



**United States
Environmental Protection Agency**

FISCAL YEAR 2021

**Justification of Appropriation
Estimates for the Committee
on Appropriations**

Tab 07: Hazardous Substance Superfund

EPA-190-S-20-001

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**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

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

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Hazardous Substance Superfund				
Budget Authority	\$1,209,683.4	\$1,184,755.0	\$1,078,611.0	-\$106,144.0
Total Workyears	2,519.4	2,636.5	2,593.6	-42.9

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Bill Language: Hazardous Substance Superfund

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance, and operation of aircraft, \$1,078,611,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2020, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,078,611,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, \$9,747,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2022, and \$19,075,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2022.

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

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Indoor Air and Radiation				
Radiation: Protection	\$1,768.6	\$1,985.0	\$2,122.0	\$137.0
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	\$8,875.9	\$11,586.0	\$9,747.0	-\$1,839.0
Compliance				
Compliance Monitoring	\$1,313.8	\$995.0	\$1,004.0	\$9.0
Enforcement				

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Criminal Enforcement	\$7,492.9	\$7,645.0	\$8,479.0	\$834.0
Environmental Justice	\$662.2	\$633.0	\$0.0	-\$633.0
Forensics Support	\$1,402.3	\$1,145.0	\$1,312.0	\$167.0
Superfund: Enforcement	\$135,626.7	\$152,591.0	\$162,504.0	\$9,913.0
Superfund: Federal Facilities Enforcement	\$6,046.9	\$6,361.0	\$7,330.0	\$969.0
Subtotal, Enforcement	\$151,231.0	\$168,375.0	\$179,625.0	\$11,250.0
Homeland Security				
Homeland Security: Preparedness, Response, and Recovery	\$31,526.7	\$31,599.0	\$33,454.0	\$1,855.0
Homeland Security: Protection of EPA Personnel and Infrastructure	\$979.3	\$1,017.0	\$915.0	-\$102.0
Subtotal, Homeland Security	\$32,506.0	\$32,616.0	\$34,369.0	\$1,753.0
Information Exchange / Outreach				
Exchange Network	\$1,424.8	\$1,328.0	\$1,293.0	-\$35.0
IT / Data Management / Security				
Information Security	\$598.9	\$693.0	\$5,082.0	\$4,389.0
IT / Data Management	\$13,755.5	\$13,792.0	\$13,874.0	\$82.0
Subtotal, IT / Data Management / Security	\$14,354.4	\$14,485.0	\$18,956.0	\$4,471.0
Legal / Science / Regulatory / Economic Review				
Alternative Dispute Resolution	\$573.3	\$710.0	\$0.0	-\$710.0
Legal Advice: Environmental Program	\$515.0	\$543.0	\$608.0	\$65.0
Subtotal, Legal / Science / Regulatory / Economic Review	\$1,088.3	\$1,253.0	\$608.0	-\$645.0
Operations and Administration				
Central Planning, Budgeting, and Finance	\$23,772.7	\$21,971.0	\$22,462.0	\$491.0
Facilities Infrastructure and Operations	\$82,243.2	\$76,473.0	\$76,831.0	\$358.0
Acquisition Management	\$18,593.2	\$20,533.0	\$22,982.0	\$2,449.0
Human Resources Management	\$6,163.7	\$6,548.0	\$5,704.0	-\$844.0
Financial Assistance Grants / IAG Management	\$2,517.7	\$2,580.0	\$2,903.0	\$323.0
Subtotal, Operations and Administration	\$133,290.5	\$128,105.0	\$130,882.0	\$2,777.0
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	\$11,004.7	\$16,463.0	\$11,448.0	-\$5,015.0
Research: Chemical Safety for Sustainability				
Health and Environmental Risk Assessment	\$2,864.9	\$12,824.0	\$6,159.0	-\$6,665.0

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Superfund Cleanup				
Superfund: Emergency Response and Removal	\$215,077.1	\$189,306.0	\$170,748.0	-\$18,558.0
Superfund: EPA Emergency Preparedness	\$7,679.9	\$7,636.0	\$7,700.0	\$64.0
Superfund: Federal Facilities	\$22,544.5	\$21,125.0	\$21,621.0	\$496.0
Superfund: Remedial	\$604,659.0	\$576,673.0	\$482,329.0	-\$94,344.0
Subtotal, Superfund Cleanup	\$849,960.5	\$794,740.0	\$682,398.0	-\$112,342.0
TOTAL Superfund	\$1,209,683.4	\$1,184,755.0	\$1,078,611.0	-\$106,144.0

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Indoor Air and Radiation

Radiation: Protection

Program Area: Indoor Air and Radiation

Goal: A Cleaner, Healthier Environment

Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$10,880.5	\$7,992.0	\$2,470.0	-\$5,522.0
Science & Technology	\$2,794.7	\$1,781.0	\$1,047.0	-\$734.0
<i>Hazardous Substance Superfund</i>	<i>\$1,768.6</i>	<i>\$1,985.0</i>	<i>\$2,122.0</i>	<i>\$137.0</i>
Total Budget Authority	\$15,443.8	\$11,758.0	\$5,639.0	-\$6,119.0
Total Workyears	57.4	53.8	25.0	-28.8

Program Project Description:

This program addresses potential radiation risks that may be found at Superfund and hazardous waste sites. Through this program, EPA ensures that Superfund site cleanup activities reduce and/or mitigate the health and environmental risk of radiation to include support of removal actions as needed.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2021, EPA’s National Analytical Radiation Environmental Laboratory in Montgomery, Alabama, and National Center for Radiation Field Operations in Las Vegas, Nevada, will continue to provide analytical and field support to manage and mitigate radioactive releases and exposures. These two organizations provide analytical and technical support for the characterization and cleanup of Superfund and Federal Facility sites.

More specifically, these organizations focus on providing high-quality data to support Agency decisions at sites across the country. They also develop guidance for cleaning up Superfund and other sites that are contaminated with radioactive materials.

Performance Measure Targets:

EPA’s FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$112.0) This change is an increase due to the recalculation of base payroll costs.

- (-\$26.0) This change to fixed and other costs is a reduction due to the recalculation of lab utilities.
- (+\$51.0) This program change is an increase to radiation analytical and technical support.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Audits, Evaluations, and Investigations

Audits, Evaluations, and Investigations

Program Area: Audits, Evaluations, and Investigations

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Inspector General	\$39,929.8	\$41,489.0	\$39,825.0	-\$1,664.0
<i>Hazardous Substance Superfund</i>	\$8,875.9	\$11,586.0	\$9,747.0	-\$1,839.0
Total Budget Authority	\$48,805.7	\$53,075.0	\$49,572.0	-\$3,503.0
Total Workyears	268.7	270.0	242.0	-28.0

Program Project Description:

EPA's Office of Inspector General (OIG) is an independent office of the U.S. Environmental Protection Agency, created by the Inspector General Act of 1978, as amended. In support of that independence, Congress provides the OIG with a separate appropriation, within the Agency's budget. The vision of the OIG is to be a premier oversight organization trusted to speak the truth, promote good governance, and contribute to improved human health and the environment. This vision is met through the mission of the OIG. The OIG conducts and supervises independent audits, evaluations, and investigations while reviewing existing and proposed legislation and regulations relating to the programs and operations of the Agency; provides leadership and coordination; makes evidence-based policy recommendations for activities designed to promote economy, efficiency and effectiveness; and works to prevent and detect waste, fraud, and abuse in Agency, grantee, and contractor operations of the Agency's Superfund Program.

The OIG activities add value and enhance public trust and safety by keeping the head of the Agency and Congress fully and immediately informed about problems and deficiencies, and the necessity for and progress of corrective actions. The OIG activities also prevent and detect fraud in EPA's programs and operations, including financial fraud, laboratory fraud, and cybercrime. The OIG consistently provides a significant positive return on investment to the public in the form of recommendations for improvements in the delivery of EPA's mission, reduction in operational and environmental risks, costs savings and recoveries, and improvements in program efficiencies and integrity.¹ The audit, and inspection and investigative services programs are directly supported through the OIG's management and administrative functions of information technology, human resources, human capital, budget, planning and performance, legal advice and counseling, report publishing and communications, and congressional outreach. EPA's OIG plans its work with a focus on identifying and influencing resolution of the Agency's major management challenges in support of the Agency's strategic goals and objectives in the *FY 2018 - 2022 EPA Strategic Plan*.

¹ For more information, please refer to: <https://www.epa.gov/office-inspector-general/epa-oig-organization-profile>.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. The activities of the OIG are supported through the core value to be the best in public service through customer service, integrity, and accountability. The summary of this value is to contribute to improved EPA Superfund programs and operations protecting human health and the environment, and enhancing safety; conduct audits, evaluations, and investigations that enable EPA to improve business practices and accountability to meet stakeholders' needs. The OIG assists the Agency in its efforts to develop and enforce regulations that implement environmental laws by making recommendations to improve program operations; save taxpayer dollars; reduce the potential for fraud, waste, and abuse; respond to cybercrimes; and resolve previously identified major management challenges and internal control weaknesses resulting in cleaner air, land, and water, and ensured chemical safety for America. In FY 2021, the OIG will target initiatives supporting EPA's six National Compliance Initiatives; increase its agility to assess emerging environmental threats; increase its use of data analytics, business analytics, and business intelligence to better target resources to address high risk, high vulnerability areas of interest; employ best practices in support of improving efficiency, effectiveness, accountability, and monetary benefits; focus on measurable impact and increase its return on investment to the American public regarding issues related to the Superfund Program.

The OIG carries out its statutory mission by conducting many types of audits, evaluations, and investigations for both EPA and the U.S. Chemical Safety and Hazard Investigation Board (CSB). Plans are implemented through audits, evaluations, investigations, inspections, and follow-up reviews in compliance with the Inspector General Act (as amended), the Generally Accepted Government Accounting Standards, and the Council of Inspectors General on Integrity and Efficiency's *Quality Standards for Federal Offices of Inspector General*.

The OIG conducts the following types of assignments focused on efficiency and program operations: program performance, including a focus on the award and administration of grants and contracts; statutorily mandated audits; financial reviews of grantees and contractors; and information resources management. In addition, program performance audits, evaluations, and inspections will be conducted in the areas of EPA's mission objectives for improving and protecting the environment and public health, including: air; water; land cleanup and waste management; toxics, chemical management, and pollution prevention; and environmental research programs via reviews of Superfund and other land issues.

The investigative mission of the OIG continues to evolve in conducting criminal, civil, and administrative investigations into fraud and serious misconduct within EPA's Superfund Program and operations that undermine the organization's integrity and public trust or create an imminent risk or danger. The OIG investigations are coordinated with the Department of Justice and other federal, state, and local law enforcement entities. These investigations often lead to successful prosecution and civil judgments wherein there is a recovery and repayment of financial losses. Major areas of investigative focus include: financial fraud, program integrity, threats to the Agency's resources, employee integrity, cyber-crimes, and theft of intellectual or sensitive data.

EPA's OIG continues to balance its workload with the capacity of a reduced workforce, while meeting statutorily-mandated requirements and delivering a strong return on investment. Based on prior work, Agency challenges, cross-agency risk assessment, future priorities, and extensive stakeholder input, the OIG will focus its resources on efforts in the following areas of concentration during FY 2021:

Audits and Evaluations

The OIG audits and program evaluations and inspections related to Superfund will identify program and management risks and determine if EPA is efficiently and effectively reducing human health risks; taking effective enforcement actions; cleaning up hazardous waste; managing waste; restoring previously polluted sites to appropriate uses; and ensuring long-term stewardship of those sites. The OIG assignments will include: assessing the adequacy of internal controls in EPA (and its grantees and contractors) to protect resources and achieve program results; project management to ensure that EPA (and its grantees and contractors) have clear plans and accountability for performance progress; enforcement to evaluate whether there is consistent, adequate, and appropriate application of the laws and regulations across jurisdictions with coordination between federal, state, and local law enforcement activities; and grants and contracts to verify that such awards are made based upon uniform risk assessment, and that grantees and contractors perform with integrity.

Prior audits and evaluations of the Superfund Program have identified numerous barriers to implementing effective resource management and program improvements. Therefore, the OIG will concentrate its resources on efforts in the following assignment areas:

- Superfund's human health and environmental indicators (Human Health Exposure Under Control and Groundwater Migration Under Control) and its key measure (Sites Ready for Anticipated Use) and optimization of remedies
- EPA's progress in ensuring private party Superfund liabilities are adequately covered by sufficient financial assurance mechanisms
- EPA Progress Implementing Recommendations for Superfund Improvement in the 2017 Superfund Task Force Report
- Superfund portion of EPA's financial statement and Federal Information Security Modernization Act (FISMA) audits to include sampling, monitoring, communication, and opportunities for cleanup efficiencies
- Oversight of Superfund remedial activities under state contracts and assistance agreements
- Assess the effectiveness of actions taken as a result of the 2017 Superfund Task Force Report
- The OIG also will evaluate ways to minimize fraud, waste, and abuse, with emphasis on identifying opportunities for cost savings and reducing risk of resource loss, while maximizing results achieved from Superfund contracts and assistance agreements

Investigations

The Inspector General Act identifies the Assistant Inspector General for Investigations as responsible for developing and implementing an investigative program that furthers OIG objectives. The OIG's Office of Investigations (OI) conducts independent investigations to detect and prevent fraud, waste, and abuse, while protecting the integrity of EPA's Superfund Program. Investigations focus on allegations of criminal activity and serious misconduct in EPA Superfund programs and operations. The OIG's investigative process is mostly reactive, and the OI performs its proactive work strategically as opportunities and resources allow. Due to the reactive nature of the OI's work, investigations are opened in accordance with priorities set forth in the OIG Strategic Plan for FY 2018 –2022 and in consideration of prosecutorial guidelines established by U.S. Attorneys. OIG investigations are governed by the *Attorney General Guidelines for Offices of Inspector General with Statutory Law Enforcement Authority* and by the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Investigations*, as well as other federal statutes and regulations.

The investigative mission of the OIG continues to evolve in conducting criminal, civil, and administrative investigations into fraud and serious misconduct within EPA Superfund programs and operations that undermine the organization's integrity and public trust or create an imminent risk or danger. Special Agents within the OI are duly appointed federal criminal investigators and have statutory authority to carry firearms, make arrests, execute search and seizure warrants, and perform other law enforcement duties. Special Agents have been trained as armed law enforcement first responders and are responders in the event of an active shooter or terrorist attack impacting EPA and CSB facilities. The OI often collaborates with other law enforcement entities and external stakeholders to enhance the effectiveness of its work. The OIG investigations are coordinated with the Department of Justice and other federal, state, and local law enforcement entities for criminal and civil litigation or with EPA management for administrative action. Investigative efforts often lead to successful criminal convictions, administrative sanctions, civil monetary penalties and judgments wherein there is a recovery and repayment of financial losses. Additionally, during and at the conclusion of investigations, the OI works with the Suspension and Debarment Office within EPA, "whose actions protect the government from doing business with entities that pose a business risk to the government."

The OIG plays a critical oversight role helping to ensure that EPA and CSB funds are properly expended and not subject to fraud, waste, or abuse. Investigative focus in this oversight include: 1) fraudulent practices in awarding, performing, and paying Superfund contracts, grants, or other assistance agreements; 2) program fraud or other acts that undermine the integrity of, or confidence in the Superfund Program and create imminent environmental risks; 3) laboratory fraud relating to data, and false claims, or erroneous laboratory results that undermine the basis for decision-making, regulatory compliance, or enforcement actions in the Superfund Program; 4) violent or criminal threats directed against Superfund Program employees or facilities; 5) criminal conduct or serious administrative misconduct by EPA employees involved in the Superfund Program; and 6) intrusions into and attacks against EPA's network supporting Superfund Program data, as well as incidents of computer misuse and theft of intellectual property or sensitive/proprietary Superfund data. Special attention will be directed towards identifying the tactics, techniques, and

procedures being utilized by cyber criminals to reduce vulnerabilities and infractions, enhance collective defense efforts, and adapt to the evolving sophistication of the cyber threat landscape.

Finally, the OI often makes observations or “lessons learned” for EPA’s management reduce the Agency’s vulnerability to criminal activity in the Superfund Program. The results of OI’s investigations are published and can serve as a deterrent to future misconduct. In addition, the OI’s investigations provide measurable results wherein recovery and restitution of financial losses are achieved, and administrative actions are taken to prevent those involved from further participation in any Superfund Program or operation.

The Office of Investigations is proposing to realign its Field Operations Directorate by reducing the number of field offices from four to three and realigning the offices that are currently under the purview of the Chicago, Illinois field office to the Atlanta, Georgia and Washington, DC field offices. The employees in the Chicago office will report to the Washington field office and the employees in the Dallas and Kansas City offices, who currently report to the Chicago office, will report to the Atlanta office. Thus, none of the offices will be closed, and each of the three field offices will continue to have a GS-14 supervisor, a GS-15 supervisor, and a team of Special Agents. Once fully implemented and operational, this realignment will improve the efficiency, effectiveness and consistency of OI’s operations by allowing the Field Operations Directorate to better oversee its field operations and investigations. The realignment will move OI towards an appropriate manager-to-staff ratio.

Follow-up and Policy/Regulatory Analysis

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

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

Performance Measure Targets:

EPA’s FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$314.0) This change is an increase due to the recalculation of base payroll costs.

- (-\$2,153.0 / -1.9 FTE) This net program change is a decrease to address costs associated with the reduction in FTEs and other nonpay changes for all activities across the Office of the Inspector General.

Statutory Authority:

Inspector General Act of 1978; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 111(k).

Inspector General Reform Act:

The following information is provided pursuant to the requirements of the Inspector General Reform Act:

- The aggregate budget request from the Inspector General for the operations of the OIG is \$59.3 million (\$48.6 million Inspector General; \$10.7 million Superfund Transfer)
- The aggregate President's Budget for the operations of the OIG is \$49.6 million (\$39.8 million Inspector General; \$9.8 million Superfund Transfer)
- The portion of the aggregate President's Budget needed for training is \$500 thousand (\$410 thousand Inspector General; \$90 thousand Superfund Transfer)
- The portion of the aggregate President's Budget needed to support the Council of the Inspectors General on Integrity and Efficiency is \$122 thousand (\$100 thousand Inspector General; \$22 thousand Superfund Transfer)

“I certify as the Inspector General of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2021.”

Compliance

Compliance Monitoring

Program Area: Compliance

Goal: More Effective Partnerships

Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$100,132.8	\$101,665.0	\$95,649.0	-\$6,016.0
Inland Oil Spill Programs	\$82.8	\$139.0	\$0.0	-\$139.0
<i>Hazardous Substance Superfund</i>	<i>\$1,313.8</i>	<i>\$995.0</i>	<i>\$1,004.0</i>	<i>\$9.0</i>
Total Budget Authority	\$101,529.4	\$102,799.0	\$96,653.0	-\$6,146.0
Total Workyears	447.1	453.9	427.7	-26.2

Program Project Description:

The Compliance Monitoring Program is a key component of EPA’s Compliance Assurance Program that allows the controlling regulatory authority to detect noncompliance. The Program also promotes compliance with the Nation’s environmental laws. The states and EPA use compliance monitoring tools and activities to identify whether regulated entities are in compliance with environmental laws enacted by Congress, as well as applicable regulations and permit conditions. In addition, compliance monitoring activities, such as investigations, are conducted to determine whether conditions exist that may present imminent and substantial endangerment to human health and the environment. The Program also focuses on providing information and system support for monitoring compliance with Superfund-related environmental regulations and contaminated site cleanup agreements. The Agency also ensures the security and integrity of its compliance information systems. Superfund-related enforcement activities are tracked in the Agency’s Integrated Compliance Information System. Electronic tracking of its Superfund enforcement work allows EPA to better ensure that its enforcement resources are going to address the most significant concerns and facilitates transparency.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will support a variety of tools and activities for states and EPA to identify the compliance status of regulated entities with environmental laws enacted by Congress.

Performance Measure Targets:

(PM 409) Number of federal on-site compliance monitoring inspections and evaluations and off-site compliance monitoring activities.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target	17,000	15,500	15,500	14,000	10,000	10,000	10,000	10,000	Inspections & Evaluations
Actual	16,000	15,400	13,500	11,800	10,600	10,300			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$87.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$78.0) This net program change reflects adjustments to funding associated with system support.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.).

Enforcement

Criminal Enforcement

Program Area: Enforcement

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$46,342.0	\$47,635.0	\$46,627.0	-\$1,008.0
<i>Hazardous Substance Superfund</i>	\$7,492.9	\$7,645.0	\$8,479.0	\$834.0
Total Budget Authority	\$53,834.9	\$55,280.0	\$55,106.0	-\$174.0
Total Workyears	234.6	256.7	220.6	-36.1

Program Project Description:

The Criminal Enforcement Program investigates and helps prosecute criminal violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and associated violations of Title 18 of the United States Code such as fraud, conspiracy, false statements, and obstruction of justice. EPA's criminal enforcement agents (Special Agents) do this through targeted investigation of criminal conduct, committed by individual and corporate defendants, that threatens public health and the environment.

Within the Criminal Enforcement Program, forensic scientists, attorneys, technicians, engineers, and other program experts assist Special Agents in their investigations. EPA's criminal enforcement attorneys provide legal and policy support for all the Program's responsibilities, including forensics and expert witness preparation, information law, and personnel law to ensure that program activities are carried out in accordance with legal requirements and agency policies. These efforts support environmental crimes prosecutions primarily by the United States Attorneys and the Department of Justice's Environmental Crimes Section. In FY 2019, the conviction rate for criminal defendants charged as a result of EPA criminal enforcement investigations was 98 percent.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to streamline its Criminal Enforcement Program and enforce environmental laws to correct noncompliance and promote cleanup of contaminated sites. The Agency will perform targeted investigations of violations of environmental statutes and associated violations of Title 18 of the United States Code to protect public health and the environment. The Program will focus its resources on the most egregious cases (e.g., significant human health, environmental, and deterrent impacts), while balancing its overall case load.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$347.0) This change is an increase due to the recalculation of base payroll costs.
- (+\$487.0) This net program change reflects a focus on the most egregious cases and provides additional support for the Agency's investigations of environmental crimes.

Statutory Authority:

Title 18 of the U.S.C.; 18 U.S.C. § 3063; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Environmental Justice

Program Area: Enforcement

Goal: More Effective Partnerships

Objective(s): Increase Transparency and Public Participation

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$5,033.5	\$9,554.0	\$2,729.0	-\$6,825.0
<i>Hazardous Substance Superfund</i>	<i>\$662.2</i>	<i>\$633.0</i>	<i>\$0.0</i>	<i>-\$633.0</i>
Total Budget Authority	\$5,695.7	\$10,187.0	\$2,729.0	-\$7,458.0
Total Workyears	29.1	34.9	4.0	-30.9

Program Project Description:

EPA’s Environmental Justice (EJ) Program fosters environmental and public health and sustainability in communities disproportionately burdened by pollution by integrating and addressing EJ issues in our programs and policies. The Superfund portion of this program focuses on issues that affect low income and minority communities at or near Superfund sites. The EJ Program complements the Agency’s community outreach and other work done under the Superfund Program at affected sites. The Environmental Justice Program at EPA is led and supported by the Office of Environmental Justice.

FY 2021 Activities and Performance Plan:

Superfund resources and FTE are proposed for elimination for this program in FY 2021. EJ work impacting the Agency will be incorporated into policy work within EPA’s Office of the Administrator.

Performance Measure Targets:

EPA’s FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-\$633.0/ -3.5 FTE) This funding change proposes to eliminate Superfund specific funding for the Environmental Justice Program. Environmental Justice work will continue in the Environmental Programs and Management appropriation.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Forensics Support

Program Area: Enforcement

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Science & Technology	\$11,534.7	\$13,592.0	\$11,723.0	-\$1,869.0
<i>Hazardous Substance Superfund</i>	<i>\$1,402.3</i>	<i>\$1,145.0</i>	<i>\$1,312.0</i>	<i>\$167.0</i>
Total Budget Authority	\$12,937.0	\$14,737.0	\$13,035.0	-\$1,702.0
Total Workyears	57.4	68.9	52.1	-16.8

Program Project Description:

The Forensics Support Program provides expert scientific and technical support for Superfund civil and criminal enforcement cases, as well as technical expertise for the Agency's compliance efforts. EPA's National Enforcement Investigations Center (NEIC) is an environmental forensic center accredited for both laboratory and field sampling operations that generate environmental data for law enforcement purposes. It is fully accredited under International Standards Organization (ISO) 17025, the main standard used by testing and calibration laboratories, as recommended by the National Academy of Sciences.² The NEIC maintains a sophisticated chemistry and physical science laboratory, and a corps of highly trained inspectors and scientists with expertise across media. The NEIC works closely with EPA's Criminal Investigation Division to provide technical support (e.g., sampling, analysis, consultation and testimony) to criminal investigations. The NEIC also works closely with EPA's programs to provide technical assistance, consultation, on-site inspection, investigation, and case resolution services in support of the Agency's Superfund Enforcement Program.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, the NEIC will continue to streamline its forensics work and identify enhancements to our sampling and analytical methods, using existing technology. In support of that effort, NEIC will build on its progress using the EPA Lean Management System to maximize the efficiency and effectiveness of its operations, reduce the time for completion of civil inspection reports, improve procurement processes, and continue to identify and implement further efficiencies in laboratory operations. The results of these efforts will inform EPA's work in FY 2021 and beyond.

The Forensics Support Program will continue to provide expert scientific and technical support for EPA's criminal and civil enforcement efforts. The Program will continue to focus its work on

² *Strengthening Forensic Science in the United States: A Path Forward*, National Academy of Sciences, 2009, available at: http://www.nap.edu/catalog.php?record_id=12589.

collecting and analyzing materials to characterize contamination, and attribute it to individual sources and/or facilities. The laboratory will continue to coordinate its support for the Superfund Program with the Agency's Research and Development Program and Land and Emergency Management Program.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$23.0) This change is an increase due to the recalculation of base payroll costs.
- (+\$107.0 / -0.5 FTE) This net program change reflects a focus on analyzing material to attribute it to individual sources or facilities.
- (+\$37.0) This change to fixed and other costs is an increase due to the recalculation of rent, utilities, and security or lab fixed costs.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Superfund: Enforcement

Program Area: Enforcement

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$135,626.7</i>	<i>\$152,591.0</i>	<i>\$162,504.0</i>	<i>\$9,913.0</i>
Total Budget Authority	\$135,626.7	\$152,591.0	\$162,504.0	\$9,913.0
Total Workyears	699.0	771.3	745.3	-26.0

Program Project Description:

The Superfund Enforcement Program protects communities by ensuring that responsible parties conduct cleanups, preserving federal dollars for sites where there are no viable contributing parties. EPA’s Superfund Enforcement Program ensures prompt site cleanup and reuse by maximizing the participation of liable and viable parties in performing and paying for cleanups. In both the Superfund Remedial and Superfund Emergency Response and Removal Programs, the Superfund Enforcement Program obtains potentially responsible parties’ commitments to perform and pay for cleanups through civil judicial and administrative site actions. The Superfund Enforcement Program works closely with the Superfund Program and the U.S. Department of Justice (DOJ) to combine litigation, legal, and technical skills to bring enforcement actions and address emerging issues.

The Superfund Enforcement Program:

- develops cleanup enforcement policies;
- provides guidance and tools that clarify potential environmental cleanup liability, with specific attention to the cleanup, reuse and revitalization of contaminated properties;
- ensures that responsible parties cleanup sites to reduce direct human exposure to hazardous substances, thereby providing long-term human health protections and making contaminated properties available for reuse;
- negotiates site cleanup agreements with Potentially Responsible Parties (PRPs) and, where negotiations fail, either initiates enforcement actions to require cleanup or initiates cost recovery if EPA expends Superfund appropriated dollars to remediate the sites; and
- addresses liability concerns of parties who want to clean up and reuse Superfund sites.

In 2019, the Superfund Enforcement Program secured private party commitments for cleanup and cost recovery and billed for oversight amounts totaling more than \$961 million. The use of Superfund enforcement tools resulted in cleanup and redevelopment at 160 private party sites in 2019.

Special accounts are created when funds are received as part of a settlement to fund a site cleanup. Funds received in settlements with PRPs are used to clean up the specific Superfund sites that were

the subject of the settlement agreement. Having the ability to use special accounts provides needed cleanup dollars at many sites that otherwise may not have received funding absent EPA's enforcement efforts. In FY 2019, EPA created 69 special accounts and collected \$374.4 million for response work. The Agency disbursed or obligated \$236.7 million from special accounts for response work (excluding reclassifications).

Furthermore, the Superfund Enforcement Program assists the Superfund Program to ensure that contaminated sites across the country are remediated to protect human health and the environment and returned to beneficial use as expeditiously as possible.

The Superfund Enforcement Program continues to work to encourage and facilitate PRPs' expeditious and thorough cleanup of sites, create oversight efficiencies and promote the redevelopment and reuse of sites by encouraging PRPs to invest in reuse outcomes. In addition, the Superfund Enforcement Program works to encourage new private investment in the cleanup and reuse of sites by optimizing tools to encourage third-party investment. EPA also works to ensure that required, legally enforceable, institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup remedies.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, the Agency will prioritize its efforts on the most significant sites in terms of environmental impact (particularly those that may present an immediate risk) and on increasing private party funding of cleanups. The Agency will continue its efforts to establish special accounts to facilitate cleanup. As special account funds may only be used for sites and uses specified in the settlement agreement, both special account resources and annually appropriated resources are critical to the Superfund Program to clean up Superfund sites.

DOJ support is statutorily mandated for settlements related to remedial action cleanups, most cost recovery settlements, and is required for all judicial enforcement matters. DOJ's support will be prioritized to negotiate and enter into consent decrees with PRPs to perform remedial actions, to pursue judicial actions to compel PRP cleanup, and to pursue judicial actions to recover monies spent in cleaning up contaminated sites.

Cost Recovery Support

In FY 2020, EPA will continue implementing the e-Recovery system to replace legacy systems for cost recovery support. This effort will modernize the system and assist with the Agency's burden reduction efforts. In FY 2021, the Agency will continue to standardize and streamline the financial management processes for the financial management aspects of Superfund cost recovery and the collection of related collection of debt to the federal government. EPA's financial, programmatic, and legal offices will continue to maintain the accounting and billing of Superfund oversight costs attributable to responsible parties. These costs represent EPA's cost of overseeing Superfund site cleanup efforts by responsible parties as stipulated in the terms of settlement agreements. In FY 2019, the Agency collected \$219.7 million in cost recoveries, of which \$73.3

million were returned to the Superfund Trust Fund and \$146.4 million were deposited in site-specific, interest bearing special accounts.³

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$11,647.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$1,734.0 / -26.0 FTE) This net program change reflects a focus on sites with significant risks, securing private party funding for cleanups, and a reduction in resources for Superfund cost recovery to be offset in part by streamlining those functions.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

³ In FY 2019, the Agency earned approximately \$36.9 million in interest on the total special account funds invested in the Superfund Trust Fund.

Superfund: Federal Facilities Enforcement

Program Area: Enforcement

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$6,046.9</i>	<i>\$6,361.0</i>	<i>\$7,330.0</i>	<i>\$969.0</i>
Total Budget Authority	\$6,046.9	\$6,361.0	\$7,330.0	\$969.0
Total Workyears	34.5	40.9	37.4	-3.5

Program Project Description:

EPA’s Superfund Federal Facilities Enforcement Program ensures that sites where federal entities are performing Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) responses and/or CERCLA sites with federal ownership are monitored and that appropriate enforcement responses are pursued. After years of service and operation, some federal facilities contain environmental contamination such as hazardous wastes, unexploded ordnance, radioactive wastes, or other toxic substances. Enforcement actions can facilitate cleanup and potential redevelopment of these sites.

Pursuant to CERCLA Section 120, EPA must enter into Interagency Agreements, commonly referred to as Federal Facility Agreements (FFAs), with responsible federal entities to ensure protective and timely cleanup of their National Priorities List (NPL) sites. The agreements provide that EPA oversee the cleanups to ensure that they protect public health and the environment. These FFAs govern cleanups at 174 federal facility Superfund sites, which include many of the Nation’s largest and most complex cleanup projects.

FY 2021 Activities and Performance Plan:

Work under this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will focus its resources on the highest priority sites, particularly those that may present an imminent and/or substantial endangerment, have human exposure not yet under control or have the potential for redevelopment. EPA also will negotiate FFAs for federal facility sites on the NPL, monitor FFAs for compliance and resolve formal disputes, take enforcement actions at priority sites, and implement the Superfund Task Force recommendations⁴ to expedite cleanup and redevelopment of federal facility sites. EPA will continue to seek ways to improve its engagement with other federal agencies and states, emphasizing protective, timely cleanups and recognizing site reuse opportunities.

⁴ For additional information, please refer to: <https://www.epa.gov/superfund/superfund-task-force-recommendations>.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$1,627.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$658.0 / -3.5 FTE) This net program change reflects a focus on facility clean ups and redevelopment at sites.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 120.

Homeland Security

Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: A Cleaner, Healthier Environment

Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Science & Technology	\$20,492.7	\$23,593.0	\$25,542.0	\$1,949.0
<i>Hazardous Substance Superfund</i>	<i>\$31,526.7</i>	<i>\$31,599.0</i>	<i>\$33,454.0</i>	<i>\$1,855.0</i>
Total Budget Authority	\$52,019.4	\$55,192.0	\$58,996.0	\$3,804.0
Total Workyears	115.3	124.1	127.1	3.0

Program Project Description:

EPA leads or supports many aspects of preparing for and responding to a nationally significant incident involving possible chemical, biological, radiological, and nuclear (CBRN) agents. The Homeland Security Preparedness, Response, and Recovery Program implements a broad range of activities for a variety of federal efforts, including:

- National trainings;
- Participation in national interagency exercises with federal and state partners;
- Support for headquarters and regional Emergency Operations Centers;
- Support for the Agency’s continuity of operations devolution site in the EPA Colorado office;
- Enhancements for national information technology systems;
- Secured warehouse space for homeland security operations and storage; and
- Laboratory analyses of environmental samples and site decontamination projects.

EPA’s homeland security program develops these responsibilities through research and maintaining a level of expertise, training, and preparedness specifically focused on threats associated with CBRN. This work is consistent with the Department of Homeland Security’s (DHS) National Response Framework.

EPA assists with multi-media training and exercise development/implementation for responders, which establishes and sustains coordination with states, local communities, tribes, and other federal agencies. The Agency also provides technical assistance to other federal agencies, including DHS, the Department of Defense (DOD), the Department of Justice (DOJ), and the Department of Health and Human Services, with expertise in environmental characterization,

decontamination, and waste disposal methods. In addition, the program operates a national environmental laboratory for chemical warfare agents and implements EPA's National Approach to Response.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, the Homeland Security Preparedness, Response, and Recovery Program will:

- Participate in trainings and exercises on CBRN preparedness and response topics with key federal response partners (e.g., DHS, DOD, and DOJ) on select interagency workgroups.
- Provide expertise on environmental characterization, decontamination, and waste disposal methods following the release of a CBRN agent.
- Maintain operational support for the Emergency Management Portal and *WebEOC* response systems.
- Develop site characterization, decontamination, waste management, and clearance methods and strategies for priority chemical, biological, and radiological threats that enable remediation while reducing time and cost and promote site reoccupation.
- Continue the development of sample collection protocols and analysis methods for inclusion in the Environmental Sampling & Analytical Methods (ESAM)⁵ on-line tool. The ESAM detection and sampling and analysis tool helps local, state, tribal, and federal emergency response field personnel and their supporting laboratories more efficiently respond to incidents, enabling smooth transitions of samples and data from the field to the laboratory to the decision makers.
- Utilize the Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft. ASPECT aids first responders by detecting chemical and radiological vapors, plumes, and clouds with real-time data delivery.
- Assist with site characterization during a significant CBRN incident, when EPA mobile lab capabilities are needed. EPA will maintain mobile lab capabilities with support of EPA's Portable High-Throughput Integrated Identification Systems (PHILIS) units. PHILIS can be deployed to sites for high volume, quick turnaround analyses of chemical and biological capacity and capability.

⁵ For more information, please see: <https://www.epa.gov/esam>.

- Develop a study to begin formally planning for the next generation of ASPECT and PHILIS and through a www.challenge.gov initiative to crowdsource innovative ideas allowing the public to contribute creative technology concepts for the replacement technology of ASPECT.
- Maintain a highly skilled, well-trained, and well-equipped response workforce that has the capacity to respond to simultaneous incidents as well as threats involving CBRN substances. This includes training On-Scene Coordinators and volunteers of the Response Support Corps (RSC) and members of Incident Management Teams (IMTs). These RSC volunteers provide critical support to headquarters and regional Emergency Operations Centers and assist with operations in the field. To ensure technical proficiency, this cadre of response personnel requires initial training and routine refresher training.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$2,027.0) This change is an increase due to the recalculation of base payroll costs.
- (+\$500.0) This program change is an increase to study and formally plan for the potential replacement of ASPECT and PHILIS.
- (+\$1,000.0) This program change is an increase for a www.challenge.gov initiative to crowdsource replacement technology ideas for ASPECT.
- (-\$1,672.0) This net program change will result in prioritizing exercises and training held with federal, state, and local partners. In addition, within this change, there is a reduction in resources for research related to analysis of chemical agents and decision support for chemical agent remediation of chemical, biological, radiological, or nuclear (CBRN) agents in the environment.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act, §§ 104, 105, and 106; Homeland Security Act of 2002.

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$5,755.6	\$5,355.0	\$4,986.0	-\$369.0
Science & Technology	\$410.0	\$443.0	\$500.0	\$57.0
Building and Facilities	\$4,259.1	\$6,676.0	\$6,176.0	-\$500.0
<i>Hazardous Substance Superfund</i>	<i>\$979.3</i>	<i>\$1,017.0</i>	<i>\$915.0</i>	<i>-\$102.0</i>
Total Budget Authority	\$11,404.0	\$13,491.0	\$12,577.0	-\$914.0
Total Workyears	8.8	9.2	9.2	0.0

Total workyears in FY 2021 include 9.2 FTE to support Homeland Security working capital fund (WCF) services.

Program Project Description:

The federal government develops and maintains Continuity of Operations (COOP) plans and procedures that provide for the continued performance of its essential functions. The Homeland Security COOP Program works with other government and non-government organizations to ensure that Mission Essential Functions (MEFs) and Primary Mission Essential Functions (PMEFs) continue to be performed during emergency situations. The Department of Homeland Security/Federal Emergency Management Agency’s (FEMA) Federal Continuity Directive-1 requires EPA to develop a continuity plan that ensures its ability to accomplish its MEFs from an alternate site, during a national disaster, continues and the Agency be able to do so with limited staffing and without access to resources available during normal activities.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, EPA will undertake the following:

- Conduct selected annual reviews of regional COOP plans, PMEFS and MEFs, and make updates as needed.
- Monitor the continuity programs across the Agency, focusing on testing, training, and exercises as related to general COOP awareness and procedures.
- Undergo a monthly evaluation of the headquarters COOP Program, including Program Plans and Procedures, Risk Management, Budgeting, and Essential Functions. Further, FEMA performs an in-person biannual review of EPA’s COOP Program and provides the results to the Administrator and to the Executive Office of the President.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-\$102.0) This program change reduces funding for COOP assessment and updates.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act, §§ 104, 105, 106; Intelligence Reform and Terrorism Prevention Act of 2004; Homeland Security Act of 2002; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

Information Exchange / Outreach

Exchange Network

Program Area: Information Exchange / Outreach
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Streamline and Modernize

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$17,090.3	\$15,184.0	\$12,328.0	-\$2,856.0
<i>Hazardous Substance Superfund</i>	<i>\$1,424.8</i>	<i>\$1,328.0</i>	<i>\$1,293.0</i>	<i>-\$35.0</i>
Total Budget Authority	\$18,515.1	\$16,512.0	\$13,621.0	-\$2,891.0
Total Workyears	27.8	30.2	30.2	0.0

Program Project Description:

EPA's Environmental Information Exchange Network (EN) is a standards-based, secure approach for EPA and its state, tribal, and territorial partners to exchange and share environmental data over the internet. Capitalizing on advanced technology, data standards, open-source software, shared services for the E-Enterprise business strategy, and reusable tools and applications, the EN offers its partners tremendous capabilities for managing and analyzing environmental data more effectively and efficiently, leading to improved decision-making.

The Central Data Exchange (CDX)⁶ is the largest component of the EN Program and serves as the point of entry on the EN for environmental data transactions with the Agency. CDX provides a set of core shared services that promote a leaner and more cost-effective service framework for the Agency by avoiding the creation of duplicative applications. It enables faster and more efficient transactions for internal and external EPA clients, resulting in reduced burden. Working in concert with CDX is EPA's System of Registries, which is a system of shared data services designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes.

These shared data services catalog entities routinely referenced by EPA and EN partners, from commonly regulated facilities and substances to the current list of federally recognized tribes. They identify the standard or official names for these assets, which, when integrated into EPA and partner applications, foster data consistency and data quality as well as enable data integration.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.4, Streamline and Modernize in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to support core functions for the EN IT systems, which is in line with the President's Management Agenda for IT modernization and data, accountability, and transparency.⁷

⁶ For more information on the Central Data Exchange, please visit: <http://www.epa.gov/cdx/>.

⁷ For additional information, please refer to: <https://www.whitehouse.gov/omb/management/pma/>.

EPA aims to reduce burden and avoid costs when improving IT. The Agency has provisioned 70 Virtual Exchange Services (VES) or virtual nodes to facilitate large-scale data transactions supporting 19 states and over 88 tribal partners, with another 20 anticipated by the end of FY 2020. The electronic signature service supports 62 partner exchanges to date and six more are expected in FY 2020. EPA estimates implementation of these services resulted in cost avoidance of approximately \$2.3 million for the 19 partner states, who otherwise would have had to build and manage exchange services independently. EPA will continue to carry out the baseline support for the adoption and onboarding of VES and associated services for EPA and its partners.

In FY 2021, EPA will continue to maintain the EPA Federal Regulation Finder, a public-facing digital service that was deployed to the E-Enterprise Portal⁸ in Q2 of FY 2020. The EPA Federal Regulation Finder integrates multiple shared services into a discovery tool that helps industry and the public to more easily identify potentially applicable regulations. It integrates three catalogs: a substance catalog (Substance Registry Services [SRS]); an Enterprise Vocabulary; and a catalog of federal statutes and regulations (Laws and Regulations Services) to enable a user to search for laws and regulations by substance or keyword. In FY 2021, enhancements to the EPA Federal Regulation Finder may include expanding this tool to allow users to search in the North American Industrial Classification System and establishing additional shared data services, such as zip codes, countries, and counties, so that EPA systems no longer must manage these data, instead relying on the centralized services.

Multiple performance efforts also use exchange services and registries (shared data services) to improve data quality in EPA, state, and tribal program data, and to reduce reporting burden on the regulated community. EPA will continue to promote the adoption of the Tribal Identification (TRIBES) shared service by tracking its use by EPA systems that collect tribal names. In FY 2019, EPA increased the number of EPA systems using TRIBES services by 58 percent, from 12 to 19 systems.

EPA also tracks the number of registry webpages users and web service hits as one measure of usage. For example, the SRS website is visited by approximately 50,000 users per month; many of these users visit SRS to understand regulatory information about chemicals. SRS also receives between 20,000 and 140,000 web service hits per month (depending on reporting cycles), mostly by EPA systems that have incorporated the web services into their online reporting forms. Priorities for EPA registries include improving registry technologies by moving them into an open-source platform so they are cloud-ready. In FY 2021, EPA will maintain the registries at FY 2020 levels, and selectively move them into open-source platforms. EPA will expand the number of EPA and partner systems that integrate registry services into their online reports and systems, reducing burden and improving data quality. This includes updating EPA's dataset registry to allow EPA scientists, external partners, and others to share information and make information easier to find in the cloud.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

⁸ For additional information, please refer to: <https://www.e-enterprise.gov/workbench>.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-\$35.0) This net program change is an adjustment that streamlines quality assurance of registries; refocuses modernization efforts; and reduces the collection and exchange of environmental data with states, tribes, and regulated entities.

Statutory Authority:

Federal Information Security Management Act (FISMA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA).

IT/ Data Management/ Security

Information Security

Program Area: IT / Data Management / Security
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$7,649.5	\$7,593.0	\$14,012.0	\$6,419.0
<i>Hazardous Substance Superfund</i>	\$598.9	\$693.0	\$5,082.0	\$4,389.0
Total Budget Authority	\$8,248.4	\$8,286.0	\$19,094.0	\$10,808.0
Total Workyears	18.7	13.1	12.8	-0.3

Program Project Description:

Digital information is a valuable national resource and a strategic asset that enables EPA to fulfill its mission to protect human health and the environment. The Information Security Program’s mission is to protect the confidentiality, availability, and integrity of EPA’s information assets. The information protection strategy includes, but is not limited to: policy, procedure, and practice management; information security awareness, training, and education; governance and oversight; risk-based weakness management; operational security management; and incident detection, response, and recovery.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. Cybersecurity is a serious challenge to our nation’s security and economic prosperity. Effective information security requires vigilance and the ability to adapt to new challenges every day. As reported to the Department of Homeland Security (DHS), in FY 2019, EPA experienced 194 confirmed incidents against its systems. As a result, the Agency has identified significant gaps in its ability to detect, respond to, protect against, and recover from attacks, which increase the risk to compromise agency information.

In response to DHS’s *Cybersecurity Risk Management Assessment*, EPA will continue to leverage capabilities through the Continuous Diagnostics and Mitigation (CDM) Program. EPA will focus on closing existing gaps by identifying and alerting unauthorized hardware and software into the Agency’s networks and systems, checking outbound traffic for unauthorized exfiltration, and assessing systems with a Security Content Automation Protocol. In addition to protecting EPA information assets, CDM will help the Agency identify and respond to federal-wide cybersecurity threats and incidents quicker and more efficiently.

EPA's cost to implement new and maintain existing CDM capabilities as mandated by the Office of Management and Budget (OMB) is estimated to be over \$12 million in FY 2021 across all appropriations. In accordance with OMB Memorandum M-20-04 "Fiscal Year 2019-2020 Guidance on Federal Information Security and Privacy Management Requirements",⁹ EPA also is developing a plan for the Agency's Security Operations Center to improve incident detection and response capabilities, which will be implemented by the end of FY 2020.

With available resources, EPA will work to close non-CDM capability gaps essential to adequately protect agency information assets. Such efforts include analyzing malicious email attachments, detecting and mitigating effects of insider threats and advanced persistent threats, and conducting program responsibilities, such as governance, oversight, and risk management. Additionally, the Agency practices Coordinated Vulnerability Disclosure, a standard process to decrease the harm or time an adversary can use to deny or disrupt services to its networks by working with internal stakeholders, private industry, and federal organizations to communicate vulnerabilities discovered or encountered.

Cybersecurity Risk Management Assessment metrics developed by the National Institute of Standards and Technology and industry best practices help prioritize action to adequately protect agency information assets and provide visibility on vulnerabilities. While EPA's cybersecurity posture is expected to remain at risk in FY 2021, the Agency will continue to conduct risk assessments and alternative analyses to determine which protections EPA must maintain or implement. The Agency is evaluating alternatives for Security Operations as a Service and cloud security options such as Cloud Access Security Brokers Services for possible implementation.

In FY 2021, the Information Security Program will continue to collect Federal Information Security Modernization Act (FISMA) metrics and evaluate related processes, tools, and personnel to continue to identify areas of weakness and opportunities for improvement. The Program will collect phishing test results and evaluate the effectiveness of awareness efforts. With these data, the Agency will identify strategies and prioritize areas to mitigate risks. The Agency will expand strategies for identifying and leveraging common controls while managing system boundaries to reduce compliance costs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$4,389.0) This program change supports mandatory cybersecurity requirements,¹⁰ including CDM funding that will be used to close existing gaps by improving audit capabilities, ensuring accountability, and adding protections directly associated with the information.

⁹ For more information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/11/M-20-04.pdf>.

¹⁰ Including those found in Federal Information Security Modernization Act of 2014 and Federal Information Security Cybersecurity Act of 2015.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA’s organic statute); Cybersecurity Act of 2015; Federal Information Security Modernization Act (FISMA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

IT / Data Management

Program Area: IT / Data Management / Security

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$78,748.7	\$80,223.0	\$79,064.0	-\$1,159.0
Science & Technology	\$3,092.6	\$3,072.0	\$2,890.0	-\$182.0
<i>Hazardous Substance Superfund</i>	<i>\$13,755.5</i>	<i>\$13,792.0</i>	<i>\$13,874.0</i>	<i>\$82.0</i>
Total Budget Authority	\$95,596.8	\$97,087.0	\$95,828.0	-\$1,259.0
Total Workyears	391.4	459.4	469.9	10.5

Total workyears in FY 2021 include 172.0 FTE to support IT/Data Management working capital fund (WCF) services.

Program Project Description:

The work performed under the Information Technology/Data Management (IT/DM) Program is partially funded by the Superfund program. The IT/DM Program supports human health and the environment by providing critical IT infrastructure and data management. The Program ensures analytical support for interpreting and understanding environmental information; exchange and storage of data, analysis, and computation; rapid, secure, and efficient communication; and access to scientific, regulatory, policy, and guidance information needed by the Agency, regulated community, and the public.

This Program supports the maintenance of EPA's IT and Information Management (IT/IM) services that enable citizens, regulated facilities, states, and other entities to interact with EPA electronically to get the information they need on-demand, to understand what it means, and to share environmental data. The IT/DM Program also provides support to other IT development projects and essential technology to EPA staff, enabling them to conduct their work effectively and efficiently in the context of federal IT requirements, including the Federal Information Technology Acquisition Reform Act (FITARA); Technology Business Management (TBM); Capital Planning and Investment Control; and the Open, Public, Electronic, and Necessary Government Data Act.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. EPA is committed to enhancing the power of information by delivering on-demand data to relevant parties. An example of this includes continued progress on enterprise data architecture and establishing the role of a Chief Data Officer as required by the Foundations for Evidence-Based Policymaking Act. The Agency's increased investment in TBM will enable EPA to make sound, data-driven IT investment decisions by

incorporating critical IT expenditure data into EPA Chief Information Officer (CIO) portfolio reviews.

In FY 2021, EPA will strengthen further its IT acquisition review process as part of the implementation of federal Common Baseline Controls for FITARA. FITARA controls include an established communication and engagement strategy for the CIO with the Agency's programs and regional offices to ensure their IT plans are well designed, directly drive EPA long-term performance goals, and follow best practices. These controls also enable the CIO to engage closely with key IT stakeholders across EPA and to foster plans to refresh IT skills within the Agency.

The Agency will continue to focus on improving customer experiences to allow EPA, its partners, and the public to acquire, generate, manage, use, and share information as a critical resource. In line with the President's Management Agenda for IT modernization and for data, accountability, and transparency,¹¹ EPA will improve how it supports and manages the lifecycle of information and information products.

In FY 2021, the following IT/DM activities will continue:

- **Data Management and Collection:** Data management and collection efforts include support for a variety of essential enterprise information management programs. The National Records Management Program will continue providing policies/procedures, coordination, and support to help fulfill EPA's statutory obligations to maintain records. The Program will invest resources to support digitization efforts for the Agency by providing records storage facilities and scanning services for converting paper records into EPA's electronic record keeping systems. In addition, the Program will replace EPA's enterprise records management solution. The Discovery Services Program will continue supporting the search/collection of agency information needed to help respond to requests for information from external stakeholders. EPA will continue to coordinate and oversee the Agency's Information Collection Request (ICR) development and approval process, helping to ensure data collections are submitted timely and approved by the Office of Management and Budget (OMB) as required by the Paperwork Reduction Act. The Section 508 Program will develop training for different stakeholder communities. This program will assess documentation for all public-facing EPA systems/applications via an independent third party and acquire a compliance tool to improve reporting to OMB.
- **Mission Software and Digital Services Capabilities:** The FY 2021 President's Budget includes funding to continue to enhance the Agency's software development and architecture capability, including application development and deployment approaches and technical platforms. This program continues EPA's adoption of transformative technologies and practices, including cloud computing, agile development methodologies, and shared software development services.
- **Geospatial:** The Agency will continue to support the essential capabilities of GeoPlatform, a shared technology enterprise for geospatial information and analysis. By implementing

¹¹ For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf>.

geospatial data, applications, and services, the Agency can integrate and interpret multiple data sets and information sources to support environmental decisions. GeoPlatform will continue to publish internal and public mapping tools, which will better inform the public about EPA's programs to protect the environment and public health. As of December 2019, EPA has over 5,200 GeoPlatform mapping applications created or modified for public and internal use, and since calendar year 2014 the number of users has increased tenfold to over 9,000 users.

- **Information Access and Analysis:** EPA will focus on providing core support to agency infrastructure and tools that will drive better environmental decision-making with data from across the Agency. EPA will partner with other agencies, states, tribes, and academic institutions to propose innovative ways to use, analyze, and visualize data. EPA will continue to support Envirofacts and data visualization applications, which receive over 50 million annual application interface requests.
- **Information Technology and Infrastructure:** EPA will adjust the schedule for replacement or upgrades to align with resources and will continue to maintain and provide: desktop computing equipment, network connectivity, e-mail and collaboration tools, hosting services, remote access, telephone services, web and network services, and other IT-related equipment. In FY 2021, the Agency will continue efforts to consolidate EPA's data centers and computer rooms and to optimize operations within EPA's remaining data centers. In addition, the Agency will continue to modernize IT/IM infrastructure, applications, and services to empower a mobile workforce using innovative and agile solutions.

Performance Measure Targets:

Work under this program supports performance results in the Facilities Infrastructure and Operations Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$830.0) This change is an increase due to recalculation of base payroll costs.
- (-\$748.0 / -2.5 FTE) This net program change modifies the timeline for development of new technologies to address agency needs such as new assistive technology tools, ability to re-platform legacy applications, and replace end of service IT equipment that provides basic workforce support across the Agency.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Federal Information Technology Acquisition Reform Act; Federal Information Security Modernization Act (FISMA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Rehabilitation Act of 1973 § 508.

Legal / Science / Regulatory / Economic Review

Alternative Dispute Resolution

Program Area: Legal / Science / Regulatory / Economic Review

Goal: More Effective Partnerships

Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$667.4	\$870.0	\$0.0	-\$870.0
<i>Hazardous Substance Superfund</i>	<i>\$573.3</i>	<i>\$710.0</i>	<i>\$0.0</i>	<i>-\$710.0</i>
Total Budget Authority	\$1,240.7	\$1,580.0	\$0.0	-\$1,580.0
Total Workyears	4.3	5.9	0.0	-5.9

Program Project Description:

EPA’s General Counsel and Regional Counsel Offices provide environmental Conflict Prevention and Resolution Center (CPRC) services and workplace conflict prevention. EPA utilizes CPRC as a method for preventing or resolving conflicts prior to engaging in formal litigation. CPRC includes the provision of legal counsel, facilitation, mediation, and consensus building advice and support. This program oversees a strategically-sourced contract for these services that provides mediation, facilitation, public involvement, training, and organizational development support to all headquarters and regional programs.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021.

Performance Measures Targets:

EPA’s FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-\$710.0 / -1.4 FTE) This funding change proposes to eliminate the CPRC program. Programs across the Agency may pursue ADR support services and training individually.

Statutory Authority:

Administrative Dispute Resolution Act (ADRA) of 1996; Negotiated Rulemaking Act of 1996; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA’s organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Legal Advice: Environmental Program

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$51,526.8	\$47,978.0	\$50,263.0	\$2,285.0
<i>Hazardous Substance Superfund</i>	<i>\$515.0</i>	<i>\$543.0</i>	<i>\$608.0</i>	<i>\$65.0</i>
Total Budget Authority	\$52,041.8	\$48,521.0	\$50,871.0	\$2,350.0
Total Workyears	258.2	257.4	242.8	-14.6

Total workyears in FY 2021 include 5.5 FTE funded by TSCA fees and 1.0 FTE to support Legal Advice working capital fund (WCF) services.

Program Project Description:

This program provides legal representation, legal counseling, and legal support for environmental activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Funding supports legal advice needed in the Superfund Program’s extensive work with Potentially Responsible Parties and other entities and landowners. For example, this program provides legal analysis and advice to help inform EPA’s decisions regarding the assessment of certain contaminants at a given Superfund site under federal law, and a party’s potential liability under CERCLA.

This program supports EPA’s Superfund work at thousands of sites spanning the wide array of Superfund legal issues regarding removal and remedial cleanups costing billions of dollars. This program is essential to providing the high-quality legal work to ensure that EPA’s decisions are defensible and upheld by the courts against judicial challenges.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018-2022 EPA Strategic Plan*. In FY 2021, the Program will prioritize its legal support capabilities to focus support on high profile and critical CERCLA cases for the Superfund program. The Program will work within available resources to support CERCLA activities, which includes analyzing defensibility of Agency actions, drafting significant portions of Agency actions, and participating in litigation in defense of Agency actions. Legal review is critical to the Superfund program at many points throughout the cleanup process. For example, in support of Goal 1 of the *FY 2018–FY 2022 EPA Strategic Plan (A Cleaner, Healthier Environment)* this program provides legal advice and counseling for final rules adding Superfund sites to the National Priorities List.

The following examples illustrate this program's important role in implementing the Agency's core priorities and mission:

- Participating in and providing legal counsel on the Administrator's Superfund Initiative Task Force including the development of the Task Force Report.
- Providing critical legal support and advice to the Superfund Remedial, Removal, and Enforcement programs on complex, high visibility, expensive Superfund cleanups, such as Gold King Mine.

Performance Measure Targets:

Work under this program supports performance results in the Legal Advice: Environmental Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$21.0) This change is an increase due to the recalculation of base payroll costs.
- (+\$44.0) This program change is an increase to focus on legal support and advice for the Superfund Remedial, Removal, and Enforcement programs.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Operations and Administration

Acquisition Management

Program Area: Operations and Administration
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$33,799.8	\$30,945.0	\$29,621.0	-\$1,324.0
Leaking Underground Storage Tanks	\$70.2	\$163.0	\$138.0	-\$25.0
<i>Hazardous Substance Superfund</i>	<i>\$18,593.2</i>	<i>\$20,533.0</i>	<i>\$22,982.0</i>	<i>\$2,449.0</i>
Total Budget Authority	\$52,463.2	\$51,641.0	\$52,741.0	\$1,100.0
Total Workyears	261.2	285.7	259.5	-26.2

Program Project Description:

Superfund resources in the Acquisition Management Program support the Agency's contract activities for Superfund Emergency Response and Removal, Remedial, Emergency Preparedness, and Federal Facilities Response programs. These resources enable the Agency to assess and cleanup Superfund sites, as well as prepare and respond to natural disasters and terrorist incidents.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to process contract actions in accordance with Federal Acquisition Regulation (FAR) and guidance from the Office of Federal Procurement Policy (OFPP).

Timely procurement processing is crucial to efficient operations. In FY 2019, EPA met its target of 85 percent for procurement action lead times (PALT). The Agency is continuing work toward its long-term performance goal to reduce procurement processing times by achieving 100 percent for PALT by FY 2022. EPA tracks and reviews PALT achievement data on a monthly basis and works with program offices to determine the causes of delays and to improve processing times. As a result of the monthly PALT reviews, EPA has developed additional trainings and resources for the Agency's acquisition community to improve the quality of procurement requests, which is an indicator for the achievement of PALT.

EPA is fully committed to leveraging category management, Spend Under Management (SUM), Best-In-Class (BIC), and strategic sourcing principles in each of its programs and purchasing areas to save taxpayer dollars and improve mission outcomes:

- The OMB Category Management Cross-Agency Priority (CAP) goal focuses on total acquisition spend transitioned from contract vehicles that are unaligned with category management principles to the Spend Under Management (SUM) program. In FY 2019, to

further EPA's ability to meet its FY 2020 Category Management CAP goal, the EPA revised its Acquisition Guidance section 8.0.100, *Requirements for Mandatory Use of Common Contract Solutions* to include the policy mandating the use of enterprise-wide contract vehicles, in addition to BIC contract solutions and other OMB-designated contract solutions. Based on this policy change, EPA anticipates greater than 50 percent of total addressable spend will have been transitioned into the SUM program by the end of FY 2021, relative to the end of FY 2018 result of 26 percent.

- In FY 2021, EPA will continue to implement BIC solutions to identify pre-vetted, government-wide contracts as part of the Agency's effort to utilize more mature, market-proven acquisition vehicles.¹² Through BIC solutions, EPA will leverage acquisition experts to optimize spending within the government-wide category management framework and increase the transactional data available for agency level analysis of buying behaviors.
- In FY 2021, EPA also will continue to maximize its Strategic Sourcing Program (SSP), thereby enhancing purchase coordination, improving price uniformity and knowledge-sharing, and leveraging small business capabilities to meet acquisition goals. The SSP allows the Agency to research, assess, and award contract vehicles that will maximize time and resource savings. The SSP serves as a foundation for effective financial and resource management because it simplifies the acquisition process and reduces costs. Long-term implementation of the SSP is transforming the Agency's acquisition process into a strategically driven function, ensuring maximum value for every acquisition dollar spent. In FY 2019, EPA realized a \$4.7 million cost avoidance by using data analysis tools to monitor specific, measurable data related to print services, cellular services, shipping, Microsoft software, voice services, office supplies, lab supplies, PCs, and furniture. Since the beginning of the Strategic Sourcing Program in FY 2013 through the end of FY 2019, EPA has achieved cost avoidance of \$19.4 million. In FY 2021, EPA anticipates approximately \$4.3 million in additional savings.

In FY 2021, EPA also will continue supporting the Superfund Remedial Acquisition Framework (RAF), which modifies EPA's existing approach for acquiring services to support the Superfund Remedial Program. The RAF consists of three suites of multiple award, indefinite quantity contracts as the primary means for acquiring remedial services: Design and Engineering Services, Remediation Environmental Services, and Environmental Services and Operations. In addition to providing a variety of acquisition tools for Superfund remedial services, RAF aligns with government-wide directives, maximizes competition to realize cost efficiency, strengthens the Agency's contract management processes, and helps to improve efficiency across the Superfund Remedial Program.

In FY 2021, EPA requests an increase to evaluate options for replacing the EPA Acquisition System (EAS) with an approved government-wide Federal Shared Service Provider (FSSP) for a contract writing system. This investment will support the Agency's long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan* to increase the adoption of shared services. It also is in

¹² For additional information, please refer to: <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-29.pdf> *Best-in-Class Mandatory Solution -Package Delivery Services*.

line with OMB-19-16 “Centralized Mission Support Capabilities for the Federal Government”¹³ and the President’s Management Agenda CAP Goal 5: Sharing Quality Services.¹⁴ The Agency is focusing on a solution that reduces costs while increasing efficiency by standardizing federal procurement planning, contract award, administration, and close-out processes. Transition preparations include data management strategies, business process reviews, and user engagement to develop a business case and ensure data elements conform with Federal Government Procurement standards.

In FY 2021, EPA will continue to focus on implementing the Financial Information Technology Acquisition Reform Act (FITARA) by competing contracts with multiple vendors or confining the scope of the contract to a limited task, thereby avoiding vendor lock-in, and developing acquisition vehicles that support the Agency in FITARA compliance and implementation.

Performance Measure Targets:

Work under this program supports performance results in the Acquisition Management Program under the EPM appropriation and the Central Planning, Budgeting and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$4,625.0) This change is an increase due to recalculation of base payroll costs.
- (+\$100.0) This program change is an increase to support planning for the migration to a Federal Shared Service Provider contract writing system.
- (-\$2,276.0 / -15.0 FTE) This program change streamlines contractor support for: helpdesk services for EPA’s Acquisition System; the closeout of contracts; and the Defense Contract Management Agency for Audit Services and the Virtual Acquisition Office (a source for up-to-date government acquisition news, research, and analysis). It also proposes to eliminate funding for Contracts Management Assessment Program Reviews, which enables EPA to self-identify and remedy internal weaknesses, and reduces the Agency’s training for its acquisition community.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA’s organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

¹³ For more information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/04/M-19-16.pdf>.

¹⁴ For more information, please visit: <https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf>.

Central Planning, Budgeting, and Finance

Program Area: Operations and Administration

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$72,920.6	\$71,423.0	\$76,603.0	\$5,180.0
Leaking Underground Storage Tanks	\$258.3	\$321.0	\$450.0	\$129.0
<i>Hazardous Substance Superfund</i>	<i>\$23,772.7</i>	<i>\$21,971.0</i>	<i>\$22,462.0</i>	<i>\$491.0</i>
Total Budget Authority	\$96,951.6	\$93,715.0	\$99,515.0	\$5,800.0
Total Workyears	421.4	456.0	435.3	-20.7

Total workyears in FY 2021 include 1.0 FTE funded by TSCA fees and 1.0 FTE funded by e-Manifest fees.

Total workyears in FY 2021 include 39.0 FTE to support Central Planning, Budgeting, and Finance working capital fund (WCF) services.

Program Project Description:

EPA’s financial management community maintains a strong partnership with the Superfund Program. EPA’s Office of the Chief Financial Officer (OCFO) supports this continuing partnership by providing a full array of financial management support services and systems necessary to pay Superfund bills and recoup cleanup and oversight costs for the Trust Fund. EPA’s OCFO manages Superfund activities under the Central Planning, Budgeting, and Finance Program in support of integrated planning, budget formulation and execution, financial management, performance and accountability processes, financial cost recovery, and systems to ensure effective stewardship of Superfund resources. This program supports the requirements of the Digital Accountability and Transparency (DATA) Act of 2014 and the Federal Information Technology Acquisition Reform Act (FITARA) of 2015.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility and management integrity, financial services are efficiently and consistently delivered nationwide, and programs demonstrate results. EPA will maintain key planning, budgeting, and financial management activities. EPA will sustain basic operations and maintenance of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget Formulation System, and related financial reporting systems. In line with the President’s Management Agenda, the Agency is reviewing its financial systems for modernization opportunities to support greater efficiencies and effectiveness and targeting legacy systems for replacement.

EPA will continue to modernize and streamline business processes and operations to promote transparency and efficiency. The Program will apply Lean principles and leverage input from customer-focused councils, advisory groups, and technical workgroups to continue improving as a high-performance organization. EPA will standardize and streamline internal business processes and use additional federal and/or internal shared services when supported by business case analysis. Since 2014, Department of Interior's (DOI) Interior Business Center (IBC) serves as EPA's payroll and HR shared service provider. The resources requested directly support the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan*: By September 30, 2022, increase enterprise adoption of shared services by four.

In FY 2021, the Program will continue to focus on core responsibilities in the areas of strategic planning and budget preparation, financial reporting, transaction processing, and Superfund Cost Recovery. The Program will continue to implement FITARA requirements in accordance with EPA's Implementation Plan.¹⁵ The Chief Information Officer will continue to be engaged throughout the budget planning process to ensure that IT needs are properly planned and resourced in accordance with FITARA.

During FY 2021, EPA will focus on implementation of G-Invoicing, Treasury's Interagency Agreement system. The goal is to align EPA's business processes to deliver the new, more streamlined approach for the end-to-end delivery of financial transactions for IAs. Over the next several years, other federal shared services are planned that will impact financial transactions. Among other benefits, EPA seeks to adopt accepted and standardized business processes that will deliver greater streamlining and efficiency and achieve improved financial and programmatic oversight. Equally important is the ability to meet increased transparency needs, such as those prescribed in the DATA Act, as well as increased compliance and reporting standards.

EPA will continue to follow OMB Circular A-123 guidance, conduct internal control program reviews, and use the results and recommendations from the Office of Inspector General (OIG) to provide evidence of the soundness of EPA's financial management program and identify areas for further improvement. The Agency will collect key operational statistics for its financial management program to further evaluate its operations and for management decision-making. For example, since FY 2018, through extensive employee outreach and improved communication with human resources, EPA reduced the number of payroll payments made outside of the normal payroll process by 92 percent. EPA also uses its major systems' help desk ticket data to evaluate ticket durations, urgent ticket responses, ticket escalations, and customer experience to determine potential improvements and best practices. In addition, EPA is dedicated to reducing fraud, waste, and abuse, and strengthening internal controls over improper payments. Since the implementation of the Improper Payments Information Act of 2002, EPA has continually reviewed, sampled, and monitored its payments to protect against erroneous payments and complied with reporting requirements.

¹⁵ For more information please see: <http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan>.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$3,126.0) This change is an increase due to recalculation of base payroll costs.
- (-\$2,826.0 / -12.1 FTE) This net program change is a decrease as the Agency streamlines in the areas of strategic planning, budget preparation, financial reporting, and transaction processing including the closure of the Las Vegas Finance Center and related decommissioning of the LAN and IGMS interface.
- (-\$1,034.0) This decrease represents savings from the decommissioning of the Superfund Cost Recovery Package Imaging and On-line System (SCORPIOS).
- (+\$1,225.0) This program increase supports the e-Recovery system to provide cost recovery support.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Facilities Infrastructure and Operations

Program Area: Operations and Administration

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$321,500.4	\$287,595.0	\$317,345.0	\$29,750.0
Science & Technology	\$67,856.9	\$65,372.0	\$67,908.0	\$2,536.0
Building and Facilities	\$23,017.8	\$26,922.0	\$33,377.0	\$6,455.0
Leaking Underground Storage Tanks	\$847.2	\$868.0	\$796.0	-\$72.0
Inland Oil Spill Programs	\$577.3	\$665.0	\$682.0	\$17.0
<i>Hazardous Substance Superfund</i>	<i>\$82,243.2</i>	<i>\$76,473.0</i>	<i>\$76,831.0</i>	<i>\$358.0</i>
Total Budget Authority	\$496,042.8	\$457,895.0	\$496,939.0	\$39,044.0
Total Workyears	329.9	315.4	307.6	-7.8

Total workyears in FY 2021 include 2.1 FTE to support Facilities Infrastructure and Operations working capital fund (WCF) services.

Program Project Description:

Superfund resources in the Facilities Infrastructure and Operations Program fund the Agency's rent, utilities, and security. The Program also supports centralized administrative activities and support services, including health and safety, environmental compliance and management, facilities maintenance and operations, space planning, sustainable facilities and energy conservation planning and support, property management, printing, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to invest in the reconfiguration of EPA's workspaces, enabling the Agency to release office space and reduce long-term rent costs, consistent with HR 4465,¹⁶ the *Federal Assets Sale and Transfer Act of 2016*. EPA is implementing a long-term space consolidation plan that will reduce the number of occupied facilities, consolidate space within remaining facilities, and reduce square footage wherever practical. EPA also will continue to work to enhance its Federal infrastructure and operations in a manner that increases efficiency.¹⁷

¹⁶ For additional information, please refer to: <https://www.congress.gov/bill/114th-congress/house-bill/4465>, *Federal Assets Sale and Transfer Act of 2016*.

¹⁷ For additional information, please refer to: <https://www.whitehouse.gov/presidential-actions/executive-order-regarding-efficient-federal-operations/>, Executive Order 13834 "Efficient Federal Operations". For information on EPA's FY 2018 performance for efficient Federal operations/management, please visit: <https://www.sustainability.gov/images/scorecards/epa-scorecard-fy2018.png>.

EPA is working toward the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan* to reduce unused office and warehouse space by 850,641 square feet nationwide by September 30, 2022. This has the potential to provide a cumulative annual rent avoidance of nearly \$28 million across all appropriations. This will help offset EPA’s escalating rent and security costs. In FY 2019, EPA released 128,150 square feet of unused office and warehouse space. Planned consolidations in FY 2021 will allow EPA to release an expected 319,693 square feet of space. For FY 2021, the Agency is requesting \$46.84 million for rent, \$2.39 million for utilities, and \$8.64 million for security in the Superfund appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level.

In FY 2021, the Agency will take aggressive action to reconfigure EPA’s workplaces with the goal of reducing long-term rent costs. Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace.

EPA will continue to manage lease agreements with GSA and private landlords, and maintain EPA facilities, fleet, equipment, and fund costs associated with utilities and building security needs. EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations and provide health and safety training to field staff (e.g., inspections, monitoring, On-Scene Coordinators), and track capital equipment of \$25 thousand or more.

In addition, the Agency will continue to utilize GSA’s Managed Service Office, *USAccess*, for PIV card enrollment and issuance. *USAccess* is a shared services solution which is in line with OMB’s Federal IT Shared Services Strategy and the President’s Management Agenda.¹⁸

Performance Measure Targets:

Work under this program supports performance results in the Facilities Infrastructure and Operations Program under the EPM appropriation and the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$283.0) This change is an increase due to recalculation of base payroll costs.
- (+\$1,454.0) This change to fixed and other costs is an increase due to the recalculation of rent, utilities, and security.
- (-\$1,379.0 / -2.3 FTE) This program change reduces environmental management system activities, comprehensive facility energy audits, and re-commissioning.

¹⁸ For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf>.

Statutory Authority:

Federal Property and Administration Services Act; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Financial Assistance Grants / IAG Management

Program Area: Operations and Administration

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$23,794.8	\$23,802.0	\$21,452.0	-\$2,350.0
<i>Hazardous Substance Superfund</i>	\$2,517.7	\$2,580.0	\$2,903.0	\$323.0
Total Budget Authority	\$26,312.5	\$26,382.0	\$24,355.0	-\$2,027.0
Total Workyears	129.9	139.5	115.7	-23.8

Program Project Description:

Superfund resources in the Financial Assistance Grants and Interagency Agreement (IA) Management Program support the management of grants and IAs, and suspension and debarment activities. Resources in this program ensure that EPA’s management of grants and IAs meet the highest fiduciary standards, that the grant and IA funding produces measurable results for environmental programs, and that the suspension and debarment program effectively protects the government’s business interest. These objectives are critically important for the Superfund Program, as a substantial portion of the Program is implemented through IAs with the U.S. Army Corps of Engineers and the U. S. Coast Guard.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. Accordingly, EPA will continue to implement activities to achieve efficiencies while enhancing quality and accountability. In FY 2021, EPA will continue investments in modernizing grant and IA information technology/information management (IT/IM) systems in support of the President’s Management Agenda.¹⁹

Work in this program supports the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan*: By September 30, 2022, increase enterprise adoption of shared services by four. The Agency will complete activities to align its IA business processes to ensure compatibility with the government-wide mandate to adopt G-Invoicing by June 2021.

In FY 2021, additional resources are requested for the Agency to complete the deployment of EPA’s Next Generation Grants System (NGGS) and retiring outdated legacy grants management system. The transition to NGGS has a relatively low deployment time and will require fewer training resources as the system is based on legacy grant system infrastructure already familiar to

¹⁹ For more information, please visit: <https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf>.

staff. NGGS relies on a flexible platform that will enable it to adapt to changing technology and business processes and will allow it to easily integrate with other agency systems. Prior to moving forward with the development of NGGS, EPA researched available federal shared service providers for grants systems and was unable to identify an existing solution that would enable the Agency to fulfill its fiduciary responsibilities, and ensure proper accountability, oversight, controls, reporting capability, and financial stewardship of EPA grants.

EPA will continue to focus on reducing the administrative burden on EPA and grants recipients, and on improving grants management procedures by: 1) streamlining EPA's grants management policies through a new comprehensive framework to guide policy development, implementation, compliance, and review; 2) using EPA's Lean Management System to refine grants management processes; and 3) moving to a risk-based method of pre- and post-award monitoring for grants to more effectively ensure compliance and to also reduce burden.

The Agency will continue to make use of discretionary debarments and suspensions to protect the government's business interests. In FY 2021, EPA will focus suspension and debarment activity onto the most egregious violations. Congress and federal courts have long recognized federal agencies' inherent authority and obligation to exclude non-responsible parties from eligibility to receive government contracts and non-procurement awards (for example: grants, cooperative agreements, loans, and loan guarantees). A number of recent federal statutes, GAO reports, and OMB directives require that federal agencies administer effective suspension and debarment programs to protect the public's interest and the integrity of federal programs.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$650.0) This change is an increase due to recalculation of base payroll costs.
- (-\$427.0 / -2.4 FTE) This program change reflects expected efficiencies in the processing of grant and IA awards, lower requested grant funding levels throughout the Agency, and a review of unliquidated obligations. EPA will target funds to core grant and IA activities.
- (+\$100.0) This program change is an investment to support migration to a new grants administration management system and retiring outdated legacy software.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Federal Grant and Cooperative Agreement Act; Federal Acquisition Streamlining Act § 2455; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Human Resources Management

Program Area: Operations and Administration

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	\$43,339.9	\$41,556.0	\$44,538.0	\$2,982.0
<i>Hazardous Substance Superfund</i>	<i>\$6,163.7</i>	<i>\$6,548.0</i>	<i>\$5,704.0</i>	<i>-\$844.0</i>
Total Budget Authority	\$49,503.6	\$48,104.0	\$50,242.0	\$2,138.0
Total Workyears	201.4	228.2	223.0	-5.2

Program Project Description:

Superfund resources for the Human Resources (HR) Management Program support human capital (HC) activities throughout EPA. To help achieve its mission and maximize employee productivity and job satisfaction in the Superfund Program, EPA continually works to improve business processes for critical HC functions including recruitment, hiring, employee development, performance management, leadership development and workforce planning. This includes personnel and payroll processing through the Human Resources Line of Business. Superfund resources also support Chief Human Capital Officer Council activities under applicable statutes and guidance, including the Agency’s Human Capital Operating Plan.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. Effective workforce management is critical to EPA’s ability to accomplish its mission. EPA’s efforts in HC functions are focused on sustaining the workforce, retaining critical expertise, and capturing institutional knowledge. The Agency is developing and deploying management tools to assist EPA in ensuring the right staff with the appropriate skills are placed in the most suitable positions. These tools also will be valuable as an increasing percentage of the workforce becomes retirement eligible. Currently, 25 percent of EPA’s workforce is retirement eligible, increasing to an estimated 50 percent over the next five years. EPA will continue to support efforts to maintain the high-quality of core operations, improve productivity, and achieve cost savings in mission support functions including HC management.

In FY 2021, the Agency will continue to build upon its performance, learning, and succession management activities. EPA will maintain and operate *FedTalent*, a talent management system provided through the Department of Interior (DOI)’s Interior Business Center (IBC). *FedTalent* serves as a valuable tool that assists with developing, delivering, and tracking high-impact training. EPA will continue to migrate and consolidate training data from more than 15 disparate training repositories to ensure *FedTalent* is a one-stop-shop for all training needs. Additionally, the Agency

is planning to procure and deploy a performance management system to move from paper to an automatic process for the start of FY 2021.

In FY 2021, EPA will continue to maintain and operate two other recent workforce planning tools – the Mission Critical Occupations dashboard (to be fully launched in FY 2020) and the Workforce Demographics and Diversity dashboards (both fully deployed and in place). These dashboards provide data visualizations and easy-to-understand information about the current workforce and are essential for succession planning and management because they afford managers a strategic view of retirement eligibility, diversity information, occupational series, and grade levels, as well as the ability to drill down and access data at lower organizational levels. The dashboards assist EPA with succession planning by helping identify workforce gaps due to anticipated retirements and attrition trends.

The Agency will continue the development and piloting of its Talent Enterprise Diagnostics (TED) tool in FY 2020, which advances human capital priorities by enhancing EPA’s ability to make strategic workforce decisions. In FY 2021, TED data will serve a crucial role in EPA’s Workforce Planning and Succession Management process to identify potential competency gaps across the Agency and to increase management’s understanding of where needed skill sets reside within EPA.

EPA is working to develop and maintain a high-caliber and modern information technology and security workforce through direct hiring authority (DHA) granted by 5 CFR § 337²⁰ for information technology (IT) positions. This authority allows EPA to recruit highly skilled candidates in very technical areas of work without regard to the provisions of Title 5. The Agency hired 23 IT specialists leveraging this authority in FY 2019. EPA will continue to leverage the use of the DHA across IT specialist occupation categories in FY 2020 and FY 2021.

In FY 2021, EPA’s Human Resources Shared Service Centers (HRSSC) in Cincinnati, Ohio and Research Triangle Park, North Carolina will continue to manage recruitment, employee relations and advisory services, develop, implement, and enhance training and employee orientation programs, and provide management guidance on workforce planning and personnel policies. Additionally, the HRSSCs will continue to coordinate and deliver a comprehensive human resource management program. Other, specific functions encompass employee benefits, retirement counseling, career development, performance management, personnel actions, and quality of life issues.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-\$182.0) This change is an increase due to the recalculation of base payroll costs.

²⁰ For more information, please refer to: <https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=1b430a73f84957c9f1af2dec2ff9d0d5&rgn=div5&view=text&node=5:1.0.1.2.48&idno=5#5:1.0.1.2.48.2.16.1>.

- (-\$662.0) This net program change reduces funding for: operational support for HR programs being utilized agencywide including the Agency's recruitment and diversity and inclusion activities, EPA's Human Resources Council and National Partnership Council, the Leave Bank, and the Workplace Solutions; enhancements and maintenance of EPA's HR IT Systems including HR Line of Business, data management and analysis, troubleshooting, and change requests; support for Federal Advisory Committees not mandated by statute; and centrally-provided, non-mandatory training.

Statutory Authority:

Title 5 of the U.S.C.; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Research: Sustainable Communities

Research: Sustainable and Healthy Communities
 Program Area: Research: Sustainable Communities
 Goal: Greater Certainty, Compliance, and Effectiveness
 Objective(s): Prioritize Robust Science

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Science & Technology	\$135,083.1	\$132,477.0	\$58,597.0	-\$73,880.0
Leaking Underground Storage Tanks	\$130.5	\$320.0	\$304.0	-\$16.0
Inland Oil Spill Programs	\$599.6	\$664.0	\$522.0	-\$142.0
<i>Hazardous Substance Superfund</i>	<i>\$11,004.7</i>	<i>\$16,463.0</i>	<i>\$11,448.0</i>	<i>-\$5,015.0</i>
Total Budget Authority	\$146,817.9	\$149,924.0	\$70,871.0	-\$79,053.0
Total Workyears	411.9	421.8	294.6	-127.2

Program Project Description:

This area of EPA’s Sustainable and Healthy Communities (SHC) Research Program responds directly to the Superfund law requirements for a comprehensive and coordinated federal “program of research, evaluation, testing, development, and demonstration of alternative or innovative treatment technologies... which may be utilized in response actions to achieve more permanent protection of human health and welfare and the environment.”²¹

The SHC Research Program is one of six integrated and transdisciplinary research programs in the Research and Development Program. Each of the six integrated and transdisciplinary research programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is implemented with their active collaboration and involvement. As part of the FY 2021 Budget, the new SHC FY 2019-2022 StRAP builds upon prior SHC StRAPs and continues a practice of conducting innovative scientific research aimed at solving the problems encountered by agency partners and stakeholders.

SHC’s research under the Superfund appropriation provides federal, regional, and community decision-makers with: 1) engineering tools, methods, and information to assess current conditions at Superfund sites; 2) decision support tools to evaluate the implications of alternative remediation approaches and technologies, and reuse of sites; 3) the latest science to support policy development and implementation; and 4) rapid access to technical support through EPA’s Superfund Technical Support Centers.

²¹ 42 U.S.C. § 9660(b).

Recent Accomplishments of the SHC Research Program include:

- **Superfund Technical Support Centers (TSC) for Engineering²² and Groundwater:²³** EPA's Engineering Technical Support Center (ETSC) services both National Priorities List Superfund and Resource Conservation and Recovery Act (RCRA) sites and prepares Engineering Issue Papers and webinars/presentations on critical topics of broad application to site remediation across the United States. The Ground Water Technical Support Center (GWTSC) consists of a group of scientists and engineers with broad expertise who provide help with subsurface contamination, contaminant fluxes from groundwater to other media, and ecosystem restoration issues. The ETSC and GWTSC respond to approximately 275 requests for assistance per year, 75-80 percent of which are from National Priority List sites.²⁴ Requests come from Superfund and RCRA corrective action staff from all 10 EPA Regions. Most requests are for document review or for technical advice. Some requests require field work, sampling, or laboratory analysis. The TSC responded to requests for assistance at some of the Agency's highest priority Superfund sites,²⁵ including the Bonita Peak Mining district in CO, the Quendell Terminal site in WA, the Tar Creek site in OK, the L.A. Clarke & Sons site in PA, and the Olin Chemical Superfund site in MA.
- **Peer-reviewed journal articles in FY 2019 on geophysical methods to characterize and monitor groundwater-surface water interactions:²⁶** EPA addresses contaminated groundwater at approximately 85 percent of Superfund sites²⁷ and at many RCRA²⁸ sites and Brownfields²⁹ sites. Such contamination can interact with surface water and pollute drinking water or produce adverse impacts on aquatic species and mobilize contaminants through the food chain, impacting human health. The two articles published in 2019 support the scientific foundation to map, characterize, and understand groundwater inputs into surface water bodies. The geophysical methods referenced in the 2019 articles facilitate Agency decision-making at Superfund and RCRA sites and aid in remediation and plume capture design. This work supports the Land and Emergency Management Program priorities for understanding the linkages between contaminant concentrations in sediment and fish tissue concentrations.
- **Peer-reviewed journal publication on Thioarsenite Detection and Implications for Arsenic Transport in Groundwater (September 2019):³⁰** EPA research addresses problems encountered at Superfund sites across the country, where groundwater pollution can result in polluted aquifers, wells, and surface water leading to polluted drinking water. Arsenic toxicity and mobility in groundwater depend on the chemical compounds that

²² For more information, please see: <https://www.epa.gov/land-research/engineering-technical-support-center-etsc>.

²³ For more information, please see: <https://www.epa.gov/water-research/ground-water-technical-support-center-gwtsc>.

²⁴ For more information, please see: [Engineering Technical Support Center Annual Reports](#); [Groundwater Technical Support Center Annual Reports](#).

²⁵ For more information, please see: <https://www.epa.gov/superfund/administrators-emphasis-list>.

²⁶ For more information, please see: <https://doi.org/10.5194/hess-22-6383-2018>; <https://doi.org/10.1111/gwat.12846>; <https://doi.org/10.1002/2015WR018219>.

²⁷ For more information, please see: <https://www.epa.gov/superfund/how-superfund-addresses-groundwater-contamination>.

²⁸ For more information, please see, for example: <https://www.epa.gov/hwpermitting/ground-water-monitoring-requirements-hazardous-waste-treatment-storage-and-disposal>.

²⁹ For more information, please see: <https://www.epa.gov/sites/production/files/2017-11/documents/brownfieldsroadmapepa542-r-12-001.pdf>.

³⁰ For more information, please see: <https://pubs.acs.org/doi/10.1021/acs.est.9b04478>.

arsenic forms in groundwater. EPA research describes methods to characterize those arsenic compounds, especially those containing sulfur. The published, analytical methods allow better prediction of transport and fate of arsenic in groundwater and the development of remediation approaches for treating impacted aquifers.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3 Objective 3.3, Prioritize Robust Science in the *FY 2018 – 2022 EPA Strategic Plan*, as well as the recommendations of the Superfund Task Force of July 2017.³¹ In FY 2021, EPA research under SHC will support the Land and Emergency Management Program, regional offices, states, and tribes, by providing technical assistance and support to help characterize, remediate, and manage contaminated sites and groundwater. The tools developed under the SHC Research Program will help the Land and Emergency Management Program and the regional offices address complex contamination problems at Superfund, RCRA, and Brownfields sites in the United States. EPA research personnel and associated support staff also will analyze existing research data on vapor intrusion, contaminated groundwater and sediments, and innovative technologies for site characterization and remediation. Additionally, scientific journal articles will be published to disseminate findings associated with the data.

Research Planning:

EPA's Board of Scientific Counselors (BOSC) is a federal advisory committee that provides advice and recommendations to EPA's Research and Development Program on technical and management issues of its research programs. The SHC Research Program will continue to meet regularly over the next several years with the BOSC SHC subcommittee to seek input on topics related to research program design, science quality, innovation, relevance, and impact.

The Agency assesses its research performance through the distribution of research evaluation surveys to key users of its research products. This provides evidence for how research products are being used, by whom, and the degree of satisfaction product users have with research product quality, usability, and timeliness of delivery. Through the evaluation process, the Agency identifies its strengths and finds targeted areas for improvement to its research programs.

EPA's state engagement program³² is designed to inform states about their role within EPA and EPA's research programs, and to better understand the science needs of state environmental and health agencies. Key partners at the state level include: the Environmental Council of the States, with its Environmental Research Institute of the States and Interstate Technology and Regulatory Council; the Association of State and Territorial Health Officials; as well as state media associations, such as the Association of State and Territorial Solid Waste Management Officials.

³¹ For more information, please see: <https://www.epa.gov/superfund/superfund-task-force-recommendations>.

³² For more information on EPA's state engagement efforts, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

Performance Measure Targets:

Work under this program supports performance results in the Research: Sustainable and Healthy Communities Program under the S&T appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$80.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$5,095.0 / +8.5 FTE) This net program change streamlines funding for research associated with designating chemicals as hazardous substances. It also refocuses the Agency's scientific and engineering expertise provided to address environmental problems via Technical Support Centers.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5 App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Research: Chemical Safety and Sustainability

Health and Environmental Risk Assessment

Program Area: Research: Chemical Safety for Sustainability

Goal: Greater Certainty, Compliance, and Effectiveness

Objective(s): Prioritize Robust Science

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Science & Technology	\$37,003.7	\$37,351.0	\$24,694.0	-\$12,657.0
<i>Hazardous Substance Superfund</i>	\$2,864.9	\$12,824.0	\$6,159.0	-\$6,665.0
Total Budget Authority	\$39,868.6	\$50,175.0	\$30,853.0	-\$19,322.0
Total Workyears	144.0	154.9	111.6	-43.3

Program Project Description:

EPA’s Health and Environmental Risk Assessment (HERA) Research Program is focused on the science of assessments that inform decisions made by EPA and others, including states and tribes. These assessments provide the scientific basis for decisions under an array of environmental laws, including: Clean Air Act; Clean Water Act; Safe Drinking Water Act; Toxic Substances Control Act (TSCA); and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). HERA supports the risk assessment needs of the Agency’s Superfund Program and regional risk assessors. With funding from Superfund, the HERA Research Program provides Provisional Peer-Reviewed Toxicity Values (PPRTVs) and rapid risk assessments to respond to emergent scenarios, and technical support on the application of human health and ecological risk assessment practices at hazardous waste sites for Superfund. These assessment tools and activities support risk-based management decisions at contaminated Superfund and hazardous waste sites.

The HERA Research Program is one of six integrated and transdisciplinary research programs within the Research and Development Program. The six research programs are each guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is implemented with their active collaboration and involvement. As part of the FY 2021 Budget, the new HERA FY 2019-2022 StRAP builds upon prior Human Health Risk Assessment (HHRA) StRAPs and continues a practice of conducting innovative scientific research aimed at solving the problems encountered by agency partners and stakeholders.

For the FY 2021 Budget, EPA renamed the HHRA Research Program to the HERA Research Program, to more accurately reflect the breadth of assessments conducted under this research program, including exposure and ecological assessments as well as human health hazard assessments. For example, this research program prepares the Integrated Science Assessments (ISAs) for both the primary and secondary National Ambient Air Quality Standards (NAAQS), the former statutorily related to human health effects and the latter covering human welfare, which includes ecological and other environmental impacts of the air pollutants. The timing of the

proposed name change to HERA coincides with, and is supportive of, the Research and Development Program's reorganization which occurred in September 2019.

HERA supports the Agency's mission to protect human health and the environment by identifying and characterizing the health hazards of chemicals of concern to the Superfund Program and responding to technical requests on topics relevant to human health or ecological risk assessment at hazardous waste sites. Scientists in the HERA Research Program synthesize available scientific information on the potential health and environmental impacts of exposures to individual chemicals and chemical mixtures in the environment to assist in the Agency's chemical risk assessment work. PPRTVs are an important source of toxicity information and toxicity values to ensure improvements in human health and the environment in communities near Superfund sites.

Priorities for PPRTV development are based on the needs of the Agency's Land and Emergency Management Program, with input from agency regional offices, and are evaluated annually. HERA research areas include applying new data streams, read-across approaches and computational tools, enhancement of supporting data/knowledge bases, and efficiency of derivation for PPRTV values.

There are over 1,300 Superfund sites on the National Priorities List.³³ Communities near Superfund sites or in emergency situations are faced with an urgent need for coordinated assistance to assess and address issues of environmental contamination. The HERA Research Program anticipates environmental contamination issues and develops new assessment approaches to enhance rapid response and screening capabilities and to augment toxicity value derivation procedures for health assessments.

Recent Accomplishments of the HERA Research Program include:

- **PPRTV Documents:** In FY 2019, the HERA Research Program completed three PPRTV documents based on the needs and priorities of EPA's Superfund Program. These include, 2-Ethylhexanol,³⁴ 2-Nitropropane,³⁵ and p- α,α,α -tetrachlorotoluene.³⁶
- **Technical Support:** In FY 2019, HERA fielded more than ten requests for scientific support on human and ecological assessment via the Superfund Health Risk Technical Support Center and Ecological Risk Assessment Support Center. These requests included assistance with employing new approach methods and continued stakeholder engagement on complex science to address needs of Superfund sites across the United States.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.3, Prioritize Robust Science in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the HERA Research Program's work will focus explicitly on efforts integral to achieving the Agency's priorities and informing EPA's implementation of key environmental regulations. Examples of this work include:

³³ For more information, please see: <https://www.epa.gov/superfund/superfund-national-priorities-list-npl>.

³⁴ For more information, please see: <https://cfpub.epa.gov/ncea/pprtv/recordisplay.cfm?deid=344923>.

³⁵ For more information, please see: <https://cfpub.epa.gov/ncea/pprtv/recordisplay.cfm?deid=347734>.

³⁶ For more information, please see: <https://cfpub.epa.gov/ncea/pprtv/recordisplay.cfm?deid=347733>.

- **PPRTV Assessments:** Provide at least six additional PPRTV assessments of variable scale as prioritized by EPA’s Land and Emergency Management Program.
- **Portfolio of Chemical Evaluation Products:** Complement the PPRTVs by providing additional ‘fit-for-purpose’ assessment products for priority chemicals, such as for up to five perfluorinated compounds and lead as prioritized by the Land and Emergency Management Program. Having modernized its assessment infrastructure, HERA will use evidence mapping to provide a better understanding of the extent and nature of evidence available to address agency needs (i.e., ‘fit for purpose’). This approach is expected to improve throughput for PPRTV development.
- **Linking Databases and Management Tools:** Continue to collaborate with the Chemical Safety for Sustainability (CSS) Research Program to link the architecture of assessment databases and literature management tools, including *Health and Environmental Research Online*, with the RapidTox Dashboard being developed in CSS.
- **Rapid Technical Support:** Continue essential technical assistance across EPA to provide rapid technical support to programs and regions. These activities will provide expedited health hazard and exposure technical support for evaluating chemical-specific exposures at Superfund and contaminated sites, as well as incorporating case-specific information related to urgent situations.

Research Planning:

EPA’s Board of Scientific Counselors (BOSC) is a federal advisory committee that provides advice and recommendations to EPA on technical and management issues of its research programs. The HERA Research Program and the BOSC HERA subcommittee will meet regularly over the next several years to seek input on topics related to research program design, science quality, innovation, relevance, and impact.

The Agency assesses its research performance through the distribution of research evaluation surveys to key users of its research products. This provides evidence for how research products are being used, by whom, and the degree of satisfaction product users have with research product quality, usability and timeliness of delivery. Through the evaluation process, the Agency identifies its strengths and finds targeted areas for improvement to its research programs.

EPA’s state engagement³⁷ is designed to inform states about their role within EPA and EPA’s research programs, and to better understand the science needs of state environmental and health agencies. Key partners at the state level include: the Environmental Council of the States, with its Environmental Research Institute of the States and the Interstate Technology and Regulatory Council; the Association of State and Territorial Health Officials; as well as state media associations, such as the Association of State and Territorial Solid Waste Management Officials.

Performance Measure Targets:

³⁷ For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

Work under this program supports performance results in the Research: Chemical Safety for Sustainability Program under the S&T appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$546.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$9,725.0) This program change streamlines funding for research associated with designating chemicals as hazardous substances. It also streamlines Superfund related research within the area of health and environmental assessment.
- (+\$2,514.0 / +14.7 FTE) This rebalances resources from the S&T appropriation to the Superfund appropriation within this program for work related to IRIS assessments.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Superfund Cleanup

Superfund: Emergency Response and Removal

Program Area: Superfund Cleanup

Goal: A Cleaner, Healthier Environment

Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$215,077.1</i>	<i>\$189,306.0</i>	<i>\$170,748.0</i>	<i>-\$18,558.0</i>
Total Budget Authority	\$215,077.1	\$189,306.0	\$170,748.0	-\$18,558.0
Total Workyears	262.9	244.7	244.7	0.0

Program Project Description:

The Emergency Response and Removal Program (SF Removal) is the foundation of federal emergency response to releases of hazardous substances, pollutants, or contaminants and is essential to managing the associated risks. In the case of a national emergency, EPA is charged with preventing, limiting, mitigating, or containing chemical, oil, radiological, biological, or hazardous materials released during and in the aftermath of an incident. Situations requiring emergency response and removal actions vary greatly in size, nature, and location, and include chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances. EPA's 24-hour-a-day response capability is a cornerstone element of the National Contingency Plan.³⁸ Further, this program is responsible for the Agency's only Primary Mission Essential Function.

Over the last 10 years (2010-2019), EPA completed or oversaw more than 3,066 Superfund removal actions across the country. SF Removal sites can be found in remote rural areas as well as large urban settings. Approximately 11 million people live within three miles of 221 SF Removal sites where EPA completed a removal action in FY 2016 – equal to about 3 percent of the total US population.³⁹ SF Removal clean-ups vary in complexity and contain a wide variety of contaminants including mercury, lead, and asbestos.⁴⁰

The SF Removal Program provides technical assistance and outreach to industry, states, tribes, and local communities as part of the Agency's effort to ensure national safety and security for chemical and oil responses. EPA trains, equips, and deploys resources in order to manage, contain, and remove contaminants. These substances, until contained or removed, have the potential to significantly damage property, endanger public health, and have critical environmental impact on communities.

³⁸ For additional information, please refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-nep-overview>.

³⁹ U.S. EPA, Office of Land and Emergency Management Estimate 2017. Data collected includes (1) site information as of the end of FY 2016 and (2) census data from the 2011-2015 American Community Survey.

⁴⁰ Data from US EPA Superfund Enterprise Management System.

Agency On-Scene Coordinators (OSCs) make up the core of the SF Removal Program. These trained and equipped EPA personnel respond to, assess, mitigate, and clean up environmental releases regardless of the cause. States, local, and tribal communities rely upon the OSC’s expertise and support to deal with environmental emergencies that are beyond their capabilities and resources.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018 – 2022 EPA Strategic Plan*. During FY 2019, EPA conducted 233 removal actions exceeding its annual target of 175 removals by 33 percent. In FY 2021, the SF Removal Program will:

- Respond to, and provide technical assistance for, emergency responses, removal assessments, and limited time critical response actions (non-emergency responses).
- Conduct and participate in selected multi-media training and exercises for emergency responders. These events ensure readiness by focusing on necessary coordination and consistency across the Agency, enhance specialized technical skills and expertise, and strengthen partnerships with state, local, tribal, and other federal responders.
- Support the Environmental Response Team (ERT), which provides nationwide assistance and consultation for emergency response actions, including unusual or complex incidents. In such cases, the ERT supplies the OSC, or lead responder, with special equipment and technical or logistical assistance.
- Continue to deploy its National Incident Management Assistance Team to set up organizational systems that help with the long-term strategic planning and response efforts.

Performance Measure Targets:

(PM 137) Number of Superfund removals completed.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target		275	275	275	175	175	141	141	Removals
Actual		278	226	255	242	233			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$3,704.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$22,262.0) The EPA will prioritize its resources on sites which pose an immediate threat to human health and the environment.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Sections 104, 105, 106; Clean Water Act (CWA); and Oil Pollution Act (OPA).

Superfund: EPA Emergency Preparedness

Program Area: Superfund Cleanup

Goal: A Cleaner, Healthier Environment

Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$7,679.9</i>	<i>\$7,636.0</i>	<i>\$7,700.0</i>	<i>\$64.0</i>
Total Budget Authority	\$7,679.9	\$7,636.0	\$7,700.0	\$64.0
Total Workyears	33.5	37.4	37.4	0.0

Program Project Description:

The Superfund Emergency Preparedness Program provides for EPA’s engagement on the National Response Team (NRT) and Regional Response Teams (RRT) where it ensures federal agencies are prepared to respond to national incidents, threats, and major environmental emergencies. EPA implements the Emergency Preparedness Program in coordination with Department of Homeland Security and other federal agencies in order to deliver federal hazard assistance to state, local, and tribal governments.

The Agency carries out its responsibility under multiple statutory authorities as well as the National Response Framework (NRF), which provides the comprehensive federal structure for managing national emergencies. EPA is the designated lead for the NRF’s Oil and Hazardous Materials Response Annex - Emergency Support Function #10 which covers responsibilities for responding to releases of hazardous materials, oil, and other contaminants that are a threat to human health and the environment. As such, the Agency participates and leads applicable interagency committees and workgroups to develop national planning and implementation policies at the operational level.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018 – 2022 EPA Strategic Plan*. EPA continuously works to improve its management of emergency response assets to be better prepared to handle large unprecedented incidents in order to increase cost effectiveness and avoid costly cleanup actions. The Superfund Emergency Preparedness Program participates in national and local exercises and drills, coordinates with stakeholders to develop Area and Regional Contingency Plans, and provides technical assistance to industry, states, tribes, and local communities. Specific activities include:

- Chair the NRT⁴¹ and co-chair the 13 RRTs. The NRT and RRTs are the only active environmentally-focused interagency executive committees addressing oil and hazardous

⁴¹ For additional information, please refer to: <https://www.nrt.org/>.

substance emergencies. They serve as multi-agency coordination groups supporting emergency responders when convened as incident specific teams.

- Participate in the development of limited, scenario-specific exercises and regional drills designed to assess national emergency response management capabilities. These activities will involve the RRTs, NRT, and/or principal level participants.
- Continue to implement the National Incident Management System⁴² which provides the approach to manage incidents and works hand in hand with the NRF.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$1,167.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$1,103.0) This net program change will result in streamlined exercises and training held with federal, state, and local partners.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), §§ 104, 105, 106; Robert T. Stafford Disaster Relief and Emergency Assistance Act.

⁴² For additional information, please refer to: <http://www.fema.gov/national-incident-management-system>.

Superfund: Federal Facilities

Program Area: Superfund Cleanup

Goal: A Cleaner, Healthier Environment

Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
<i>Hazardous Substance Superfund</i>	\$22,544.5	\$21,125.0	\$21,621.0	\$496.0
Total Budget Authority	\$22,544.5	\$21,125.0	\$21,621.0	\$496.0
Total Workyears	104.5	109.7	114.7	5.0

Total workyears in FY 2021 include 11.5 reimbursable FTE to support Federal Facilities.

Program Project Description:

The Superfund Federal Facilities Program oversees and provides technical assistance for the protective and efficient cleanup and reuse of Federal Facility National Priorities List (NPL) sites, pursuant to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120. Program responsibilities include: 1) inventory and assess potentially contaminated sites; 2) implement protective remedies; 3) facilitate early transfer of property; and 4) ensure ongoing protectiveness of completed cleanups.

The Federal Facility NPL sites are among the largest in the Superfund Program and can encompass specialized environmental contaminants such as munitions and radiological waste, and contaminants of emerging concern such as per- and polyfluoroalkyl substances (PFAS). To ensure efficiencies and consistent approaches to cleanup, the Program collaborates with the other federal agencies and states. The Superfund Federal Facilities Program will continue to work with our federal partners to target high priority sites, consider best practices, develop innovative solutions to emerging and unique contaminants, implement strategies to reach cleanup completion at sites, and bring contaminated land into beneficial reuse.⁴³

Cleaning up contaminated sites at federal facilities can serve as a catalyst for economic growth and community revitalization. The Superfund Federal Facilities Program facilitates the redevelopment of federal facility sites across the country by assisting other federal agencies (OFAs) expedite activities related to CERCLA response actions, while protecting human health and the environment. Collaborative efforts among OFAs; developers; and state, local, and tribal partners encourages restoration of sites. Since federal facility Superfund sites often encompass thousands of acres with buildings, roads, and other infrastructure, their effective and efficient cleanup and reuse can play a pivotal role in a community's economic growth. An FY 2019 study identified 22 federal facility Superfund sites in reuse with a total of 1,400 businesses that generated \$9.4 billion in annual sales and provide 115,000 jobs and \$7 billion in annual employment income.⁴⁴

⁴³ For additional information, please refer to: <https://www.epa.gov/fedfac>.

⁴⁴ For additional information, please refer to: <https://www.epa.gov/fedfac/redevelopment-economics-federal-facilities>.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018 – 2022 EPA Strategic Plan*. One of the Agency's top priorities is accelerating progress on Superfund sites. The Program will focus on Superfund Task Force recommendations including engaging with state, local, and tribal partners; and creating sensible approaches that enhance economic growth. A program goal is to achieve sites ready for anticipated use and promote the reuse and restoration of federal facility sites by prioritizing resources to focus on remedial actions and construction completions to accelerate Site-Wide Ready for Anticipated Use determinations and NPL deletions. In addition, the Program will prioritize and continue to partner with OFAs, states, tribes, and local communities to limit human exposure to potentially harmful levels of PFAS and lead in the environment.

EPA also will continue to oversee complex cleanups at Federal Facility NPL sites, such as contamination in groundwater, munitions and explosives of concern, contaminants of emerging concern such as PFAS, and contamination from legacy nuclear weapons development and energy research. While Department of Energy (DOE) has completed cleanup work at many of its sites, DOE estimates that the remaining legacy Cold War sites will take decades to complete due to groundwater, soil, and waste processing. Similarly, the Department of Defense (DOD) inventory includes sites that contain chemical and explosive compounds which require special handling, storage, and disposal practices, as well as cleanup. EPA will continue to provide oversight and technical assistance at DOD's military munitions response sites and support DOD's development of new technologies to streamline cleanups.

In FY 2019, the Program designated remedial decisions at 57 federal facility sites to address environmental contamination. The Program also achieved 33 Remedial Action Project Completions and reviewed 53 Five-Year Reviews to confirm protective remedies remain in place. Additionally, the Program is engaged at 88 Federal Facility NPL sites with PFAS detections, ensuring consistent and protective responses.

In FY 2021, the Superfund Federal Facilities Program will prioritize the highest risk sites and focus on activities that bring human exposure and groundwater migration under control. In addition, EPA manages the Federal Agency Hazardous Waste Compliance Docket (Docket) which contains information reported by federal facilities that manage hazardous waste or from which hazardous substances, pollutants, or contaminants have been or may be released. The Docket: 1) identifies all federal facilities that must be evaluated through the site assessment process; 2) determines whether they pose a risk to human health and the environment sufficient to warrant inclusion on the NPL; and 3) provides a mechanism to make the information available to the public.⁴⁵ The Docket is updated semi-annually and has over 2,300 facilities listed. To ensure the long-term protectiveness of the cleanup remedies, EPA will continue monitoring, overseeing progress, and improving the quality and consistency of Five-Year Reviews conducted at NPL sites where waste has been left in place and land use is restricted as required under Section 121(c) of CERCLA.

⁴⁵ EPA developed a website called FEDFacts, where all sites are mapped and linked to available environmental information, which may be found at: <https://www.epa.gov/fedfacts>.

Performance Measure Targets:

Work under this program supports performance results in the Superfund Remedial Program under the SF appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$1,669.0) This change is an increase due to the recalculation of base payroll costs.
- (-\$1,173.0) This net program change may require modified project schedules and cleanup milestones. The Program will prioritize resources on those facilities that present the highest risk to human health and the environment.
- (+5.0 FTE) This program change increases reimbursable FTE to support acceleration of cleanup work at Department of Energy's Hanford NPL Site.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 120.

Superfund: Remedial

Program Area: Superfund Cleanup

Goal: A Cleaner, Healthier Environment

Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
<i>Hazardous Substance Superfund</i>	<i>\$604,659.0</i>	<i>\$576,673.0</i>	<i>\$482,329.0</i>	<i>-\$94,344.0</i>
Total Budget Authority	\$604,659.0	\$576,673.0	\$482,329.0	-\$94,344.0
Total Workyears	894.9	868.8	868.8	0.0

Program Project Description:

The Superfund Remedial Program addresses many of the worst contaminated areas in the United States by investigating contaminated sites and implementing long-term clean-up remedies. The Superfund Remedial Program also oversees response work conducted by potentially responsible parties (PRPs) at National Priorities List (NPL) and Superfund Alternative Approach (SAA) sites. Completing relatively straightforward response actions, such as soil excavation or capping remedies, can take a few months, while implementing remedies at complex, large area-wide groundwater, sediment, or mining sites may take decades.

By addressing the human health and environmental risks posed by releases at NPL and SAA sites, the Superfund Remedial Program strengthens the economy and spurs economic growth by returning Superfund sites to productive use. As of FY 2019, EPA data shows that approximately 1,000 Superfund sites are in reuse, more than half the number of sites ever placed on the NPL. EPA has data on over 9,100 businesses at 602 of these sites. In FY 2019 alone, these businesses generated \$58.3 billion in sales. These businesses employed more than 208,000 people who earned a combined income of over \$14 billion. Over the last eight years, these businesses generated at least \$321 billion in sales.⁴⁶

While conducting cleanup at NPL and SAA sites, Superfund remedial construction projects can enhance our national infrastructure while addressing harmful exposures. Cleanup work lowers human health risk – for example, recent research indicates that Superfund clean-up lowered the risk of elevated blood lead levels by roughly 8 to 18 percent for children living within two kilometers of a Superfund NPL site where lead is a contaminant of concern.⁴⁷ Cleanup work under the Superfund Remedial Program also improves property values. A study conducted by researchers at Duke University and University of Pittsburgh found that residential property values within three

⁴⁶ For more information on Redevelopment Economics, please refer to: <https://www.epa.gov/superfund-redevelopment-initiative/redevelopment-economics-superfund-sites>.

⁴⁷ Details can be found at <https://www.epa.gov/environmental-economics/research-environmental-economics-ncee-working-paper-series>.

miles of Superfund sites increased between 18.7 and 24.4 percent when sites were cleaned up and deleted from the NPL.⁴⁸

In July 2017, EPA's Superfund Task Force developed a report containing 42 recommended actions in five goal areas: 1) Expediting Cleanup and Remediation; 2) Re-Invigorating Responsible Party Cleanup and Reuse; 3) Encouraging Private Investment; 4) Promoting Redevelopment and Community Revitalization; and 5) Engaging Partners and Stakeholders. Since then, EPA has worked to efficiently implement the recommendations and reach outcome-driven results aimed at expediting site cleanup, redevelopment, and community revitalization. As of September 2019, all 42 recommendations have been implemented by the Superfund Program. Key accomplishments related to the Superfund Remedial Program under the Superfund Task Force recommendations include:

- Increased the number of sites with Human Exposure Under Control;
- Improved public access to information on human exposure status;
- Increased number of sites fully or partially deleted from the NPL compared to prior years;
- Implemented Administrator review of remedy decisions greater than or equal to \$50 million;
- Focused optimization evaluations on priority sites;
- Developed a Superfund Risk Communication Improvement Plan;
- Furthered use of new remediation technologies by developing technical information and presenting webinars and training; and
- Made information on Superfund sites with reuse potential more widely available.

Additional Superfund Task Force accomplishments, including detailed information on implementation efforts, can be found in the Superfund Task Force Recommendations Final Report.⁴⁹

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *FY 2018 – 2022 EPA Strategic Plan*. For example, EPA made 48 Superfund sites ready for anticipated use in FY 2019, contributing to a two-year FY 2018-2019 Agency Priority Goal (APG) of 102 sites. EPA continues to focus on making sites ready for anticipated use and will report results for the FY 2020 – 2021 APG: Accelerate the pace of cleanups and return sites to beneficial use in their communities.

In FY 2021, EPA will prioritize resources to execute its non-delegable, federal responsibility to remediate sites and protect human health, welfare, and the environment. The Superfund Remedial Program endeavors to maximize the use of special account resources collected from PRPs for site-specific response actions as stipulated in settlement agreements. More than half of non-federal

⁴⁸ Shanti Gamper-Rabindran and Christopher Timmons. 2013. "Does cleanup of hazardous waste sites raise housing values? Evidence of spatially localized benefits," *Journal of Environmental Economics and Management* 65(3): 345-360, <http://dx.doi.org/10.1016/j.jeem.2012.12.001>.

⁴⁹ The Superfund Task Force (SFTF) Recommendations Final Report can be found at: <https://semspub.epa.gov/work/HQ/100002231.pdf>.

sites on the final NPL do not have an associated open special account and must rely on annually appropriated funds.

In FY 2021, EPA plans to continue to incorporate activities recommended by the Superfund Task Force to expedite cleanup while continuing to encourage private investment, promote Superfund site redevelopment, and build and strengthen partnerships. EPA also will continue to prioritize ongoing fund-led investigation, remedial design, construction, and long-term response actions to bring human exposure and groundwater migration under control.

In FY 2021, EPA proposes to direct resources in the Superfund Remedial Program to support implementation of the Per- and Polyfluoroalkyl Substances (PFAS) Action Plan. This investment provides additional tools to help states and communities assess PFAS presence. This work supports the FY 2020 – 2021 APG: Reduce PFAS risks to the public.

Performance Measure Targets:

(PM 151) Number of Superfund sites with human exposures brought under control.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target	10	9	9	9	8	12	10	10	Sites
Actual	9	10	12	24	32	17			

(PM 170) Number of remedial action projects completed at Superfund sites.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target	115	105	105	105	95	95	80	80	Projects
Actual	115	104	105	97	87	89			

(PM S10) Number of Superfund sites made ready for anticipated use site-wide.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target	55	45	45	45	51	51	51	51	Sites
Actual	45	45	41	43	51	48			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+\$9,126.0) This change is an increase due to the recalculation of base payroll costs.
- (+\$1,000.0) This program change is an investment supporting cross-agency work on implementation of the PFAS Action Plan.
- (-\$104,470.0) This net program change is a decrease to the Superfund Remedial Program. Funds will be prioritized for NPL sites that present the highest risk to human health and the environment, while modifying timelines for completing remedial investigation/feasibility study, remedial design and new construction projects for other sites, and reducing discretionary activities.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Superfund Special Accounts

Superfund Special Accounts

Background

EPA has the authority to collect funds from parties to support Superfund investigations and cleanups. Section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorizes EPA to retain and use funds received pursuant to a settlement agreement with a party to carry out the purpose of that agreement. Funds are deposited in Superfund special accounts for cleanup at the sites designated in individually negotiated settlement agreements. Through the use of special accounts, EPA ensures responsible parties pay for cleanup so that annually appropriated resources from the Superfund Trust Fund are generally conserved for sites where no viable or liable potentially responsible parties (PRPs) can be identified. Each account is set up separately and distinctly and may only be used for the sites and uses outlined in the settlement(s) with the party or parties.

Special accounts are sub-accounts in the Superfund Trust Fund. Pursuant to the specific agreements, which typically take the form of an Administrative Order on Consent or a Consent Decree, EPA uses special account funds to finance site-specific CERCLA response actions at the site for which the account was established. Of the current 1,335 Superfund sites listed as final on the National Priorities List, more than half do not have special account funds available for use (as of October 1, 2019). As special account funds may only be used for sites and uses specified in the settlement agreement, both special account resources and annually appropriated resources are critical to the Superfund Program to clean up Superfund sites.

Special account funds are used to conduct many different site-specific CERCLA response actions, including, but not limited to, investigations to determine the nature and extent of contamination and the appropriate remedy, design, construction and implementation of the remedy, enforcement activities, and post-construction activities. EPA also may provide special account funds as an incentive to another PRP(s) who agrees to perform additional work beyond the PRP's allocated share at the site, which EPA might otherwise have to conduct. Because response actions may take many years, the full use of special account funds also may take many years. Once all site-specific response work pursuant to the settlement agreement is complete and site risks are addressed, special account funds may be used to reimburse EPA for site-specific costs incurred using appropriated resources (i.e., reclassification), allowing the latter resources to be allocated to other sites. Any remaining special account funds are transferred to the Superfund Trust Fund, where they are available for future appropriation by Congress to further support response work.

EPA, through the implementation of recommendations from the Superfund Task Force⁵⁰, is working to ensure that contaminated sites across the country are remediated to protect human health and the environment and returned to beneficial use as expeditiously as possible. Maximizing the use of special accounts to facilitate site cleanup and/or redevelopment is one of the Task Force's recommendations EPA continues to work on. The "Updated Consolidated Guidance on the Establishment, Management, and Use of CERCLA Special Accounts" was issued on August

⁵⁰ The Superfund Task Force Final Report can be found here: https://www.epa.gov/sites/production/files/2019-09/documents/sftfreport_v17-9-5_for508s.pdf.

5, 2019.⁵¹ The guidance document addressed the Superfund Task Force report's recommendation specific to special accounts with a more robust discussion about when to establish a special account; types of funds that can be deposited in a special account; activities that may be funded through a special account; timing for use of special account funds; providing special account funds to external parties to conduct response actions; and management of special accounts. The issuance of this guidance completed this recommendation of the Superfund Task Force report.

FY 2019 Special Account Activity

Since the inception of special accounts through the end of FY 2019, EPA has collected approximately \$7.4 billion from parties and earned more than \$585.2 million in interest. Approximately 56 percent of the funds have been disbursed or obligated for response actions at sites and plans have been developed to guide the future use of the remaining 44 percent of available special account funds. In addition, at sites with no additional work planned or costs to be incurred by EPA, EPA has transferred over \$35.8 million to the Superfund Trust Fund. As of the end of FY 2019, over \$4.0 billion has been disbursed for site response actions and approximately \$388.4 million has been obligated but not yet disbursed.

The Agency continues to receive site-specific settlement funds that are placed in special accounts each year, so progress on actual obligation and disbursement of funds may not be apparent upon review solely of the cumulative available balance. In FY 2019, EPA deposited more than \$374.4 million into special accounts and disbursed and obligated over \$249.9 million from special accounts (including reclassifications). At the end of FY 2019, the cumulative amount available in special accounts was approximately \$3.45 billion.

Special accounts vary in size. A limited set represent the majority of the funds available. At the end of FY 2019, 5 percent of open accounts had greater than \$10 million available and hold more than 72 percent of all available funds in open accounts. There are many accounts with lower available balances. 72 percent of all open accounts with up to \$1 million available represent only 5 percent of available funds in all open accounts.

The balance of approximately \$3.45 billion is not equivalent to an annual appropriation. The funds collected under settlements are intended to finance future response work at particular sites for the length of the project. EPA is carefully managing those funds that remain available for site response work and develops plans to utilize the available balance. EPA will continue to plan the use of funds received to conduct site-specific response activities or reclassify and/or transfer excess funds to the Superfund Trust Fund to make annually appropriated funds available for use at other Superfund sites.

For some Superfund sites, although funds are readily available in a special account, remedial action may take time to initiate and complete. This is due to site-specific conditions such as the specific requirements for special account use set forth in the settlement agreement, the stage of site cleanup, the viability of other responsible parties to conduct site cleanup, and the nature of the site contamination. EPA has plans to spend approximately \$1.3 billion of currently available special account funds over the next 5 years, but funds also are planned much further into the future to

⁵¹ For a copy of the guidance, please see: <https://semspub.epa.gov/work/HQ/100002182.pdf>.

continue activities such as conducting five year reviews or remedy optimization where waste has been left in place.

In FY 2019, EPA disbursed and obligated approximately \$236.7 million from special accounts (excluding reclassifications) for response work at more than 650 Superfund sites. Some examples include \$39.8 million to support work at the New Bedford Harbor site in Massachusetts, \$27.3 million for the Welsbach & General Gas Mantle (Camden Radiation) site in New Jersey, and more than \$12 million for the Atlantic Wood Industries, Inc. site in Virginia. Without special account funds being available, appropriated funds would have been necessary for these response actions to be funded. In other words, EPA was able to fund approximately \$236.7 million in response work at sites in addition to the work funded through appropriated funds obligated or disbursed in FY 2019.

The summary charts below provide additional information on the status of special accounts. Exhibit 1 illustrates the cumulative status of open and closed accounts, FY 2019 program activity, and planned multi-year uses of the available balance. Exhibit 2 provides the prior year (FY 2019), current year (FY 2020), and estimated future budget year (FY 2021) activity for special accounts. Exhibit 3 provides prior year data (FY 2019) by EPA regional offices to exhibit the geographic use of the funds.

**Exhibit 1: Summary of FY 2019 Special Account Transactions
and Cumulative Multi-Year Plans for Using Available Special Account Funds**

Account Status¹		Number of Accounts
Cumulative Open		1,104
Cumulative Closed		389
FY 2019 Special Account Activity		\$ in Thousands
Beginning Available Balance		\$3,287,875.2
FY 2019 Activities		
+ Receipts		\$374,438.1
- Transfers to Superfund Trust Fund (Receipt Adjustment)		(\$2,794.5)
+ Net Interest Earned		\$36,866.1
- Net Change in Unliquidated Obligations		\$68,492.1
- Disbursements - For EPA Incurred Costs		(\$300,105.6)
- Disbursements - For Work Party Reimbursements under Final Settlements		(\$5,058.7)
- Reclassifications		(\$13,268.5)
End of Fiscal Year (EOFY) Available Balance ²		\$3,446,444.3
Multi-Year Plans for EOFY 2019 Available Balance³		\$ in Thousands
2019 EOFY Available Balance		\$3,446,444.3
- Estimates for Future EPA Site Activities based on Current Site Plans ⁴		\$3,221,681.1
- Estimates for Potential Disbursement to Work Parties Identified in Final Settlements ⁵		\$85,331.1
- Estimates for Reclassifications for FYs 2019-2021 ⁶		\$106,760.3
- Estimates for Transfers to Trust Fund for FYs 2019-2021 ⁶		\$26,719.8
- Available Balance to be Planned for Site-Specific Response ⁷		\$5,952.0

¹ FY 2019 data is as of 10/01/2019. The Beginning Available Balance is as of 10/01/2018.

² Numbers may not add due to rounding.

³ Planning data were recorded in the Superfund Enterprise Management System (SEMS) as of 11/7/2019 in reference to special account available balances as of 10/01/2019.

⁴ "Estimates for EPA Future Site Activities" includes all response actions that EPA may conduct or oversee in the future, such as removal, remedial, enforcement, post-construction activities as well as allocation of funds to facilitate a settlement to encourage PRPs to perform the cleanup. Planning data are multi-year and cannot be used for annual comparisons.

⁵ "Estimates for Potential Disbursements to Work Parties Identified in Finalized Settlements" includes those funds that have already been designated in a settlement document, such as a Consent Decree or Administrative Order on Consent, to be available to a PRP for reimbursements but that have not yet been obligated.

⁶ "Reclassifications" and "Transfers to the Trust Fund" are estimated for three FYs only. These amounts are only estimates and may change as the EPA determines what funds are needed to complete site-specific response activities.

⁷ These include resources received by the EPA at the end of the fiscal year and will be assigned for site-specific response activities.

Exhibit 2: Actual and Estimated Special Account Transactions FY 2019 – FY 2021¹

	FY 2019	FY 2020 estimate	FY 2021 estimate
	\$ in Thousands		
Beginning Available Balance	\$3,287,875.2	\$3,446,444.3	\$3,500,000.0
Receipts ^{2,3}	\$374,438.1	\$290,000.0	\$290,000.0
Transfers to Trust Fund (Receipt Adjustment) ³	(\$2,794.5)	(\$2,300.0)	(\$2,300.0)
Net Interest Earned ^{3,4}	\$36,866.1	\$44,000.0	\$44,000.0
Net Obligations ^{3,5}	(\$236,672.2)	(\$260,000.0)	(\$260,000.0)
Reclassifications ³	(\$13,268.5)	(\$15,000.0)	(\$15,000.0)
End of Year Available Balance ⁶	\$3,446,444.3	\$3,500,000.0	\$3,550,000.0

¹ FY 2019 data is as of 10/01/2019. The Beginning Available Balance is as of 10/01/2018.

² The estimates for Receipts are in line with more typical years.

³ The estimates for Receipts, Transfers to Trust Fund, Net Interest, Net Obligations, and Reclassifications are based on a three-year historical average.

⁴ FY 2019 net interest earned does not include interest earned from an investment which matured in September 2019. Interest earned was posted in EPA's Special Account Interest database the following month.

⁵ Net Obligations reflect special account funds no longer available for obligation, excluding reclassifications and receipts transferred to the Trust Fund.

⁶ Numbers may not add due to rounding.

Exhibit 3: FY 2019 Special Account Transactions by EPA Regional Offices

\$ in Thousands

	Beginning Available Balance	Receipts	Transfers to Trust Fund (Receipt Adjustment)	Net Interest Earned	Net Obligations	Reclassifications	End of Year Available Balance ²
Region 1	\$225,319.0	\$27,803.5	(\$750.9)	\$3,326.5	(\$46,296.9)	(\$4,415.3)	\$204,986.0
Region 2	\$524,373.3	\$94,389.5	\$0.0	\$5,919.6	(\$63,817.2)	(\$3,536.9)	\$557,328.4
Region 3	\$138,124.8	\$68,972.0	\$0.0	\$1,505.4	(\$19,394.7)	(\$827.0)	\$188,380.5
Region 4	\$74,907.9	\$3,803.7	(\$1,242.2)	\$707.8	(\$6,718.7)	(\$542.1)	\$70,916.5
Region 5	\$400,381.1	\$14,517.1	(\$0.8)	\$4,344.1	(\$16,809.5)	(\$2,507.0)	\$399,925.1
Region 6	\$106,200.8	\$26,282.8	\$0.0	\$1,164.0	(\$10,799.9)	(\$92.6)	\$122,755.1
Region 7	\$150,740.2	\$14,953.6	\$0.0	\$1,875.9	(\$16,707.7)	(\$708.6)	\$150,153.3
Region 8	\$204,478.3	\$80,125.9	(\$800.7)	\$2,372.6	(\$13,316.4)	(\$128.4)	\$272,731.3
Region 9	\$1,317,793.5	\$22,793.2	\$0.0	\$13,494.9	(\$25,215.2)	(\$459.3)	\$1,328,407.0
Region 10	\$145,556.2	\$20,796.8	\$0.0	\$2,155.2	(\$17,595.9)	(\$51.2)	\$150,861.1
Total	\$3,287,875.2	\$374,438.1	(\$2,794.5)	\$36,866.1	(\$236,672.2)	(\$13,268.5)	\$3,446,444.3

¹ FY 2019 data is as of 10/01/2019. The Beginning Available Balance is as of 10/01/2018.

² Numbers may not add due to rounding.

