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Environmental Protection Agency

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Justification of Appropriation Estimates for the Committee on Appropriations

Tab 02: Overviews

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Environmental Protection Agency
2018 Annual Performance Plan and Congressional Justification

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Improving Air Quality

Introduction

As part of its mission to protect human health and the environment, the EPA is dedicated to improving the quality of the nation's air. To address these concerns, the agency works in cooperation with states, tribes, and local governments to design and implement standards and programs, and to share information. This cooperative federalism underpins all aspects of the National Air Program. Strong cooperative partnerships are needed to make and sustain improvements in air quality in accordance with the Clean Air Act. The National Air program will focus on implementing core programs where a federal presence in required by statute. Regulation and policy will be based upon the clear direction given by Congress in the Clean Air Act, follow the rule of law, and incorporate robust input from the public. States and tribes intimately understand their air quality problems and are therefore best positioned to develop solutions.

From 1970 to 2015, aggregate national emissions of the six common air pollutants dropped an average of 70 percent while gross domestic product grew by over 246 percent. Despite this progress, in 2015, approximately 120 million people (about 40 percent of the U.S. population) lived in counties with air that did not meet EPA's regulations for at least one pollutant.

The EPA's criteria pollutant programs are critical to continued progress in reducing public health risks and improving the quality of the environment. However, listening to and working with states to set and implement standards is key. The criteria pollutant program first sets National Ambient Air Quality Standards (NAAQS) which are then implemented by the states who have primary responsibility under the CAA for developing clean air plans. The EPA provides a variety of technical assistance, training and information to support state clean air plans and air permits to assist states with achieving attainment with air quality standards.

The air toxics program develops and implements national emission standards for stationary and mobile sources and state/local air agency actions to address local air toxics problems in communities. The EPA reviews air toxics emissions standards, required every eight years under the Clean Air Act, to determine if additional emission control technologies exist and, if so, the EPA proposes more effective emission control technologies based on these reviews.

The EPA also implements the U.S. Greenhouse Gas Reporting Program, which requires mandatory greenhouse gas emissions reporting covering over 8,000 facilities from 41 large industrial source categories in the U.S. The data are shared with industry stakeholders, state and local governments, the research community, and the public to better understand emissions, inform opportunities, and communicate progress of actions. They also inform the annual GHG Inventory, a U.S. treaty obligation.

The EPA develops, implements, and ensures compliance with national emission standards to reduce mobile source related air pollution from light-duty cars and trucks, heavy-duty trucks and buses, nonroad engines and vehicles, and from their fuels. The program also evaluates new emission control technology and provides information to state, Tribal, and local air quality managers on a variety of transportation programs. On March 15, 2017 the EPA and Department

of Transportation announced that the EPA intends to reconsider the Final Determination, issued on January 12, 2017, that recommended no change to the greenhouse gas standards for light duty vehicles for model years 2022 - 2025. In order to provide the technical foundation for an agency decision, the program will undertake an assessment of factors such as technological feasibility, costs impacts, impacts on air quality and public health, and other relevant issues. The EPA must make any modifications to the existing rule through a notice-and-comment rulemaking, including the issuing of a Notice of Proposed Rulemaking and a Final Rulemaking.

The agency also measures and monitors ambient radiation and radioactive materials and assesses radioactive contamination in the environment. The agency supports federal radiological emergency response and recovery operations under the National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

Highlights of the FY 2018 President's Budget:

FY 2018 resources include $447.7 million and 1,312.2 FTE to improve air quality. Highlights include the following.

National Ambient Air Quality Standards (NAAQS)

In FY 2018, the EPA will continue to perform key activities in support of the NAAQS and implementation of stationary source regulations, supporting state, local, and tribal air quality programs. The agency will continue its CAA-mandated responsibilities to administer the NAAQS by reviewing state plans and decisions consistent with statutory obligations, taking federal oversight actions such as approving State Implementation Plan / Tribal Implementation Plan (SIP/TIP) submittals, and by developing regulations and policies to ensure continued health and welfare protection during the transition between existing and new standards. The budget request includes $100.4 million to provide federal support for state and local air quality management.

Air Toxics

The EPA will continue to prioritize CAA and court-ordered obligations. Section 112 of the CAA requires that the emissions control bases for all Maximum Achievable Control Technology (MACT) standards be reviewed and updated, as necessary, every eight years. In FY 2018, the EPA will continue to conduct risk assessments, to determine whether the MACT rules appropriately protect public health. The program will tier its work with an emphasis on meeting court ordered deadlines to align with priorities and capacity.

Federal Vehicle and Fuel Standards and Certification Program

In FY 2018, the budget includes $76 million for the Federal Vehicle and Fuels Standards and Certification program, which will focus its efforts on certification decisions. The agency will continue to perform its compliance oversight functions on priority matters, where there is evidence to suggest noncompliance. The EPA will continue to conduct testing activities for pre-certification confirmatory testing for emissions and fuel economy for passenger cars. In FY 2018, the EPA anticipates reviewing and approving about 5,000 vehicle and engine emissions certification

requests, including light-duty vehicles, heavy-duty diesel engines, nonroad engines, marine engines, locomotives, and others.

Greenhouse Gas Reporting Program

In FY 2018, the budget provides for $8.5 million to continue to implement the Greenhouse Gas Reporting Program. The program focus will include:

- Implementing already-finalized regulatory revisions across multiple sectors to address stakeholder concerns associated with collection and potential release of data elements considered to be sensitive business information;
- Aligning the database management systems with those regulatory revisions; and
- Conducting a targeted Quality Assurance/Quality Control and verification process through a combination of electronic checks, staff reviews, and follow-up with facilities when necessary.

Radiation

In FY 2018, the EPA's Radiological Emergency Response Team (RERT) will maintain essential readiness to support federal radiological emergency response and recovery operations under the National Response Framework (NRF) and National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA will design essential training and exercises to enhance the RERT's ability to fulfill the EPA's responsibilities and improve overall radiation response preparedness. The agency will continue to operate RadNet, the agency's fixed ambient environmental radiation monitoring network for the U.S

Grants for State, Local and Tribal Air Quality Management

In FY 2018, the EPA will provide grants to state, local, and tribal air pollution control agencies to manage and implement their air quality programs. Air monitoring, which provides information to states used to develop clean air plans, for research, and for the public, will continue to be a focus of the Administration. The budget includes $168.4 million in grants to states, localities and tribes to support air quality management work. Community scale air toxics monitoring will be funded by states and communities.

Research

The funding request of $30.6 million for Air and Energy (A&E) research program will support five related topic areas that include research projects that support the EPA's mission to protect human health and the environment, fulfill the agency's legislative mandates, and advance cross-agency priorities. The A&E program will work to measure progress toward environmental health goals, and translate research results to inform communities and individuals about measures to reduce impacts of air pollution. In addition, research personnel will analyze existing research data and publish scientific journal articles to disseminate findings associated with these data. The A&E research program relies on successful partnerships with other EPA research programs, offices, academic and industry researchers, state, local and private sector organizations, as well as key federal agencies.

Ensuring Clean and Safe Water

Introduction

Protecting the nation's water from pollution and contaminants relies on cooperation between the EPA, states and tribes. This cooperative federalism guides and underpins all aspects of the National Water Program. Strong partnerships between states, tribes, and the EPA are needed to make and sustain improvements in water quality. States and tribes intimately understand their water quality problems and are therefore best positioned to develop localized solutions to protect their waters.

The National Water Program will focus on implementing core programs where a federal presence is required by the statute. The decisions and priorities of the National Water Program will be based upon the clear direction given by Congress in the Clean Water Act and the Safe Drinking Water Act. Following the rule of law, all regulation and policy will be based on what the law directs and incorporate robust input from the public. Input from the public will help make our water policy beneficial to both the environment and the economy.

While much progress in water quality has been made over the last two decades, challenges remain to protect America's waters, particularly as it relates to aging infrastructure. In FY 2018, the National Water Program will focus its resources on supporting the modernization of outdated water infrastructure; creating incentives for new water technologies and innovation; and funding the core requirements of the Clean Water Act and Safe Drinking Water Act while providing states and tribes with flexibility to best address their particular priorities.

Highlights of the FY 2018 President's Budget:

FY 2018 resources include $2.873 billion and 1,778.8 FTE. Resources and FTE have been targeted to focus on core water programs authorized by statute. Funding for the categorical grants to states and tribes to support core water programs is $250 million.

Water Infrastructure Investments

A top priority for the National Water Program is modernizing the outdated water infrastructure on which the American public depends. Robust funding is provided for critical drinking and wastewater infrastructure. These funding levels further the President's ongoing commitment to infrastructure repair and replacement and would allow states, municipalities, and private entities to continue to finance high priority infrastructure investments that protect human health and the environment. The FY 2018 budget includes $2.3 billion for the State Revolving Funds and $20 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program. Under WIFIA, the EPA could potentially provide up to $1 billion in credit assistance, which, when combined with other funding sources, would spur an estimated $2 billion in total infrastructure investment.[1]

[1] This approximation is based on notional calculations. Subsidy cost is determined on a loan-by-loan basis.

Categorical Grants to States and Tribes

In addition to the State Revolving Funds described above, the FY 2018 budget provides funding for the following categorical grants that support state and tribal implementation of the Clean Water Act and the Safe Drinking Water Act: Public Water System Supervision (PWSS), Pollution Control (Sec. 106), Underground Injection Control (UIC), and Wetlands Program Development Grants. The EPA will work with states and tribes to target the funds to core requirements while providing states and tribes with flexibility to best address their particular priorities.

Safe Drinking Water

The FY 2018 budget requests $83.7 million for Drinking Water Programs, including science and technology programs. The EPA will continue work to revise the Lead and Copper Rule, providing certainty to states and Tribes, and to develop regulations to implement the Water Infrastructure Improvement for the Nation Act and the Reduction of Lead in Drinking Water Act. In addition, the EPA will continue work with states to develop the next generation management and reporting tool used by the majority of state drinking water programs. The new Safe Drinking Water Information System tool will provide the following benefits: improvements in program efficiency and data quality, greater public access to drinking water data, facilitation of electronic reporting, reductions in reporting burdens on laboratories and water utilities, reductions in data management burden for states, and ultimately reduction in public health risk.

Clean Water

The FY 2018 budget requests $175 million for Surface Water Protection and $18.1 for Wetlands. The FY 2018 budget supports the following core Surface Water Protection program components: water quality criteria, standards and technology; National Pollutant Discharge Elimination System (NPDES); water monitoring; Total Maximum Daily Loads (TMDLs); watershed management; water infrastructure and grants management; core wetlands programs and Clean Water Act Section 106 program management. In FY 2018, the EPA and the Army Corps of Engineers will work to implement the President's Executive Order directing the Administrator of the EPA and the Assistant Secretary of the Army for Civil Works to review the 2015 Clean Water Rule and publish for notice and comment a proposed rule rescinding or revising the rule, as appropriate and consistent with law.

Homeland Security

In FY 2018, the EPA will propose a targeted set of activities and outreach in its role as the sector specific agency for the water sector critical infrastructure. Outreach and technical assistance will be provided for the highest priority areas. Under Executive Order 13636: Improving Critical Infrastructure Cybersecurity, the EPA, in FY 2018, will continue to coordinate water sector specific cybersecurity risks with DHS.

Research

The EPA's Safe and Sustainable Water Resources (SSWR) research program is funded at $68.5 million in the FY 2018 President Budget. The SSWR research program uses a systems approach to develop scientific and technological solutions for the protection of human health and watersheds. The research is conducted in partnership with other EPA programs, federal and state agencies, academia, non-governmental agencies, public and private stakeholders, and the scientific community. This approach maximizes efficiency, interdisciplinary insights and integration of results.

Cleaning up Land

Introduction

The EPA works to improve the health and livelihood of all Americans by cleaning up and restoring our land, preventing contamination, and responding to emergencies. Approximately 166 million people – roughly 53 percent of the U.S. population and 55 percent of children under the age of 5 – live within three miles of a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), Resource Conservation and Recovery Act (RCRA) Corrective Action, or a Brownfields site that received EPA funding[2]. Collaborating with and effectively leveraging efforts of other federal agencies, industry, states, tribes, and local communities, the EPA uses its resources to enhance the livability and economic vitality of neighborhoods in and around hazardous waste sites.

The EPA partners with states, tribes and industry to prevent and reduce exposure to contaminants. Superfund and RCRA provide legal authority for the EPA's work to protect and restore the land. The agency and its partners use Superfund authority to clean up uncontrolled or abandoned hazardous waste sites, allowing land to be returned to productive use. Under RCRA, the EPA works in partnership with states and tribes to address risks associated with the generation, transportation, treatment, storage, or disposal of waste as well as works to clean up contamination at active sites.

The EPA works collaboratively with international, state, Tribal, and local governments to reach its goals and consider the effects of decisions on communities. The EPA will continue to work with communities to help them understand and address risks posed by intentional and accidental releases of hazardous substances into the environment and ensure that communities have an opportunity to participate in environmental decisions that affect them. The EPA's efforts are guided by scientific data, tools, and research that alert us to emerging issues and inform decisions on managing materials and addressing contaminated properties.

The EPA ensures federal environmental laws are implemented in Indian country. In situations in which tribes are not administering Tribal environmental programs, the EPA generally directly implements those programs to ensure protection of Tribal health and the environment. At this time, EPA directly implements the majority of federal environmental programs in Indian country. The EPA seeks to ensure that federal environment statutes are as effective inside Indian county as they are outside Indian country.

In FY 2018, the agency requests $1 million and 5.0 FTE to focus on analyzing the economic and regulatory impacts on the largest manufacturing sectors of the U.S. economy, streamline permitting processes and provide technical assistance to communities. The EPA will build constructive relationships with the largest manufacturing sectors of our economy. The goals are to ensure that the agency understands the needs of our customers, the regulated community, and states; identifies collaborative and innovative solutions to overcome barriers that prevent job

[2]U.S. EPA, Office of Land and Emergency Management Estimate 2015. Data collected includes: (1) site information as of the end of FY13; and (2) census data from the 2007-2013 American Community Survey.

creation and economic growth; and provide for better-informed rulemakings, reduced burden, increased transparency about environmental performance, and develop efficient, effective, consensus-based solutions to environmental problems.

Highlights of the FY 2018 President's Budget:

The FY 2018 request is $992.2 million and 2,255.1 FTE. The EPA will focus on implementing core programs where a federal presence is required by the statute. Decisions and priorities will be based upon the clear direction given by Congress. Following the rule of law, all regulation and policy will be based on what the law directs and incorporate robust input from the public. Input from the public will help make our policy beneficial to both the environment and the economy.

Restoring Contaminated Sites to Productive Use, Creating Jobs and New Economic Opportunities

The EPA's cleanup programs (i.e., Superfund Remedial, Superfund Federal Facilities, Superfund Emergency Response and Removal, RCRA Corrective Action, and Brownfields) work cooperatively with state, Tribal, and local partners to take proactive steps to facilitate the cleanup and revitalization of contaminated properties. Cleanup programs protect both human health and the environment and return sites to productive use, which is important to the economic well-being of communities.

In FY 2018, the EPA is looking to identify efficiencies and reduce administrative costs to accelerate the pace of cleanups. The agency will continue to help communities clean up and revitalize once productive properties by: removing contamination; enabling economic development; taking advantage of existing infrastructure; and maintaining, and improving quality of life. There are multiple benefits associated with cleaning up contaminated sites: reducing mortality and morbidity risk; preventing and reducing human exposure to contaminants; making land available for commercial, residential, industrial, or recreational reuse; and promoting community economic development.

Working collaboratively with partners across the country, the EPA engages with communities in site cleanup decisions, fosters employment opportunities in communities during and after remedy construction, promotes the redevelopment of blighted areas, and protects human health and the environment. Superfund properties are often reused as commercial facilities, retail centers, government offices, residential areas, industrial and manufacturing operations, and parks and recreational areas. The reuse often can play a role in economically revitalizing a community

The EPA works in partnership with states, having authorized 44 states and one territory to directly implement the RCRA Corrective Action program[3]. This program is responsible for overseeing and managing cleanups at active RCRA sites. States have been challenged in the cleanup program, and through worksharing, the agency serves as lead or support for a significant number of complex and challenging cleanups in both non-authorized and authorized states.

The UST program has achieved significant success in addressing releases since the beginning of the program and will continue to do so with a request of $11.976 million. End of year FY 2016

[3] State implementation of the CA Program is funded through the STAG (Program Project 11) and matching State contributions

data shows that, of the approximately 532,000 releases reported since the beginning of the UST program in 1988, more than 461,000 (or 86.7 percent) have been cleaned up. Approximately 71,000 releases remain that have not reached cleanup completion. The EPA is working with states to develop and implement specific strategies and activities applicable to their particular sites to reduce the UST releases remaining to be cleaned up.

By awarding Brownfields grants, the EPA is making investments in communities so that they can realize their own visions for environmental health, economic growth, and job creation. As of April 2017, the grants awarded by the program have led to over 67,000 acres of idle land made ready for productive use and over 124,300 jobs and $23.6 billion leveraged.[4]

Chemical Facility Safety

In FY 2018, the EPA requests $10 million for the State and Local Prevention and Preparedness program. States and communities often lack the capacity needed to prepare for and/or respond to these emergencies or to prevent them from happening, and the EPA fills valuable role in filling this gap.

The program establishes a structure composed of federal, state, local, and Tribal partners who work together with industry to protect emergency responders, local communities, and property from chemical risks through advanced technologies, community and facility engagement, and improved safety systems. In FY 2018 the program will inspect Risk Management Plan (RMP) facilities to ensure compliance with accident prevention and preparedness activities. There are approximately 12,500 chemical RMP facilities that are subject to inspections in the program. Of these, approximately 1,900 facilities have been designated as high-risk based upon their accident history, quantity of on-site dangerous chemicals stored, and proximity to large residential populations.[5]

Strategic Environmental Management

In FY 2018, the agency will focus on streamlining the permitting processes, which impact environmental protection and economic development in many sectors of the economy. This work will be done in conjunction with and in support of the Presidents' Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing.[6] While the EPA's permits will continue to protect human health and the environment, the more efficiently the agency works with state partners and the regulated industry, the more quickly permits can be issued, fostering greater environmental protection and economic development.

RCRA Waste Management

The FY 2018 budget provides $41.1 million to the RCRA Waste Management program. In FY 2018, RCRA permits for approximately 20,000 hazardous waste units (such as incinerators and landfills) at 6,600 treatment, storage, and disposal facilities will be issued, updated or maintained.

[4] The EPA's ACRES database.
[5] For additional information, refer to: https://www.gpo.gov/fdsys/pkg/FR-2017-01-13/pdf/2016-31426.pdf
[6] For more information: https://www.whitehouse.gov/the-press-office/2017/01/24/presidential-memorandum-streamlining-permitting-and-reducing-regulatory

The EPA will focus on PCB cleanups and providing work-sharing and leadership assistance to the states and territories authorized to implement the permitting program and directly implements the entire RCRA program in two states.

Hazardous Waste Electronic Manifest

On October 5, 2012, the Hazardous Waste Electronic Manifest Establishment Act was enacted, requiring the EPA to develop and maintain a hazardous waste electronic manifest system. The system will be designed to, among other functions, assemble and maintain the information contained in the estimated five million manifest forms accompanying hazardous waste shipments across the nation. When fully implemented, the electronic hazardous waste manifest (e-Manifest) program will reduce the reporting burden for industry by approximately $75 million annually. In FY 2018, the system will go into service and will transition into a fee-funded program.

Oil Spill Prevention

The inland oil spills can threaten human health, cause severe environmental damage, and create financial loss to industry and the public. The Oil Spill program helps protect the American people by effectively preventing, preparing for, responding to, and monitoring inland oil spills. The EPA serves as the lead responder for cleanup of all inland zone spills, including transportation-related spills, and provides technical assistance and support to the U.S. Coast Guard for coastal and maritime oil spills. In FY 2018, the EPA requests a total of $12.1 million for the Oil Spill Prevention, Preparedness and Response program.

Homeland Security

The EPA's Homeland Security work is an important component of the agency's prevention, protection, and response activities. The FY 2018 budget submission includes $15 million to maintain agency capability to respond to incidents that may involve harmful chemical, biological, and radiological (CBR) substances. Resources also will allow the agency to develop and maintain expertise and operational readiness for all phases of consequential management following a CBR incident.

Environmental Protection in Indian Country

The EPA Indian Environmental General Assistance Program (GAP) provides financial assistance to tribes to assist with capacity building and the development of environmental protection programs in Indian country. In FY 2018, the EPA will continue to fund the GAP grants which will allow tribes to develop media-specific environmental programs and also will ensure adequate resources for grantees to successfully implement the EPA-Tribal Environmental Plans (ETEPs) that outline their environmental program priorities and goals at the local level. Tribal resources are essential to address long-standing challenges to recruit and retain qualified environmental professionals to remote Indian country locations and will assist tribes with the implementation of environmental regulatory programs.

The magnitude of Tribal environmental and human health challenges reinforces the importance of the EPA's commitment to maintaining strong environmental protections in Indian country and to working with other federal agencies to effectively leverage resources. The EPA, the Department of the Interior, the Department of Health and Human Services (Indian Health Service), the Department of Agriculture, and the Department of Housing and Urban Development have worked through several Memoranda of Understanding (MOUs) as partners to improve infrastructure on Tribal lands. The Infrastructure Task Force will build on prior partnership success, including improved access to funding and reduced administrative burden for Tribal communities, through the review and streamlining of agency policies, regulations, and directives, as well as improved coordination of technical assistance to water service providers and solid waste managers through regular coordination meetings and web-based tools.

Research

In FY 2018, the Sustainable and Healthy Communities (SHC) program is funded at $60.7 million and will prioritize efforts to continue to support the EPA's program offices and state and Tribal partners in protecting and restoring land, and providing community decision makers with decision tools to support community health and well-being. In FY 2018, the EPA research personnel and associated support staff will analyze existing research data and publish scientific journal articles to disseminate findings associated with these data.

The SHC program also will continue to develop or revise protocols to test oil spill control agents or products for listing on the National Contingency Plan Product Schedule, including dispersants' performance and behavior in deep water and arctic conditions. Additional research outcomes include improved characterization and remediation methods for fuels released from leaking underground storage tanks.

Ensuring the Safety of Chemicals

Introduction

Chemicals are present in our everyday lives and products. They are used in the production of everything from our homes and cars to the cell phones we carry and the food we eat. Chemicals often may be released into the environment as a result of their manufacture, import, processing, use, and disposal.
The budget ensures the agency has the resources to address the safety of new chemicals and existing chemicals through the implementation of new Toxic Substances Control Act (TSCA).

Under authorization by TSCA, as amended, on June 22, 2016, by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the EPA is charged with the responsibility of assessing the safety of commercial and industrial chemicals and acting upon those chemicals if they pose significant risks to human health or the environment. The new law requires that an affirmative determination be made by the EPA on whether a new chemical substance will present, may present, or is not likely to present an unreasonable risk (or that available information is insufficient to enable any of these determinations to be made) before the chemical substance can proceed to the marketplace. The EPA also will maintain an ambitious schedule for initiating and completing in a timely manner risk evaluations of existing chemicals and, where risks are identified, for initiating and completing regulatory actions and increased communications with manufacturers to address risks. Work on the first 10 chemicals to be evaluated began in December 2016. By law, there must be 20 evaluations ongoing by the end of 2019. In addition, most claims of confidentiality for chemical identity must be reviewed in 90 days, as well as 25 percent of all other claims for confidentiality.

The EPA's pesticide licensing program evaluates new pesticides before they reach the market and ensure that pesticides already in commerce are safe when used in accordance with the label as directed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Federal Food, Drug, and Cosmetic Act (FFDCA), and the Food Quality Protection Act (FQPA). The EPA will register pesticides in a manner that protects consumers, pesticide users, workers, children, and other populations who may be exposed to pesticides. The program also will continue the registration review process for older pesticides. For all pesticides in review, the EPA will evaluate potential impacts on the environment.

The EPA has a long history of collaboration to address a wide range of domestic and global environmental issues. The EPA envisions that environmental actions in cooperation with international partners can catalyze even greater progress toward protecting our domestic environment. The EPA's work with international organizations is essential to successfully addressing transboundary pollution adversely impacting the U.S., strengthening environmental protection abroad so that it is on par with practices in the United States, and supporting the foreign policy objectives outlined by the White House, the National Security Council, and the Department of State.

The EPA research programs of Chemical Safety for Sustainability (CSS), Human Health Risk Assessment (HHRA), and Homeland Security underpin the analysis of risks and potential health

impacts across the broad spectrum of EPA programs and provide the scientific foundation for chemical safety. In FY 2018, the EPA will further strengthen its planning and delivery of science by continuing an integrated research approach that tackles problems systematically.

Highlights of the FY 2018 President's Budget:

In FY 2018, the agency expects to review over 1,000 new chemical submissions, take appropriate testing and risk management actions and make affirmative determinations in a timely manner and as close to the 90-day review as possible. The program also will evaluate the data submitted from Section 5 Consent Orders and address submitted Notices of Commencement (NOCs). In FY 2018, the EPA's toxics program will maintain its 'zero tolerance' goal for preventing the introduction of unsafe new chemicals into commerce.

Chemical Safety

In FY 2018, $65 million is directed to the TSCA Chemical Risk Review and Reduction Program. This increase in funding will support the agency's significant continuing and new responsibilities for ensuring that chemicals in commerce do not present unreasonable risks to human health or the environment. As authorized by the amendments to TSCA, the agency expects to collect TSCA Service fees beginning in FY 2018 in support of certain responsibilities under the new law.

Review of new chemicals will be prioritized. Scheduling will reflect a need for the agency to eliminate the backlog of reviews in order to ensure chemicals go to market in a manner that better promotes economic development. Timely evaluation will be based on the intended use of chemicals.

For chemicals in commerce, the EPA will maintain an ambitious schedule for initiating and completing chemical risk evaluations and, where risks are identified, for initiating and completing regulatory actions to address those risks. In FY 2018, the agency will be working to advance the first 10 chemicals that will undergo risk evaluations through the draft, peer review/public comment and final stages. In FY 2018, the agency plans to commence the process for identifying an additional 10 chemicals for which risk evaluation will be initiated during 2018-2019, to have 20 risk evaluations underway by the end of 2019. The EPA may require testing on up to 12 chemicals in connection with the prioritization and risk evaluation processes, where such testing is needed. Under TSCA section 6(h), there is a new fast-track process to address certain PBT chemicals; the EPA has begun risk management actions to address five of these Persistent Bioaccumulative Toxic (PBTs) within the prescribed period mandated by the law. The agency expects to publish an Alternative Testing Methods Strategy by June 2018, two years after the date of enactment, as required by the new law. In FY 2018, the EPA will finalize the designation of chemical substances on the TSCA inventory as either "active" or "inactive" in U.S. commerce. And throughout the fiscal year, the EPA will implement the new mandate to make determinations on claims for confidentiality for chemical identities and 25 percent of all other claims for confidentiality.

The agency also will provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provide for the operation and

maintenance of the online Federal Lead-Based Paint program database (FLPP) that supports the processing of applications for training providers, firms and individuals.

Identifying, assessing, and reducing the risks presented by the pesticides on which our society and economy rely is integral to ensuring environmental and human safety. Chemical and biological pesticides help meet national and global demands for food. They provide effective pest control for homes, schools, gardens, highways, utility lines, hospitals, and drinking water treatment facilities, while also controlling vectors of disease. The program ensures that the pesticides available in the U.S. are safe when used as directed. The agency's pesticide program is increasing its focus on pollinator health as well, working with other federal partners, states, and private stakeholder groups to stem pollinator declines and increase pollinator habitat. In addition, the program places priority on reduced risk pesticides that, once registered, will result in increased societal benefits.

In FY 2018, $99.4 million in appropriated funding is provided to support the EPA's pesticide registration review and registration program. The EPA will invest resources to improve the compliance of pesticide registrations with the Endangered Species Act. A portion of the funding also will ensure that pesticides are correctly registered and applied in a manner that protects water quality. The EPA will continue registration and reregistration requirements for antimicrobial pesticides. Together, these programs will minimize exposure to pesticides, maintain a safe and affordable food supply, address public health issues, and minimize property damage that can occur from insects, pests and microbes. The agency's worker protection, certification, and training programs will encourage safe application practices. The EPA also will continue to emphasize reducing exposures from pesticides used in and around homes, schools, and other public areas.

The EPA will continue to work to improve pollinator health by performing laboratory analyses of honeybees and related resources, such as hive structures. The EPA will continue to assess the effects of pesticides, including neonicotinoids, on bee and other pollinator health and take action as appropriate to protect pollinators, engage state and Tribal agencies in the development of pollinator protection plans, and expedite review of registration applications for new products targeting pests harmful to pollinators.

International Priorities

To achieve our domestic environmental and human health goals, international partnerships are essential, including those with the business community, entrepreneurs and other members of society. Pollution is often carried by wind and water across national boundaries, posing risks to human health and ecosystems many hundreds and thousands of miles away. In FY 2018, the EPA will continue to engage both bilaterally and through multilateral institutions to improve international cooperation to prevent and address the transboundary movement of pollution. In particular, the Office of International and Tribal Affairs (OITA) will continue technical and policy assistance for global and regional efforts to address international sources of harmful pollutants, such as mercury.

In FY 2018, the agency also will maintain a targeted set of efforts to reduce environmental threats to U.S. citizens. In particular, the EPA will continue technical and policy assistance for global and regional efforts to address international sources of harmful pollutants, such as mercury. Because

70 percent of the mercury deposited in the U.S. comes from global sources[7], both domestic efforts and international cooperation are important to address mercury pollution.

Research

The EPA research programs of Chemical Safety for Sustainability (CSS), Human Health Risk Assessment (HHRA), and Homeland Security underpin the analysis of risks and potential health impacts across the broad spectrum of EPA programs and provide the scientific foundation for chemical safety and pollution prevention. In FY 2018, the EPA will further strengthen its planning and delivery of science by continuing an integrated research approach that tackles problems systematically.

Research: Chemical Safety for Sustainability (CSS)

In FY 2018, the EPA is requesting $61.7 million for the CSS research program. These resources will: 1) incorporate advances in computational chemistry to allow use of information from chemical structures with known bioactivity to other structures with less data (i.e. read-across) in concert with growing international efforts; 2) use the high-throughput hazard and exposure information to begin to evaluate cumulative risk of chemical exposures; and 3) demonstrate how the ToxCast/Tox21 data can be used to develop high-throughput risk assessments, in particular for data-poor chemicals. The EPA also will utilize resources to research responsibilities under the Frank R. Lautenberg Chemical Safety for the 21st Century Act that support new assessment and chemical review capabilities, as directed by the law.

FY 2018 presents an opportunity to further enhance and broaden the application of the CSS computational toxicology research to agency activities across diverse regulatory frameworks. New emerging applications can add significant efficiency and effectiveness to agency operations. The applications complement efforts of the agency's Chemical Safety and Pollution Prevention program to apply high throughput and other 21st Century exposure information to Toxic Substances Control Act (TSCA) chemical prioritization.

Additionally, the CSS program will continue to apply computational and knowledge-driven approaches to amplify the impact of its research on engineered nanomaterials and on evaluation of emerging safer chemical alternatives. Results of this research will provide guidelines for evaluating potential impacts of emerging materials from the molecular design phase throughout their lifecycle in their applications to goods and products in commerce. These research directions are in keeping with the environmental health and safety research needs identified by the National Nanotechnology Initiative. Through specific case studies, CSS will further evaluate the impact of nanomaterial exposures through ubiquitous use in consumer products and lifecycle impacts, including discharge to wastewater or impact to biosolids.

Finally, the CSS research program is the lead national research program for the agency's Children's Environmental Health (CEH) Roadmap. Transforming EPA's capacity for considering child-specific vulnerabilities requires that the program apply advanced systems science and integrate diverse emerging data and knowledge in exposure, toxicology, and epidemiology to

[7] http://www.epa.gov/international/toxics/mercury/mnegotiations.html; www.mercuryconvention.org

improve understanding of the role of exposure to environmental factors during early life on health impacts that may occur at any point over the life course.

Research: Human Health Risk Assessment (HHRA)

In FY 2018, the agency's Human Health Risk Assessment Research Program will continue to develop assessments and scientific products that are used extensively by EPA programs and regional offices and the risk management community to estimate the potential risk to human health from exposure to environmental contaminants. These include:

- Integrated Risk Information System health hazard and dose-response assessments;
- Integrated Science Assessments of criteria air pollutants;
- Community risk science; and
- Advancing analyses and applications.

Research: Homeland Security Research Program (HSRP)

The Homeland Security Research Program (HSRP) will continue to enhance the nation's preparedness, response, and recovery capabilities for homeland security incidents and other hazards by providing stakeholders and partners with valuable detection and response analytics for incidents involving chemical, biological, or radiological agents. The program will continue to emphasize the research needed to support response and recovery from wide-area attacks involving radiological agents, nuclear agents, and biothreat agents such as anthrax.

In FY 2018, $108.2 million is directed to the Chemical Safety and Sustainability, Human Health Risk Assessment, and Homeland Security Research programs.

Enforcing Laws and Assuring Compliance

Introduction

The EPA's enforcement program is focused on assuring compliance with our nation's environmental laws. Consistent regulatory enforcement also levels the playing field among regulated entities, ensuring that those that fail to comply with the law do not have an unfair advantage over their law-abiding competitors. The EPA works in partnership with state and Tribal agencies to achieve this objective and to ensure that our communities have clean air, water, and land. To improve compliance, the EPA works to provide accessible tools that help regulated entities, federal agencies, and the public understand these laws and find efficient, cost effective means for putting them into practice. The EPA's enforcement program prioritizes inspections and other monitoring and enforcement activities based on the degree of health and environmental risk. The program collaborates with the Department of Justice, states, local government agencies, and Tribal governments to ensure consistent and fair enforcement of all environmental laws and regulations.

Highlights of the FY 2018 President's Budget:

Compliance Monitoring

The Compliance Monitoring program provides the critical infrastructure to promote compliance with the nation's environmental laws and protect human health and the environment. Compliance monitoring is comprised of a variety of tools and activities that states and the EPA use to identify whether regulated entities are in compliance with applicable laws, regulations, and permit conditions. In addition, compliance monitoring activities such as inspections and investigations are conducted to determine whether conditions exist that may present imminent and substantial endangerment to human health and the environment.

In FY 2018, the EPA's compliance monitoring activities such as field inspections, data tools, and assistance will focus on those programs that are not delegated to states, while providing some targeted oversight and support to state, local, and Tribal programs. The agency will prioritize work with states to develop methods that successfully leverage advances in both monitoring and information technology.

In FY 2018, the EPA will continue to maintain ICIS access to the agency, states, and the public, and implement the NPDES Electronic Reporting Rule covering e-reporting rule permitting requirements for the EPA and states on an adjusted schedule. In FY 2018, the EPA will work with states to prioritize next steps for the development of electronic reporting tools that support states. The EPA's electronic reporting tools save the states a significant amount of resources in development and operations and maintenance costs. In FY 2018, the proposed budget for compliance monitoring is $87.2 million.

Civil Enforcement

The Civil Enforcement program's overarching goal is to maximize compliance with the nation's environmental laws and regulations in order to protect human health and the environment. The program collaborates with the Department of Justice, states, local agencies, and Tribal governments to ensure consistent and fair enforcement of all environmental laws and regulations. The program seeks to strengthen environmental partnerships with co-implementers in the states, encourage regulated entities to rapidly correct their own violations, ensure that violators do not realize an economic benefit from noncompliance, and pursue enforcement to deter future violations.

In FY 2018, recognizing the role of states as primary implementers, the EPA will focus resources on direct implementation responsibilities and the most significant violations. Direct implementation responsibilities include programs that are not delegable or where a state has not sought or obtained the authority to implement a particular program. Examples include the Clean Air Act mobile source program, pesticide labeling and registration under FIFRA, enforcement on Tribal lands, and enforcement of non-delegated portions of various other laws, including RCRA, the Clean Water Act, and stratospheric ozone under the CAA, among others. The EPA also will continue to pursue enforcement actions at federal facilities where significant violations are discovered. The agency will refocus efforts from areas where significant progress has been made (and which no longer require as active an enforcement presence) toward areas that address the most substantial impacts to human health. In FY 2018, the proposed budget for civil enforcement is $143.3 million.

Criminal Enforcement

The EPA's Criminal Enforcement program enforces the nation's environmental laws through targeted investigation of criminal conduct, committed by individual and corporate defendants, that threatens public health and the environment. In FY 2018, the Criminal Enforcement 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 across all environmental statutes. The EPA's Criminal Enforcement program plays a critical role across the country, since states have a very limited capacity to prosecute environmental crimes. The Criminal Enforcement program within our resource levels will continue to collaborate and coordinate with the Civil Enforcement program to ensure that the EPA's Enforcement program responds to violations as effectively as possible. In FY 2018, the proposed budget for Criminal Enforcement is $44.5 million.

National Environmental Policy Act (NEPA)

In FY 2018, the EPA will work with OMB, CEQ, and other federal agencies to coordinate, streamline, and improve the NEPA process.[8] The EPA will work with agencies as they implement FAST-41, which sets out requirements to streamline infrastructure permitting project reviews.[9] The EPA also will work to implement the Executive Order: "Expediting Environmental Reviews

[8] For additional information, refer to: https://www.gpo.gov/fdsys/pkg/PLAW-114publ94/pdf/PLAW-114publ94.pdf.
[9] For additional information, refer to: https://www.gpo.gov/fdsys/pkg/PLAW-114publ94/pdf/PLAW-114publ94.pdf.

and Approvals for High Priority Infrastructure Projects."[10] The program expects to achieve some efficiencies by expediting environmental reviews and approvals for high priority infrastructure projects.

During FY 2018, the EPA will focus resources on the most significant proposals for major federal actions. As a component of this effort, the program will use and promote NEPAssist, a geographic information system (GIS) tool developed to assist users (the EPA, other federal agencies, and the public) with environmental reviews. In FY 2018, the proposed budget for NEPA is $13.5 million.

Forensics Support

The Forensics Support program provides specialized scientific and technical support for the nation's most complex civil and criminal enforcement cases, as well as technical expertise for agency compliance efforts. The work of the EPA's National Enforcement Investigations Center (NEIC) is critical to determining non-compliance and building viable enforcement cases. The NEIC maintains a sophisticated chemistry laboratory and a corps of highly trained inspectors and scientists with a wide range of environmental scientific expertise. In FY 2018, NEIC will provide high-quality forensics work within our resource levels in support of the highest priority investigations. Initiatives to stay at the forefront of environmental enforcement in FY 2018 will include improvements in inspection methods used at regulated hazardous waste facilities and utilizing existing technologies, such as advanced remote sensing for on-site air and water sampling for toxic and non-conventional pollutants. In FY 2018, the proposed budget for Forensics Support is $11.2 million.

Superfund Enforcement

The EPA's Superfund Enforcement program protects communities by ensuring that responsible parties conduct cleanups, preserving federal dollars for sites where there are no viable contributing parties. The 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.

In FY 2018, the agency will prioritize its efforts on the most significant sites in terms of environmental impact and potential cost liability to the government. The agency will continue its efforts to establish special accounts (site-specific, interest-bearing accounts funded by the potentially responsible party under a settlement agreement for cleanup and enforcement activities at the site for which it received the money). Since 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.

In FY 2018, the EPA will focus its resources on the highest priority federal sites, particularly those that may present an imminent and/or substantial endangerment, and on resolving formal disputes

[10] For additional information, refer to: https://www.whitehouse.gov/the-press-office/2017/01/24/executive-order-expediting-environmental-reviews-and-approvals-high.

under the Federal Facility Agreements (FFAs). In FY 2018, the EPA is requesting to merge the Superfund Federal Facilities Enforcement program with the Superfund Enforcement program. The agency will optimize the resources between the two programs. In FY 2018 the proposed budget for the Superfund Enforcement program is $94.4 million.

Partnering with States and Tribes

In FY 2018, the Enforcement and Compliance Assurance program will sustain its environmental enforcement partnerships with states and Tribes and work to strengthen their ability to address environmental and public health threats. In FY 2018, the Enforcement and Compliance Assurance program will provide $14.5 million in grants to the states and Tribes to assist in the implementation of compliance and enforcement provisions of the Toxic Substances Control Act (TSCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). These grants support state and Tribal compliance activities to protect human health and the environment from harmful chemicals and pesticides. Under the Pesticides Enforcement Grant program, the EPA will continue to provide resources to states and Tribes to conduct FIFRA compliance inspections and take appropriate enforcement actions. The Toxic Substances Compliance Grants protect the public and the environment from PCBs, asbestos, and lead-based paint.