed.

The CARE Program continues to promote collaboration across the Agency. In FY 2010, the lead NPM for the CARE Program is OSWER. However, OPPTS is committed to continue partnering with other federal agencies and communities with potential environmental justice

concerns to achieve significant measurable environmental or public health improvements through collaborative problem-solving strategies.

*Background*

The Community Action for a Renewed Environment (CARE) is a community-based, multi-media collaborative Agency program designed to help local communities address the cumulative risk of toxics exposure. Through the CARE Program, EPA programs work together to provide technical and financial assistance to communities. This support helps them build partnerships and use collaborative processes to select and implement actions to improve community health and the environment.

Much of the risk reduction comes through the application of over 40 EPA voluntary programs from across the Agency. CARE helps communities choose from the range of programs designed to address community concerns and improve their effectiveness by working to integrate the programs to better meet the needs of communities. These programs include Diesel Retrofits, Brownfields, National Estuary Program, Design for Environment, Environmental Justice Revitalization Projects, Tools for Schools, and Regional Geographic Initiatives. More program information is available at [www.epa.gov/CARE](http://www.epa.gov/CARE).

*Proposed Measure*

<b>G.O.S</b>	<b>ACS Code</b>	<b>Regional Measure</b>	<b>Unit of Measure</b>	<b>Comments</b>
4.2.2	CARE1	Number of Community Action for Renewed Environment (CARE) cooperative agreement projects managed in order to obtain toxic reductions at the local level.	Projects	The measure will track the number of projects the Regions support.

*Proposed Principal Activities for the Regional Offices*

- 1) Provide regional support needed to ensure the success of the region’s CARE cooperative agreements.
- 2) Consider and implement CARE Regional Office best practices as appropriate (Regional Office’s best practices for support of CARE communities developed by the CARE Program and CARE Executive Team).
- 3) Identify experienced project officers/leaders for each of the CARE projects and provide training and support as needed.
- 4) Strengthen multi-media and cross program regional team organized to support CARE project leaders and CARE community needs.

- 5) Work with CARE Level I projects, through the project officers, to help provide the technical support needed for communities to identify and rank their risks.
- 6) Work with CARE Level II projects, through the project officers, to help communities' access EPA voluntary programs and measure and track results.
- 7) Ensure staff participation in training for new project leaders and national CARE workshop.
- 8) Participate in the evaluation of the CARE projects and support work to develop best practices and lessons learned to improve CARE program.
- 9) Support CARE national teams that have been organized to manage the CARE program and provide support to Regional Office teams.